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Social Security Retirement

How Do I Qualify For Social Security Retirement (SSR) Benefits?

You are qualified based only on age. Because of longer life expectancies, the Social Security (SS) law was changed in 1993 to increase the full retirement age in gradual steps until it reaches age 67. This change started in 2003, and affects people born in 1938 or later.

When you work and pay SS taxes, called FICA, you earn SS credits. If you do not have 40 quarters of coverage when you reach retirement age you are not fully, but may be "currently insured." To be currently insured you must have at least six quarters of coverage in the 13 quarter period ending with the quarter you become eligible for benefits or die. Most people earn the maximum of four credits per year. The number of credits you need to qualify for retirement benefits depends on your date of birth. If you were born in 1929 or later, you need 40 credits (10 years of work).

When Do I Apply For SSR Benefits?

Apply three months before you plan to retire to allow SS time to process your paperwork to start your checks. You can apply online, by phone, 1-800-772-1213, or in person at your local SS Office. When you apply in person, take your SS card, a birth certificate for you and all dependents that will draw on your earnings and evidence of your most recent annual earnings. Note that SS's Full Retirement Age (FRA) is no longer age 65 (See question 4 below.) However, because Medicare benefits still start at age 65, you should contact SS three months prior to reaching age 65 to apply for Medicare.

How Is My SSR Benefit Determined?

Your benefit amount is based on the years you worked and earnings averaged over most of your working career. Higher lifetime earnings result in higher benefits. If you have some years of no earnings or low earnings, your benefit amount may be lower than if you had worked steadily. Computing your actual SSR benefit is a complicated matter requiring detailed information including your year-by-year earnings record, age and date of retirement.

SS first computes a Primary Insurance Amount (PIA), which is the sum of three separate percentages of portions of your average indexed monthly earnings. The annual cost of living increases for the eligibility years, and the years thereafter are added to the PIA amount. Then based on your earning record and PIA, your actual benefit is calculated.

Prior to retirement, you can estimate your benefit using online calculators or request a Personal Earnings & Benefit Estimate Statement from SS after first creating an online account.

How Are My Monthly Benefits Affected If I Retire At 62?

In 1990, SS's Full Retirement Age (FRA) was 65, but by 2027, it will be 67. Currently, the FRA is 66 years and 8 months for people born in 1958, and it will gradually rise to 67 for those born in 1960 or later. Early retirement benefits will continue to be available at age 62, but they will be reduced more. You can retire any time between age 62 and your FRA. When you retire before reaching your FRA,

your benefits are reduced a fraction of a percent for each month you retire before your FRA. For example, those born in 1958 who retire at age 62 will have their monthly benefits reduced by 33.3%. Calculate your FRA.

What Happens To My SSR Benefits If I Delay Retirement?

If you delay retirement, your benefit will be increased by a certain percentage for each month you delay retirement past your FRA until you reach age 70. The percentage varies depending on your year of birth. For example, if you were born in 1943 or later, SS will add 8 percent per year (2/3 of 1% per month) to your benefit for each year you delay receiving SS beyond your FRA. Further information, is available from the Social Security Administration.

What Happens If I Work While Receiving SSR Benefits?

If you continue working after you reach your FRA, your SSR benefits are not reduced. However, if you are under your FRA and continue working, your SSR benefits will be reduced if your earnings exceed a certain level. If you retire in 2025 between the ages of 62 and your FRA and earn more than $23,400 annually, your SSR benefit is reduced by $1 for each $2 earned that exceeds $23,400.

A different earnings test applies in the year you reach your FRA. In 2025, if you earn more than $56,520 in the months before your FRA, your SS benefit is reduced by $1 for each $3 earned that exceeds $62,160. Earnings in or after the month of FRA attainment do not count toward the $62,160. More information available at the SS website.

Who Is Entitled To My SSR Benefits?

a) You, the retired worker, age 62 or over;
b) Your spouse who has a child under age 16 or a disabled child in his or her care, or who is at least 62 years old (this applies to a divorced spouse if the marriage lasted at least 10 years); and
c) Your child who is a minor, a high school student under age 19 or adult child disabled before the age of 22.

Who Is Entitled To Survivor's Benefits?

a) A widow(er), age 60 or over;
b) A disabled widow(er) if aged 50 or over;
c) A widow(er) under age 60, if caring for a child age 15 or under or disabled;
d) A deceased worker's minor child, high school student under age 19 or adult child disabled before the age of 22; and
e) A dependent parent, age 62 or over.

More information is available at the SS website.

What Should I Do If I Receive An Overpayment Notice?

As soon as you receive the notice, file a Request for Reconsideration to stop SSA from withholding the overpayment during the appeal process. Then request a conference with the local SS office to review the circumstances that SSA claims caused the overpayment. If you are not satisfied with the conference results and the Reconsideration Decision is against you, you may request an

Administrative Law Judge Hearing within 60 days from the date you were notified of the Reconsideration Decision.

Even if you do not question the accuracy of the overpayment, you may still file a Request for Waiver of Overpayment. This request must be granted if you were without fault concerning the overpayment and repayment of the overpayment will deprive you of income needed for ordinary and necessary living expenses. You may request a waiver at any time. More information is available in our Social Security Overpayments fact sheet or at the Social Security website.

How Can I Appeal An SSA Decision?

SSA must give you a written determination of your application. You may appeal the determination of your application or any SSA adverse determination made after you have been awarded benefits. You have 60 days from the date of the written SSA determination to file a Request for Reconsideration.

If you disagree with the Reconsideration Decision, you may request an Administrative Law Judge (ALJ) hearing. This request must be filed within 60 days of the date the Reconsideration Determination was mailed. If you are dissatisfied with the ALJ decision, you may appeal to the SSA Appeals Council within 60 days after the date you receive notice of the hearing decision. If you are dissatisfied with the Appeals Council Decision, you may file an action in federal court within 60 days of receiving the dated Appeals Council Decision.

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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