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Social Security Disability

What Are The Social Security Administration's (SSA) Disability Programs?

SSA offers two major programs that provide benefits based on disability. These programs are Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI). For most people the disability requirements are the same under both programs and are determined by the same process. You must submit an application to SSA to start either process.

SSA also pays benefits to disabled widows(ers) and surviving disabled divorced spouses who must be disabled within 7 years of their spouse's death and be between 50 and 60 years old.

Who Is Eligible For SSDI?

SSDI pays benefits to the insured worker who is disabled or blind, to the worker's child, spouse, widow(er) or surviving divorced spouse of an insured worker. To be insured, the worker must have earned a minimum number of credits from work covered under Social Security. Generally, 20 credits must be earned in the last 10 years ending with the year the worker became disabled. Family members who qualify for disability benefits on your work record do not need work credits.

Who Is Eligible For SSI?

The SSI program is based on financial need and does not require that you have a work-earnings record. However, an SSI applicant must have limited income and resources as well as meeting SSA's definition of "disabled."

How Do SSDI And SSI Disability Benefits Differ?

In most circumstances, SSDI requires that you be disabled for 5 full months before paying you benefits. In some cases, you can receive a retroactive award for SSDI benefits if you were disabled before you applied. SSI disability benefits have no waiting period but are only paid from date of application.

SSDI benefits may also be paid to certain family members. SSI disability benefits are only available to the disabled applicant and do not provide benefits to anyone else. The SSDI benefit amount is based on the amount of FICA taxes you contributed to Social Security while working. The amount of SSI disability benefits is a set amount, limited to the Federal Benefit Rate ($967 in 2025) minus any other income you are entitled to receive.

How Does SSA Determine Disability?

SSA uses the same methods and criteria to determine disability for both SSDI and SSI disability applicants. If you claim disability, you must prove that a physical and/or mental impairment prevents you from engaging in Substantial Gainful Activity (SGA). SSA only pays benefits for total disability. Your physician must confirm your disability claim and the disability must have lasted, or can be expected to last, 12 months or be expected to result in death. In 1997, "disability" was redefined to exclude individuals whose alcoholism or drug addiction substantially contributed to the determination that they are disabled.

What Are SSA's Disability Evaluation Steps?

The following are the sequential evaluation steps that SSA uses to determine disability:

Step #1: Are you working?
SSA asks if you are working and earning more than $1,620 per month (SGA)? If yes, you are not disabled. If no, go to Step #2.

Step #2: Is your impairment severe?
Do you have a physical and/or mental impairment severe enough to significantly limit your ability to do basic work? If no, you are not disabled. If yes, go to Step #3.

Step #3: Is your impairment on SSA's list of disabling conditions?
Or is it of equal severity to a medical condition that is on the list? If yes, you are disabled. If no, go to Step #4.

Step #4: Does your impairment stop you from doing jobs you have held in the past 15 years?
If no, you are not disabled. If yes, go to Step #5.

Step #5: Can you do any other type of work?
Considering your age, education, work experience, and remaining work ability, can you do other work available in your geographic area? If yes, you are not disabled. If no, you are disabled.

Can I Work After SSA Has Determined That I Am Disabled?

Yes, however, there are strict limitations on how much you can earn monthly.

SSDI: The $1,620 SGA rule (2025) applies to applicants and recipients. If you earn more than $1,620 in gross countable monthly income, SSA will assume that you are performing Substantial Gainful Activity (SGA). Under the sequential evaluation process of determining eligibility, a person performing SGA will not be considered disabled. When the $1,620 SGA rule applies, your disability benefits will be denied or terminated. Under Social Security regulations, any part of your monthly earnings from a subsidy (sheltered or supported employment and some government-sponsored training programs) do not count when measuring income against the $1,620 SGA Rule. If your disability is blindness, you may earn up to $2,700 (2025). Social Security provides a trial work period (TWP) of nine months for an SSDI recipient to test his or her ability to return to work without losing benefits. The nine months do not have to be consecutive and any month where you earn at least $1160 is considered a "trial work" month. There may also be an extended period of eligibility that would allow you to keep your Medicare coverage even if your disability benefits are terminated.

SSI: For the SSI disabled recipient, the income counted depends on whether the income is earned or unearned. The first $65 of earned income, as well as one-half of remaining earned income, is not counted. The first $20 of unearned income is not counted. Neither the $1,620 SGA rule nor the TWP applies to an SSI recipient, but visit the SS website for a list of SSI and other SSDI work incentives.

What Should I Do If My Application For Disability Is Denied?

The first step in your appeal is to file a written request for reconsideration with SSA. You have 60 days (plus 5 days mailing time) from the date on the denial notice to submit your request. If available, give the SSA an updated report from your physician(s). After reviewing your file, the SSA will send you a written decision.

What Can I Do If The Reconsideration Decision Is Unfavorable?

Ask in writing for a hearing before an Administrative Law Judge (ALJ). Submit this request to SSA within 60 days (plus 5 days mailing time) from the date on the reconsideration decision. At the hearing, you may submit updated medical reports, call witnesses and explain why you are disabled. See Question #6. The ALJ may ask you about your work history, education, daily activities and the problems your disability causes.

What Should I Do If I Receive A Notice Stopping My Monthly Check Due To Medical Improvement?

You must file a written request for reconsideration within 10 days of receiving the notice. If you do this, and continue to appeal your case, SSA must continue sending you your monthly check until you receive an adverse ALJ decision. This will also require you to request an ALJ hearing within 10 days of receiving an unfavorable reconsideration determination. If you are found not disabled after you have completed all appeals, SSA can charge you with an overpayment.

Where Can I Obtain The SSA Forms?

All forms are at your local Social Security Office and online at their website. Pro Seniors can provide free information, advice, representation and/or referrals to Ohio residents aged 60 and older who wish to appeal their SSDI cases by calling our Legal Helpline at (800) 488-6070.

Pro Seniors helps older Ohioans solve legal and long-term care problems and fight Medicare fraud. Our Legal Helpline provides free legal information and advice for Ohio residents aged 60 and older.

This fact sheet provides general information, not legal advice. The law is complex and changes frequently. Before you apply this information to a particular situation, call Pro Seniors' free Legal Helpline or consult an attorney in elder law.

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