

Social Security Disability Tip of the Month



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When Will I Hear from Social Security & What Should I Do? PART I From Interview to Initial Determination

Frequently our clients ask us questions about what happens after we file their claim, when they will hear from Social Security and what they should do? Here is a brief overview of what to expect:

FILING YOUR CLAIM:

We try to file your claim as soon as possible after we have all the signed documents; usually within two weeks. However if the filing is delayed we will "protectively file" your claim, meaning that you will not lose out on potential retroactive benefits.

WHEN YOUR CLAIM IS FILED:

You MAY receive a phone call requesting the signed releases and representation paperwork that

you signed when you met with us.

- If you actually speak with someone, tell them we will mail the documents to the local Social Security office. **Advise them that your attorney is handling the matter.**
- If you get a letter or a phone message about this, **you do not have to respond**, but if you do, tell them we are taking care of it. Please call our office to let us know that you were contacted.

IN TWO TO FOUR WEEKS:

You will receive a multi-page questionnaire from the State Office of Disability Determinations that we call the DAQ (Daily Activities Questionnaire). It may also contain additional Work History or Pain Questionnaires

- Complete the DAQ and **send it to our MAIN OFFICE** (Tarrytown). We will review it and we will submit it to the examiner.
- If you do NOT receive the DAQ within 45 days of the date you met with us, it could be an indication that the process of your claim has been delayed by the District Office. **In that case, please call our office.**

AT ANY TIME UNTIL SOCIAL SECURITY MAKES ITS INITIAL DETERMINATION:

You MAY get a follow up letter indicating that the State Agency is missing information. The letter is either about the DAQ or medical records they have requested.

- We are tracking these responses and if it appears your doctors are not cooperating we will ask them to forward your records to the State Agency.
- Usually you do not have to do anything, but if you get a number of these showing that many of your doctors have not replied, **you should let us know.**

The State Agency may contact you by either telephone or email to attend one or more medical exams. This is routine.

- Normally we receive a copy also, but **please advise our office and attend the appointment(s).**
- We may send you a form to determine if your exam was conducted properly. Please complete and return this form to us. If the exam was not done properly the sooner we advise Social Security the more weight it can be given.

IN FOUR TO SIX MONTHS (USUALLY):

You will receive the Initial Determination on your claim.

- **Whether it is Approved or Denied please call us IMMEDIATELY.** We know you will have many questions, plus we are finding that many times we are no longer receiving the decision and we may need to file an appeal within a limited time period. **Please do not assume we received a copy.**

IF YOU RECEIVE A LETTER APPROVING YOUR CLAIM AT ANY LEVEL YOU SHOULD ADVISE US IMMEDIATELY.

We will answer your questions and advise you what to expect at that point.

- If you are approved at the Initial Determination you may receive a direct deposit of the retroactive benefits before you receive the written explanation!! Please call us to determine whether the payments are accurate and whether the award has properly considered any Workers' Compensation offset and withheld benefits for a possible attorney fee.

IF YOUR CLAIM IS DENIED:

- We have 60 days to appeal the denial. How that is done depends on where you live.

Next Month Read - Part II

When Will I Hear from Social Security & What Should I Do? After the initial determination

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