

SOCIAL SECURITY
DISABILITY
BENEFITS & BEYOND

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IN THIS ISSUE

The Right To Question The
Decision To Stop Disability Benefits

Will Benefits Be Reduced If I Get
Workers' Comp Or Other Benefits?

Letter From Jan Dils

Office Inbox
Stay Plugged Into The Practice

It's Time To...

Broccoli Salad

Evaluating Disability: The Listing
Of Impairments

Social Security Disability Eligibility
For Those With Mental Disorders

The Faces And Facts Of Disability



You Have The Right To Question The Decision To Stop Your Disability Benefits.

Social Security wants to be sure that every decision made about your Social Security or Supplemental Security Income (SSI) claim is correct. If Social Security decides that you are no longer disabled and you disagree, you can appeal. This means that Social Security will look at your case again to see if their decision was correct.

How much time do I have to appeal?

You have 60 days to ask for an appeal of the decision to stop your disability benefits. The 60 days start after you get Social Security's letter telling you that your benefits will stop. Social Security will assume that you got the letter five days after the date on it unless you show that it took longer for you to get the letter.

Source: www.socialsecurity.gov/pubs/EN-05-10090.pdf

What happens if I miss the time for an appeal?

If the 60-day period has passed, you may still be able to appeal. For example, Social Security may find that you have a good reason for being late if the forms sent to you did not arrive on time.

Will my payments continue during the appeal?

If you ask for an appeal within 10 days after the date you receive your letter, you also can request that your payments continue while the appeal is being decided. If you are late in asking for your payments to continue, you still may be able to get payments during the appeal if Social Security finds that you have a good reason for being late.

For more information about the appeals process, please feel free to contact the office of Jan Dils.

Will my disability benefits be reduced if I get workers' compensation or other public disability benefits?"

If you get either workers' compensation or public disability benefit payments, Social Security may reduce benefits for you and your family.

Workers get workers' compensation benefit payments because of job-related injuries or illnesses. Federal or state workers' compensation agencies, employers or insurance companies pay workers' compensation on behalf of employers.

Public disability benefit payments paid under a federal, state or local government law may affect your Social Security benefit. This includes civil service disability benefits, temporary state disability benefits, and state or local government retirement benefits based on disability. Disability payments from private sources, such as a private pension or insurance benefits, do not affect your Social Security disability benefits.

Social Security reduces the disability benefits you and your family get if the combined total amount, plus your workers'



compensation payment, plus any public disability payment you get, exceeds 80 percent of your average earnings before you became injured or ill.

Source: faq.ssa.gov/link/portal/34011/34019/Article/3724/Will-my-disability-benefits-be-reduced-if-I-get-workers-compensation-or-other-public-disability-benefits



A LETTER
FROM JAN

Fighting for the Social Security disability benefits you deserve can be tough. And sometimes, getting approved for your benefits isn't the last battle. That's why the Jan Dils team is here when you need us—now and in the future. This third quarter edition of our latest newsletter includes an article on what to do in the event that Social Security decides in the future that you are no longer disabled and makes a decision to stop your benefits. It's important to know that you have the right to appeal that decision.

It's also important to know in advance about circumstances that could potentially reduce your disability benefits. That's why we've also included an article that tackles the topic of workers' compensation and other public disability benefits, and whether or not they may reduce disability payments.

Another interesting topic we are shedding light on in this newsletter is mental disorders. I have found that many people don't realize that diagnosable mental disorders that prevent an individual from working can qualify for Social Security benefits, so be sure to read the article we have included.

With summertime in full swing, I hope you have been enjoying the warmer weather, and that you've had the opportunity to spend some time with family and friends enjoying your favorite activities. As always, I invite you to call us, email us, or make an appointment –our caring, experienced team is always ready to help any way we can in your fight for the Social Security benefits you have worked for and earned.

Sincerely, 



JAN DILS brings her expertise to issues that affect you and millions of other Americans every day. Her knowledge encompasses vital areas for Social Security disability benefits and related appeals and claims. With a practice that focuses on the people, Jan Dils ensures you get answers and the right results.

EVALUATING DISABILITY: THE LISTING OF IMPAIRMENTS.

One of the terms you may hear in the fight to obtain Social Security Disability benefits is "Listing of Impairments". The Listing of Impairments describes, for each major body system, impairments considered severe enough to prevent an individual from doing any gainful activity (or in the case of children under age 18 applying for SSI, severe enough to cause marked and severe functional limitations).

Most of the listed impairments are permanent or expected to result in death, or the listing includes a specific statement of duration. For all other listings, the evidence must show that the impairment has lasted or is expected to last for a continuous period of at least 12 months. The criteria in the Listing of Impairments are applicable to evaluation of claims for disability benefits under the Social Security disability insurance program or payments under the SSI program.

Part A of the Listing of Impairments contains medical criteria that apply to the evaluation of impairments in adults age 18 and over. The medical criteria in Part A may also be applied in evaluating impairments in children under age 18 if the disease processes have a similar effect on adults and younger children.

Part B of the Listing of Impairments contains additional medical criteria that apply only to the evaluation of impairments of persons in children under age 18. Certain criteria in Part A do not give appropriate consideration to the particular effects of the disease processes in childhood; that is, when the disease process is generally found only in children or when the disease process differs in its effect on children and adults. Additional criteria are included in Part B, and the impairment categories are, to the extent possible, numbered to maintain a relationship with their counterparts in Part A. In evaluating disability for child under age 18, part B will be used first. If the medical criteria in part B do not apply, then the

medical criteria in part A will be used. The criteria in the Listing of Impairments apply only to one step of the multi-step sequential evaluation process. At that step, the presence of an impairment that meets the criteria in the Listing of Impairments (or that is of equal severity) is usually sufficient to establish that an individual who is not working is disabled. However, the absence of a listing-level impairment does not mean the individual is not disabled. Rather, it merely requires the adjudicator to move on to the next step of the process and apply other rules in order to resolve the issue of disability.

Adult Listings (Part A) can be found at:
ssa.gov/disability/professionals/bluebook/AdultListings.htm

Childhood Listings (Part B) can be found at:
ssa.gov/disability/professionals/bluebook/ChildhoodListings.htm



Source: ssa.gov/disability/professionals/bluebook/listing-impairments.htm

Jan Dils has been named “**Partner of the Year**” by our friends at West Virginia University at Parkersburg. Jan was chosen to receive this award because of all the hard work the entire Jan Dils team put in to create the 2014 Walk4Vets event. Please join us in congratulating Jan and team for a job well done!

More congratulations are in order, too: **Eric Hillyard, Jenny Cochran, Julie Harrell, Joyce Pryor, Amber Sims, Kayla McCoy, Kelly Fritz,** and **Tricia Watkins** all just passed the Non-Attorney Rep Test; **Brittany McLeish** recently transitioned from Leads and Intake to her new position as a VA Case Manager; **Jessica Hacker** was recently named Team Leader of the VA Department; and **Robbie Milburn** and **Kayla Newell** transitioned to the Case Management Pod.

Also, please join us in welcoming several new members of the Jan Dils family: VA Team leader **Jessica Hacker** and her Husband Todd, Human Resources Manager **Eric Hillyard** and his wife Erica, and Invoice Specialist **Amanda Noland** and her husband Tim are all expecting their first child!

And the Apple Goes To...

Jan Dils Team member Cheryl Wingrove had the honor of handing out the final Golden Apple Awards for the school year. **Vickie Rodeheaver**, a fourth grade teacher at Franklin Elementary who has been teaching for 38 years, was chosen to receive April’s award.

“I like seeing a light turn on in a child’s face when they finally got what you’re trying to teach them. It takes a lot of patience and a love of children and a love of learning,” said Rodeheaver. She also said you need to love what you do because it’s an adventure, and that she hopes her students continue loving to learn and apply what they learn to their everyday life.

Anita Winter of Belpre Elementary School took home the honors as May’s Golden Apple Award Winner.

Mrs. Winter, a kindergarten teacher at Belpre Elementary, began teaching in 1976 and plans to retire at the end of this school year.

“My whole purpose in being here is to make a difference. And sometimes you don’t see that you’ve made a difference until later, but sometimes you actually see it right away. And I guess that’s the most rewarding thing,” said Mrs. Winter.

IT’S TIME TO...

Show that old pickup some love. **July 20th is Ugly Truck Day.**

Call your best buddy. **April 5th is Easter Sunday.**

Be nice to a Southpaw. **August 13th is Left Handers’ Day.**

Relax—you’ve earned it. **September 7th is Labor Day.**

Pay tribute to those who sacrificed for our freedom. **September 19th is POW/MIA Recognition Day.**

BROCCOLI SALAD

NOT A FAN OF BROCCOLI? YOU WILL BE AFTER TRYING THIS MONTH’S RECIPE FOR BROCCOLI SALAD!

Social Security Case Manager Kayla McCoy’s family and friends now looks forward to eating their veggies—and we bet you will too, once you try Kayla’s delicious recipe!

INGREDIENTS:

- 8 slices bacon (or real bacon bits)
- 2 Heads fresh broccoli, chopped
- 1 ½ Cups sharp Cheddar cheese, shredded
- 1/2 Large red onion, chopped
- 2 ½ Tablespoons white vinegar
- 1/3 Cup white sugar
- 1 Cup mayonnaise
- 1 Teaspoon fresh lemon juice

DIRECTIONS

Place bacon in a large, deep skillet. Cook over medium high heat until evenly brown. Drain, and crumble. (Or substitute real bacon bits)

In a large bowl, combine broccoli, cheese, bacon and onion. Prepare the dressing in a small bowl by whisking together white vinegar, sugar, mayonnaise and lemon juice. Combine dressing with salad. Cover, and refrigerate until ready to serve and enjoy!



**COMMONYMS:
TAKE THE CHALLENGE**

What’s a commonym you ask? A commonyms is group of words that have a common trait in the three words/items listed. For example: the words; A car - A tree - An elephant... they all have trunks. These will make you think!

1. Loan - Pool - Great White
2. Clog - Pump - Flat
3. Rain - Fur - Trench
4. Silver - Tin - Nickel
5. Coffee - Oil - Air
6. Tulip - Lamp - Onion
7. Saturn - Dirty Shirt Collars - Newleyweds
8. Date - Cook - Phone
9. Spock - Sues - Phil
10. Fire - Soda - Safe

This issue’s solution: 1. sharks 2. shoes 3. coats 4. metals 5. filters 6. they have bulbs 7. they have rings 8. books 9. doctors 10. crackers

JAN DILS BLOG

Social Security Disability Eligibility For Those With Mental Disorders.

It is estimated that 26.2 percent or 57.7 million of the American population aged 18 and above suffer from a diagnosable mental disorder. These individuals’ abilities are often impaired which prevents them from being able to work. If you or a loved one are among those afflicted with mental disorders, you may be able to claim disability benefits from the Social Security Administration (SSA).

Mental Disorder Assessment

The Social Security Administration is the sole government body in charge of the assessment of mental impairments to determine if a person is qualified to receive benefits. Due to the unpredictable nature of some mental disorders, however, mental disabilities are harder to prove than physical disabilities. To qualify for SSDI or SSI benefits, a claimant must be examined by SSA appointed examiners. They must also bring with them medical proof to substantiate their claim. In the event that there is not enough information to support your disability claim, you can undergo a mental consultative exam administered by an independent physician.

Mental Impairment Listings

After assessment, your symptoms and medical records will be cross-referenced against the official listing of impairments (often referred to as the blue book). In the blue book are mental conditions that render a claimant automatically qualified to receive SSDI or SSI benefits if the severity of those conditions meet specific requirements. These mental impairments are depression, bipolar disorder, anxiety, substance abuse disorders, mental retardation, autistic disorders, personality disorders, and schizophrenia.

People whose conditions do not meet the criteria listed in the blue book may push forward in claiming benefits. They only need to prove that the mental condition they are suffering from prevents them from working, and that it will last for at least 12 months. The SSA will then measure your residual functional capacity, or RFC, to determine the limits of your ability to work and the amount of benefits you should receive.

Getting Legal Help

Since mental disability is harder to establish, and the SSA might not be able to accurately judge a specific mental condition, you may want assistance from capable social security disability lawyers. If you’d like more information on this or any other disability topic, feel free to contact the Jan Dils team today.



1-877-JANDILS
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THE FACES AND FACTS OF DISABILITY

While most who are reading this newsletter have experienced disability, either personally or through the eyes of someone they care about, many people may not fully understand what it means to be disabled. To help educate the public and help others understand the need for Social Security Disability Insurance, Social Security created “The Faces and Facts Of Disability”. The campaign features personal stories of disabled people, in their own words. In launching the campaign, acting Social Security Commissioner Carolyn W. Colvin, issued the following statement:

“Social Security touches the lives of nearly every American, often during times of personal hardship, transition, and uncertainty. Our programs serve as vital financial protection for working men and women, children, the disabled, and the elderly.

We administer the largest disability program in the nation. Unfortunately, there are some common misconceptions about our program. We want to ensure that the American public understands this important program and has a clear picture of the individuals living with severe disabilities assisted by our program.

“Social Security touches the lives of nearly every American, often during times of personal hardship, transition, and uncertainty.”

Therefore, I am pleased to announce the launch of our new national communications campaign, The Faces and Facts of Disability. The campaign’s goal is to increase public awareness of the Social Security Disability Insurance (SSDI) program. The campaign will provide facts about the program and personal stories about those who benefit the most.

Many of you work tirelessly every day to provide service to individuals with disabilities. I thank you for making a difference in their lives. Those served by our disability program are our family members, friends, and neighbors – real people in our communities.

I encourage you to play an active role in The Faces and Facts of Disability campaign. Please learn the facts about our program; watch the stories about our beneficiaries, then, share this important information with others. Together, we can work to ensure that the SSDI program remains a viable resource for the severely disabled in our country.”

For more information or to read these inspirational stories yourself, visit ssa.gov/disabilityfacts/