Is Applying for Disability the Right Step for Me?

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Is applying for disability the right step for me?

Considering disability?

The decision to apply for disability benefits can be a difficult and confusing process, and it’s different for everyone.

- Were you recently injured in an accident?
- Have you taken time off of work to recover from surgery?
- Are you struggling to keep working with a disability?

Your decision to apply or not apply for disability benefits will be based on your individual situation. Fortunately, there are many resources available to help you make the decision that is right for you. This handout describes the written materials, government agencies and community resources available to help you through the process.

Need someone to talk to about your benefits options?

If you would like someone to sit down with you to discuss your decision about applying or not applying for disability benefits, an Aging and Disability Resource Center (ADRC) Disability Benefit Specialist can meet with you. **ADRC Disability Benefit Specialists** provide information about benefits programs as well as assistance with applying for benefits. They have experience using the Social Security Administration (SSA) system and can provide additional resources about SSA programs.

An ADRC Disability Benefit Specialist may also be able to help you with an appeal if you have been denied benefits. Before they can help with certain appeals, they may require documentation showing that you have been denied legal representation by two attorneys. ADRC Disability Benefit Specialist services are provided free of charge. To speak with a Disability Benefit Specialist, call the ADRC at 920-448-4300, Monday–Friday, 8am–4:30pm.
What are disability benefits?

There are two major Social Security Administration (SSA) programs that provide benefits based on disability—Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI).

**SSDI** pays benefits to people who cannot work because they have a medical condition that is expected to last at least one year or result in death. To be eligible for SSDI you must:

- have worked and paid Social Security taxes for enough years and recently enough to be covered under Social Security insurance;
- meet the SSA’s definition of medically disabled, and;
- not be working, or working but not earning above a certain limit.

**SSI** makes cash assistance payments to aged, blind, and disabled individuals who have limited income and resources. To be eligible for SSI based on disability you must:

- have limited income and resources;
- be considered blind or disabled with a medical condition that is expected to last at least one year or result in death, and;
- not be working, or working but not earning above a certain limit.

The SSA also has programs that offer benefits to disabled children, as well as survivors (spouse and children) of a deceased person who paid Social Security taxes. For more information about these benefits, see the SSA brochures *Benefits for Children with Disabilities* and *Survivors Benefits*, which are available on the SSA website, [www.socialsecurity.gov](http://www.socialsecurity.gov) or by phone at 1-800-772-1213.
You cannot assume that you will qualify for disability benefits just because your doctor says you are disabled!
The SSA looks at a number of factors when determining disability: if you are currently working (and how much you earn), the severity of your medical condition, if you can do the work you have been doing, or if you can do any other type of work. If you decide to apply for disability benefits, you will be asked to provide documents to support your application.

Generally speaking, if you are able to work, the income you make from your job will be higher than the SSA benefits you would receive. So if you feel you are able to work, it is in your best financial interest to keep working. If you do not feel you are able to work, you should gather the documentation you will need and begin the application process for SSA benefits, as it takes 3 to 5 months to receive a decision on your application.

Impairment-Related Work Expenses (IRWE)
It may be possible for you to work and still receive SSA benefits. Impairment-related items and services that you need to work can be deducted from your gross earnings when you receive SSI/SSDI. Some examples of Impairment-Related Work Expenses (IRWE) are:

- **Assistive technology** (workstation modifications, service animals)
- **Driver assistance** (vehicle modifications, taxicabs)
- **Attendant care services** (bathing, dressing, cooking—if these services are needed for you to work)
In Wisconsin in 2013, the combined state and federal SSI payment for an individual is $793.78 per month. If you decide to work to supplement this payment, the SSA does not count the first $85 of your work income ($65 if you have other sources of income) plus half of your remaining income. Any IRWE will be deducted from your gross income, so you would keep earnings to cover the expense of your IRWE. For example, if you need to take a taxi to work due to your disability, you can deduct the cost of your taxi rides from your income.

**For example:** George works at a grocery store earning $775 per month. He needs to take a taxi to and from work because, due to his disability, he is unable to drive or take public transportation. What will his SSI payment be?

- $775  (earnings)
- 90  (George’s taxi expenses for one month)
$685
- 85  (income exclusion—income George doesn’t have to count in figuring SSI payment)
$600 ÷ 2
$300  (countable earned income)

$793.78  (combined state and federal SSI payment)
- 300  (countable earned income)
**$493.78 (George’s SSI payment)**

$775  (George’s earnings)
+493.78  (SSI payment)
**$1268.78 (George’s combined income between work and SSI)**
To find out more about SSA programs...
The SSA has published several brochures that clearly explain various SSA programs. All of these are available on the SSA website, www.socialsecurity.gov or by phone at 1-800-772-1213.

The ADRC has many of these brochures, as well as others that may be helpful as you consider your options regarding work and disability. A listing of these SSA and ADRC resources can be found at the end of this brochure.

Legal Advice
If you are thinking of seeking legal advice about your decision whether or not to apply for disability benefits, the ADRC has handouts about issues to consider when hiring a lawyer. ADRC Disability Benefit Specialists can provide a current listing of lawyers who specialize in Social Security Disability Law. Most attorneys will not require a retainer fee for their services.

The following are some resources that may be helpful to clients seeking legal advice about SSA benefits:

- **ADRC Legal Counseling**: Legal counseling with local volunteer attorneys is offered one day per month at the ADRC. This service is available at no charge to seniors 60 and older and adults with disabilities for a 30 minute individual session. Service is limited to consultation only. An appointment and a brief pre-screening are required. Call the ADRC at 920-448-4300 to schedule an appointment.

- **Legal Action of Wisconsin, Inc.**: Provides free legal counseling to low income people in civil matters, including public benefits like SSI. 920-432-4645, www.badgerlaw.net

- **Lawyer Referral and Information Service**: Services include a hotline which answers legal questions free of charge, a lawyer referral service, and a community referral service for referrals to other legal service organizations, government agencies, or community resources to help with a specific legal concern. There may be a consultation fee from the lawyer you select. 1-800-362-9082, www.legalexplorer.com
Division of Vocational Rehabilitation (DVR):

There are various agencies that can help you in deciding about your ability to work and whether or not disability benefits are a good option for you. While there is no obvious “first call” agency, the Division of Vocational Rehabilitation is a good place to start.

What is it?

DVR is a state and federally funded agency that provides counseling on employment services for people with disabilities. You do not need to be on SSI or SSDI to qualify for DVR services. An assessment and most DVR services are provided free of charge.

How can DVR help me?

A DVR counselor can provide information and share knowledge about the impact disabilities have on employment. Through a DVR assessment, you can explore how different aspects of your disabling condition like mobility, physical or mental restrictions, and communication skills affect your ability to work. You will also learn about what kinds of services you will qualify for if you want to try to continue working.

DVR contracts with community agencies to provide a number of services that can be very expensive to purchase on your own. Some of these services include:

- **Vocational Services**—career exploration and skills assessment, job development, training at a school or on the job
- **Benefits Analysis**—analysis and counseling on earning limits and the number of hours you can work while receiving SSA benefits
- **Assistive Technology**—technological aids and devices that can make it easier to do a job
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Once a person begins the DVR application process, their DVR counselor has up to 60 days to complete an assessment of eligibility for DVR services. You may be asked to provide medical records to support your application. DVR serves people with the most severe disabilities first, so you may be placed on a waiting list.

DVR is located in the Brown County Job Center at 701 Cherry St., Green Bay, WI 54301. Phone: 920-448-6760, toll free 800-228-2637. Hours: Monday – Friday, 7:45am-4:30pm. www.dwd.state.wi.us/dvr/

Workplace Accommodation

What is it?
The Americans with Disabilities Act requires that employers make reasonable accommodation for employees with disabilities.

This includes:
- Making existing facilities accessible and usable by people with disabilities
- Restructuring jobs, modifying work schedules, reassigning an employee to a vacant position as needed
- Providing modified equipment or devices to help an employee do job tasks

How can workplace accommodation help me?
If you would like to continue working, but feel you need special accommodations, your employer is required by law to provide these accommodations. There are two agencies in the Green Bay area that provide assessment services for workplace accommodations for people of any age group with a variety of disabilities: Cerebral Palsy, Inc. and Options for Independent Living.
Cerebral Palsy, Inc.
Cerebral Palsy, Inc. has an Assistive Technology Center that provides assessment, equipment trial and recommendation, equipment customization and training, and ongoing technical support. They specialize in two areas:

- **Augmentative Communication**, providing people without the ability to speak with computer communication devices.

- **Adaptive Computer Access**, providing people who cannot use their hands with adaptive equipment to operate a computer.

The Assistive Technology Center’s services are usually paid for by a funding source other than an individual (DVR, an employer, medical insurance).

Cerebral Palsy, Inc. is located at 2801 S Webster Avenue, Green Bay, WI 54301. Phone: 920-337-1122. Hours: Monday – Friday, 8:00am-4:30pm. [www.cp-center.org](http://www.cp-center.org)

Options for Independent Living
Options for Independent Living’s Technology Services department provides technology assessment (usually at an employee’s workplace), equipment loans, modification of equipment, and follow-up services. They address a wide variety of accommodation needs.

Technology services are usually paid for by a funding source other than an individual (DVR, an employer, medical insurance).

Options for Independent Living is located at 555 Country Club Road, Green Bay, WI 54307. Phone: 920-490-0500. Hours: Monday – Friday, 8:00am-4:30pm. [www.optionsil.com](http://www.optionsil.com)
Brown County Job Center
When making your decision about whether or not to continue working, you may want to explore the possibility of finding a job that would better accommodate your disability. The Brown County Job Center is a good place to start your search.

What is it?
The Job Center is Brown County’s “one-stop shop” for employment services. They work closely with DVR (which is housed at the Job Center), Northeast Wisconsin Technical College and NEW Curative Rehabilitation. Job Center services are available to the public free of charge.

How can the Job Center help me?
The Job Center's website outlines the services available through the Job Center and provides links to all kinds of employment services, including a special section on disabilities that lists disability resources and includes links to helpful websites.

Job Center services include:
- Computer labs
- Job seeking workshops
- Career counseling
- Job listings
- Links to job-related websites, some of which are listed in the Helpful Job Search, Skills and Interests Websites section on page 13.

The Brown County Job Center is located at 701 Cherry St, Green Bay, WI 54301. Phone: 920-448-6760. Hours: Monday – Friday, 7:45am-4:30pm. www.browncountyjobcenter.org
Need more information?

The decision whether or not to apply for disability benefits can seem overwhelming, but remember that you don’t have to figure it out all by yourself! Make use of the resources listed in this booklet.

For more information about looking for a job that will fit your needs, see the **Helpful Job Search, Skills and Interests Websites** listing on page 13. If you’d like to learn more about Social Security Administration programs, check out the **SSDI & SSI Brochures** section on pages 14-15.

If you have questions about other community resources, the ADRC’s Information and Assistance Specialists can help you seek out the services that will be the best fit for you. They are available Monday – Friday, 8:00am-4:30pm at 920-448-4300. You can also search for resources online at [www.adrcofbrowncounty.org](http://www.adrcofbrowncounty.org) by clicking on Community Services Database.
Helpful Job Search, Skills and Interests Websites

If you are considering changing jobs to better accommodate your disability, you may want to do some research about your skills and what jobs would be a good fit for you.

Below is a list of user-friendly websites that can help you explore your job interests and skills and jobs that are available that may match your interests and skills. There is no cost to use these sites.

https://jobcenterofwisconsin.com This site offers job listings throughout Wisconsin. It is a way to connect employers with employees.

www.browncountyjobcenter.org There are several social service agencies located at this site designed to serve those in need. You can search the Job Center of Wisconsin website from this site without having to give your Social Security number.

http://online.onetcenter.org Try the “Find Occupations” list or the “I Want to Be A...” section; identify occupations from the public and governmental sectors with the Crosswalk function keys.

www.careeronestop.org Explore careers, learn how to write a resume, and check out salary and benefits information from across the country.

http://wiscareers.wisc.edu This site gives a breakdown of interests & skills that you need for various jobs.

http://worknet.wisconsin.gov/worknet If you want to know which jobs are in high, medium, and low levels of demand, consult this Labor Market Information resource page!
SSDI & SSI Brochures
The Social Security Administration (SSA) has published several brochures that clearly explain various SSA programs. All of these are available on the SSA website, www.socialsecurity.gov or by phone at 1-800-772-1213. Copies of many of these brochures as well as others you may find helpful are available at the ADRC. Brochures that are helpful include:

- **Disability Benefits**: a basic summary of SSDI, how to apply, how SSA decides if you’re disabled, and a little about going back to work.

- **Supplemental Security Income (SSI)**: a basic summary of SSI, how to apply, and rules for getting SSI.

- **Disability Starter Kit**: a great resource! Includes a fact sheet answering frequently asked questions about applying for SSDI, a checklist of documents needed to apply, and a worksheet for gathering information needed to apply.

- **Wisconsin Medicaid Fact Sheet—Medicaid Purchase Plan**: a good summary of the opportunity to buy health care coverage through Wisconsin Medicaid. Outlines the plan, eligibility and benefits.

- **If You Are Blind Or Have Low Vision—How We Can Help**: outlines the rules for blind applicants and special accommodations that blind applicants receive (on SSA website).

- **Survivors Benefits**: an overview of SSA benefits paid to the spouse and children of a worker who dies (on SSA website)

- **Benefits for Children with Disabilities**: a good summary of benefits available to children, including employment support services - (on SSA website)

• Working While Disabled—How We Can Help and Working While Disabled—A Guide To Plans for Achieving Self-Support. A little general, but a good place to start for SSI/SSDI recipients who are considering going back to work.

• The Ticket To Work and Self-Sufficiency Program. A good summary of the program that helps SSA recipients test their ability to return to work.
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The ADRC of Brown County is an equal opportunity, access, affirmative action employer and provider.

The information provided is for information only and not intended as legal, financial or medical advice. It is important to seek counsel of legal, financial, or medical professionals regarding your individual circumstances.