

## Am I Disabled?

**Disability.** Social Security defines being disabled as an inability to engage in any Substantial Gainful Activity ("SGA") by reason of your impairment(s), mental and/or physical which are expected either to result in death, or to last for a continuous period of at least 12 months. 42 U.S.C. § 423(d); 20 C.F.R. §§ 404.1505(a), 416.905(a).

### What are the Social Security programs?

#### Social Security Entitlement programs

For all of the following programs, you must be disabled as defined above.

**1. Social Security disability ("SSDI" or sometimes called T2 or Title II).** This is an insurance policy that you have paid for with your FICA withholdings. In addition to being disabled, you must have paid FICA taxes for a sufficient number of quarters to be eligible.

You will need the following quarters of coverage in order to be fully insured for SSDI benefits:

Age	Quarters of Coverage
In or before the quarter you turn age 24.	1.5 years of work during the three-year period ending with a quarter your disability began.
In the quarter after you turn age 24, but before the quarter you turn age 31.	Work during one half the time for the period beginning with the quarter after you turned 21 and ending with the quarter you became disabled.
In the quarter you turn age, 31 or later.	Work during 5 years out of the 10 year period ending with the quarter your disability began.

If you become disabled, Social Security will pay for current benefits from the six-month following your disability or 12 months prior to your application, whichever is later in time.

**Medicare.** Additionally, you also receive Medicare entitlement in the 31<sup>st</sup> month following your disability. There is no Medicare waiting period for persons with Amyotrophic Lateral Sclerosis (ALS), or End Stage Renal Disease (ESRD) requiring dialysis or kidney transplant.

Your monthly benefit for SSDI is based not on your financial need or medical expenses, but upon your FICA contributions.

**Primary Insurance Amount ("PIA")** Your monthly benefit amount is called the Primary Insurance Amount ("PIA"). This amount is calculated by Social Security based upon your earnings.

**Social Security Statement.** Annually you should have been receiving a "Social Security Statement" a four page letter, which includes estimates of the amount you would receive upon retirement, or upon disability, and your family survivors benefits.

**Auxiliary Benefits.** Your family may also receive Auxiliary benefits, which are divided among your spouse and your minor children under age 16, and minor children under age 18 unless the child is still in high school, and under age 19.

**2. Supplemental Security Income ("SSI" or sometimes called Title 16 or Title XVI).** This is a welfare entitlement program available to anyone legally in the United States. You must have limited income and resources. Your home and one vehicle and not counted as resources. If you are married you must have less than \$3,000 in resources. If you are single you must have less than \$2,000 in resources. Social security will also look at your spouse's income, or if you are living in a household of another the income that person brings in.

Benefits are paid the month following your becoming disabled, or have filed your application, whichever occurs last. You will also receive Medicaid.

For 2010 and 2011 the maximum SSI benefit is \$674 per month in Colorado. The SSI benefit amounts vary from state to state.

**3. Disabled widows/widowers benefits ("DWB").** A disabled widow or widower who is at least age 50, who became disabled within seven years of his/her deceased insured spouses death.

**4. Disabled adult child benefits ("DAC"),** also, known as childhood disability benefits or childhood insurance benefits. The disabled child must be age 18 or older and have become disabled prior to age 22. Must not have been married (can be married to another Social Security beneficiary). Must be the child of an insured parent entitled to Retirement Insurance Benefits ("RIB"), Disability Insurance Benefits ("DIB"), or is deceased.