

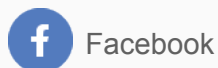
Jan Dils May Social Security Newsletter

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**PERSONAL INJURY  
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A disability can be caused by many factors at any given time in one's life. Through our three areas of legal practice – Social Security, Personal Injury and Veterans Law – we see quite a bit of crossover: a mother severely injured in a car accident; a young man who lost a limb in combat; a child hit by a driver texting. These are all very difficult and different legal situations. In our first article we talk about the parent of a child with a disability – whether it be from a birth defect or an accident. What happens when that child becomes an adult?

Did you know that May is American Bike Month, Asparagus Month, Asthma & Allergy Awareness Month, National Strawberry Month and, let's not forget our mothers. Mother's Day is always in May; this year it falls on the 12<sup>th</sup>. Those are five things to know about May. In our next article we share five more things to know. It's our first "5 FAQs About Social Security Benefits."

Of course, if you have more legal questions, we have answers. Your first

**JAN DILS**  
Social Security Disability  
law blog

[The 5 Levels of Your Social Security Disability Claim](#)

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consultation is always free. Do not hesitate to call 877.526.3457 or visit our [website](#) 24/7. And as another piece of free advice, please don't forget your moms!

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## WHAT HAPPENS WHEN A PERSON DISABLED SINCE CHILDHOOD BECOMES AN ADULT?



If you have a child with a disability or have known a parent caregiver, then you likely have empathy. The child is greatly loved but faces challenges and needs assistance – possibly for the rest of his or her life. As the parents and the child age, what becomes of the child in terms of financial resources?

SSDI does pay benefits to adults who have a disability that began before they became 22 years old. A “child’s” benefit is considered an



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SSDI benefit because it's paid on a parent's Social Security earnings record.

For a disabled adult to become entitled to this "child" benefit, one of his or her parents must be receiving Social Security retirement or disability benefits or must have died and have worked enough to qualify for Social Security.

Children who were receiving benefits as a minor child on a parent's Social Security record may be eligible to continue receiving benefits on that parent's record upon reaching age 18 if they are disabled. The disability determination is made using the disability rules for adults.



SSDI disabled adult "child" benefits continue as long as the individual remains disabled. Marriage of the disabled adult "child" may affect eligibility for this benefit. Your child doesn't need to have worked to get these benefits.

If your child is already receiving Social Security Income (SSI) payments, Social Security must review the child's medical condition when they turn age 18. The Department usually does this review during the one-year period that begins on your child's 18th birthday. Social Security will use the adult disability rules to decide whether your 18-year-old is eligible for SSI.

Even if your child wasn't eligible for SSI before his or her 18th birthday because you and your spouse had too much income or too many resources, they may become eligible for SSI at age 18.

At Jan Dils, Attorneys at Law, we understand not only the physical challenges and suffering, but the financial tolls a disability can take on the individuals and their families. We are compassionate, knowledgeable and experienced. If you have questions, we have answers. [Contact us](#) for a free consultation.

Source: <https://www.ssa.gov/pubs/EN-05-10026.pdf>

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## RECOGNIZING THE 5TH MONTH OF THE YEAR WITH 5 FAQs ABOUT SOCIAL SECURITY BENEFITS



### **1) How do Social Security benefits and Supplemental Security Income (SSI) payments differ?**

The two programs are financed differently.

Employment taxes primarily finance Social Security retirement, survivors and disability insurance benefits.

Generally, the Social Security Administration (SSA) pays Social Security benefits to eligible workers and their families, based on the worker's earnings.

Meanwhile, general taxes fund the [SSI program](#), which serves the needy who are blind, disabled or are 65+ years old. SSI eligibility depends largely on limited income and resources.

### **2) Can I return to work while getting Social Security disability benefits?**

Yes, you can return to work while receiving Social Security disability benefits. The Social Security Administration (SSA) has special rules to help you get back to work without jeopardizing your initial benefits. You may be able to have a trial work period for nine months to test whether you can work.

If you get disability benefits and your condition improves or you return to work, report these changes by calling 1-800-772-1213 (TTY 1-800-325-0778) or contacting [your local Social Security office](#).

You can report your wages by logging into your [my Social](#)

[Security](#) online, by calling 1-800-772-1213 (TTY 1-800-325-0778) or contacting [your local Social Security office](#).

### **3) Can I qualify for Social Security disability benefits if I get Veterans' benefits?**

The Department of Veterans Affairs (VA) and the Social Security Administration (SSA) each have disability programs. It is possible to receive disability benefits from both; however, the criteria for receiving disability benefits through Social Security are different from the criteria for receiving disability benefits from the VA, and you must file separate applications. For example, the VA may pay benefits for partial disability, but SSA pays disability benefits only to people with impairments so severe they prevent any kind of [substantial gainful activity](#) (SGA). You may find that you qualify for disability benefits through one program but not the other, or that you qualify for both.

For more information about whether you qualify and how to apply for disability benefits, see [Social Security Protection If You Become Disabled](#).



### **4) What are compassionate allowances?**

Compassionate allowances allow the Social Security Administration (SSA) to expedite Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) applications for people whose medical conditions are so severe that their conditions obviously meet SSA's definition of disability.

See [Compassionate Allowances](#) for more information.

### **5) How do I apply for Social Security disability benefits?**

Social Security offers an online disability application. [Applying online for disability benefits](#) offers several advantages:

- You can start your disability claim immediately. There is no need to wait for an appointment;
- You can apply from the convenience of your home or on any computer; and
- You can avoid trips to a Social Security office, saving you time

and money.

Other ways to apply:

Call 1-800-772-1213 (TTY 1-800-325-0778), Monday through Friday from 7 a.m. to 7 p.m.; or contact [your local Social Security office](#).

At Jan Dils, Attorneys at Law, we work to share helpful information and keep our clients, their families and friends informed. Now celebrating our 25th anniversary, we have seen so many cases where people in need are denied or just simply unable to navigate the system. We don't take "no" for an answer. Your first consultation is always free. Do not hesitate to call 877.526.3457 or visit our [website](#) 24/7.

Source: <https://faq.ssa.gov/en-US/topic/?id=CAT-01089>

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*Jan Dils keeps you updated on Social Security disability benefits news and important issues that matter the most. We not only focus on Social Security Disability, we also provide legal assistance for Veterans Disability Benefits . We understand the claims process and specialize in making sure Veterans receive the proper representation needed for receiving benefits. For more information on our Veterans Disability services, please visit [www.fight4vets.com](http://www.fight4vets.com)*

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Jan Dils, Attorneys at Law, handles Personal Injury Claims, Social Security and Veterans Disability for clients throughout West Virginia with offices located in Parkersburg-Beckley-Charleston-Huntington-Logan as well as one additional office located in Charlotte, North Carolina. But regardless of where you are located we are able to serve you or a family member nationwide.

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