

Top 10 Things to Know When Filing for SSDI

1. Continuing to work while filing for SSD Benefits.

It is possible to work and earn less than SGA (Substantial Gainful Activity). For 2020, the SGA limit is \$1,260 per month. Regardless of how many hours you work, if you earn over this limit, you are not disabled for SSA purposes.

2. Not listing all the conditions that affect your ability to work.

You should list all conditions that you are being treated for.

3. Get your doctor on board.

You will need your doctor's support to show that you are not capable of working.

4. Not following the treatment prescribed by your doctor.

Unless you have a good reason (i.e. the doctor told you that the treatment would not likely improve your condition), the medication prescribed causes bad side effects.

5. Failure to treat with a specialist.

For example, if you have Fibromyalgia, you need to be diagnosed by a Rheumatologist. If you have a back problem, you should treat with an Orthopedic Surgeon.

6. Gaps in treatment.

If you don't regularly treat, there won't be medical evidence to support your case. Consistent treatment may show the intensity and persistence of your symptoms. If you have gaps in treatment, you need to have an explanation such as, for example, your insurance lapsed.

7. Inconsistencies in your medical record.

You need to make sure that every time you see a doctor, you tell them your symptoms and how they affect your ability to do things. You should never tell your doctor you are doing well or that you are okay. If you have side effects from your medication, tell your doctor.

8. Not cooperating with SSA.

You need to thoroughly complete documents and respond timely to requests for information from SSA.

9. Not providing an accurate work history.

Make sure that you give accurate dates and a description of work demands of your jobs. SSA only looks at jobs that you have held within the past 15 years.

10. Not appealing a denial.

Unless you return to work within 12 months of your alleged onset of disability, you should go through the appeals process rather than filing a new claim.

For more information, please visit mcvlaw.com and mcvlaw.com/blog to learn more.