

What to Do To Keep Your Social Security Benefits in Place

Social Security benefits are not always permanent. When you were awarded either Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits you received a **Notice of Award** from the Social Security office that had a paragraph entitled **Things to Remember**. In that paragraph you will find the number of years within which your benefits will be reviewed. This is called a **Continuing Disability Review (CDR)** and usually takes place between 1 and 7 years depending on your condition but within 3 to 5 years is most common. The reviews are not always done within the time frame stated but you can expect to be reviewed at some point. A child's case will usually be reviewed within one year after turning 18 as the definition of "disability" changes from childhood to adulthood. This is called an **Age 18 Redetermination**.

What Steps Do I Take to Maintain My Benefits?

It is important to see your doctor at least twice a year even if your condition has not changed and there are no new treatment options. It is very important to continue seeing specialists with expertise in your condition. This will keep your disability and its symptoms and limitations documented for the eventual review.

It can be helpful to keep a log of the symptoms and limitations that you have on a daily or regular basis. Prepare a summary of this and bring it to each doctor's appointment. Use the following format and include examples. Be sure to state how often, how long and how intense each symptoms is and how it limits you. **These are examples only:**

- Can't focus longer than 15 minutes which affects reading, understanding instructions, learning new information. This occurs daily and prevents me from completing tasks such as following a recipe, filling out forms, watching a television program or socializing.
- Memory is a daily problem: I forget appointments, to pay bills, or take medicine. I forget important information and lose track in a conversation.
- I am frequently confused and disoriented. This interferes with managing my household responsibilities and taking care of myself.
- Can't cope with changes or stress; my mood changes often and I have meltdowns weekly.
- Physical limitations: pain prevents me from standing and sitting longer than one hour and walking more than one block. I can only lift and carry 1-5 pounds safely. Site examples of things that are prevented such as walking to mailbox, typing, cooking, bathing etc.

How Will I Know My Case Is Being Reviewed?

You will receive a letter from Social Security. Included will be a form asking you to report any changes in your condition for better or worse and for the names and addresses of the doctors you've seen since you were approved for benefits. Social Security also wants to know if you are able to work.

What Information Should I Provide?

Any tests, hospitalizations or surgeries that are related to your disability should be included on this form. You will also be asked if you have worked. If you have worked, be sure to state whether this work was short term and if it ended because of your disability. Be sure to state if you have or had any special conditions that enabled you to work such as accommodations or a job coach.

Be sure to state if you are using a Ticket to Work or are involved in a program of vocational rehabilitation. State if you are using a job coach. Your Continuing Disability Review may be put on hold while you are actively using your Ticket to Work or involved in another program of vocational rehabilitation or employment services. You can find more information about working while receiving social security at www.ssa.gov/work. Or, call SSA 800-772-1213.

What if My Case is Denied

If the information Social Security collects suggests that you have medically improved enough to work your case may be denied. If you are still unable to work you should appeal your case immediately but not later than 60 days. This will be called a Request for Reconsideration. If you are denied again you should appeal again within 60 days and this will be called a Request for Hearing. You will have the option of keeping your benefits during this period but will have to repay them if all appeals available are denied. Make this decision very carefully so as not to cause an overpayment of benefits.

Do I Need To Get Professional Help With A Review?

Not usually. The information requested is straightforward. It can be helpful to have a family member, friend, or medical professional assist you to ensure the information is accurate and complete and submitted within the 10 business days usually allowed. If you are denied two times and must file a Request for Hearing you can seek representation. A representative is paid out of your past due benefits if your case is approved. However, if you elect to continue receiving your benefits during this period it can be difficult to find a representative as there would be no past-due benefits from which to collect a fee.

To learn more about the Continuing Disability Review go to: www.socialsecurity.gov/pubs/10053.html

If you have questions about social security disability benefits you can contact the disAbility Law Center of Virginia at 804-225-2042 or (800) 552-3962 (TTY/VOICE) or email: info@dLCV.org.