

The Confusing Social Security Timeline: Seven Important Time Periods Relating to Your Disability Claim

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Many confusing time periods are involved in filing for Social Security Disability or Supplemental Security Income benefits. Even more complicated are the timeframes that arise after you begin receiving benefits, depending on your circumstances. While it is impractical to outline every single time period that could ever arise in each disability case, following is a summary of some of the common time frames faced by most claimants.

1. The “Durational Requirement”

Your disability must be expected to last **12 months or more** in order for you to be eligible for any benefits. This is called the “Durational Requirement.”

2. The “Waiting Period”

No benefits are payable for the **first five months** of your disability. This is called the “Waiting Period.” These five months are part of the durational requirement, however—so the Waiting Period begins from the onset date of your disability, as determined by the Social Security Administration.

3. Concerning Retroactive Benefits

In Social Security Disability claims, retroactive benefits can be paid for **up to one year** before your date of application, no matter how long it takes for the Social Security Administration to determine that you are disabled.

4. Concerning Supplemental Security Income (SSI)

In SSI cases (as opposed to Social Security Disability claims), no benefits are payable **before the month that you apply**.

5. The “Trial Work Period”

After you begin receiving benefits, you have a **nine month** Trial Work Period (TWP), during which you may continue to receive benefits no matter how much you earn. These nine months do not have to be consecutive and are cumulative.

6. The “Extended Period of Eligibility”

During the **39 months** after you exhaust your Trial Work Period, you are entitled to benefits for any month in which you earn less than the current amount for Substantial Gainful Activity (SGA), an amount that is adjusted annually. This time period is called your “Extended Period of Eligibility” (EPE).

7. The “Re-entitlement Period”

If your earnings exceed SGA in any month after your Extended Period of Eligibility, your benefits will stop. But if, **within five years of the termination of your benefits**, you become unable to work due to the same condition, your benefits can be reinstated without a new application. This is called the “Re-entitlement Period.”

Other Confusing Time Periods

There are many other time periods in Social Security claims that relate to receiving Medicare, reopening previous claims, and other particular circumstances. These time periods are very technical and complex, and require extended discussion and explanation in each individual case. If you have any questions about time frames or waiting periods as they relate to a specific claim, please contact an attorney who specializes in Social Security Disability law for more information.

Provided as an educational service by Insler & Hermann, LLP. If you have any questions about a Social Security Disability claim, or if you are planning to file a claim and want to avoid making any mistakes, you are invited to call or email us. We will be glad to speak with you without cost or obligation.

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