

## **Applying for Disability Benefits after a Traumatic Brain Injury**

If you or a loved one has experienced a Traumatic Brain Injury (TBI) you will likely have many questions regarding your future. Among these: How will I pay for my medical bills and day-to-day expenses now that I can't work?

If you've asked yourself a similar question, you may be eligible to receive Social Security Disability benefits. These benefits may help to alleviate the financial burden of a TBI. This article will explain the process of applying for disability benefits in an easy-to-understand, four-step process.

### **Step 1: Understand Your Options**

There are two different federal disability benefit programs that can be considered Social Security Disability benefits. These programs are Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI). Both programs are run by the Social Security Administration (SSA) and are intended to serve different types of people. For this reason, each program has its own set of eligibility requirements.

SSDI offers disability benefits to disabled workers and their families. Workers throughout the country contribute Social Security taxes to this program throughout their careers. Therefore, eligibility for SSDI is contingent upon an applicant's work experience and tax contributions. Learn more about qualifying for SSDI, here: <http://www.disability-benefits-help.org/ssdi/qualify-for-ssdi>.

SSI differs from SSDI in that it is not dependent upon Social Security tax but rather is intended to offer financial support for individuals with very little income. Because SSI is a needs-based program, applicants must fall within the SSA's financial limits in order to qualify. It is important to note that the SSI program has no age restrictions—meaning that young adults, teens, and children can qualify for SSI benefits. Learn more about qualifying for SSI, here: <http://www.socialsecurity.gov/ssi/text-eligibility-ussi.htm>.

If you meet the criteria for both SSDI & SSI, then you may be able to receive both benefits.

### **Step 2: Consult the Blue Book**

The SSA utilizes a publication known as the Blue Book to evaluate and classify disabilities. If you are an adult with a TBI, your disability claim will likely be evaluated under Blue Book listing 11.18—Cerebral Trauma. While most Blue Book listings outline the SSA's specific requirements for a particular condition, the listing for Cerebral Trauma directs applicants to four separate listings under which they can qualify. These are:

- Listing 11.02—Convulsive epilepsy
- Listing 11.03—Non-convulsive epilepsy
- Listing 11.04—Central Nervous System Vascular Accident
- Listing 12.02—Organic Mental Disorders

Although the SSA understands that you may not have these specific conditions, the symptoms and complications can be very similar. You should look at each of the above-mentioned listings to determine which listing is the closest match to your particular symptoms. View all of these Blue Book listings, here: <http://www.ssa.gov/disability/professionals/bluebook/AdultListings.htm>.

Do not be discouraged if your condition does not meet any Blue Book listings. You may still be able to qualify for benefits if the SSA determines that your condition prevents you from performing common work place tasks and activities. This is referred to as a Medical Vocational Allowance. To qualify under a Medical Vocational Allowance, the SSA will evaluate your age, job training, physical capabilities, and mental capabilities to determine whether or not you are able to work.

If it is determined that you are not capable of working then you will be awarded benefits. If it is determined that you *are* capable working, you will be denied benefits and the SSA will offer you different career suggestions.

### **Step 3: Application Preparation**

Before submitting your initial disability application, you will need to gather medical, financial, and employment records to support your claim. Medical documentation may include:

- MRIs/x-rays
- Record of your medical history
- Record of your diagnoses
- A history of your medications and treatments and how you responded to each
- Laboratory tests and results
- History of hospitalizations
- Findings of physical and mental examinations
- Written statements from your treating physicians

Non-medical documentation that you may decide to incorporate is:

- Information about your accident (specific incident, date, injury occurred)
- Written statements from former employers regarding the effects of your TBI on your employment

For a complete list of necessary documents, visit the following page:

<http://www.socialsecurity.gov/disability/Documents/Checklist%20-%20Adult.pdf>

### **Step 4: The Application Process**

You can apply for benefits either online or in-person at your local Social Security office. Both are effective methods of applying, the decision should be based on your personal preference. If you choose to apply in person, you will be required to schedule an appointment in advance.

The actual application is made up of several different forms. Complete these forms in as much detail as possible and submit them along with the records mentioned in the previous section.

On average it can take anywhere from three months to one year to receive a decision on your initial application. Unfortunately, more than 60% of applications are denied in the initial stage. If this is the case with your application, you are allowed to appeal the SSA's denial within 60 days. Although receiving a denial is often disappointing, you should realize that many more disability applications are approved during appeals procedures than during the initial application.

For more information regarding Traumatic Brain Injury and disability benefits, visit the following page: <http://www.disability-benefits-help.org/disabling-conditions/traumatic-brain-injury-and-social-security-disability>.