



1-800-992-6878

2540 Pawtucket Ave. East Providence, RI 02914  
<http://www.good-legal-advice.com>

## Social Security Disability – An Overview

### Helpful Information About Applying for Social Security Disability

Applying for Social Security Disability Insurance (SSDI) can be a complicated and stressful time. Applicants may be coping with a disability while the government is looking for complicated forms and records that may be hard to find. Worse still, many applicants may have already been denied SSDI and need advice about the upcoming and complicated legal process. This document will try to clear up some questions about what SSDI is, including whether you may need a Social Security Disability lawyer to help you through this complicated process.

### How Social Security Determines Disability

The Social Security Administration (SSA) is the federal agency charged with determination of disability. It operates through a series of field offices throughout the United States. The SSA has five offices in Rhode Island located in Providence, Newport, Pawtucket, Warwick, and Woonsocket. Once the field office has verified non-medical information such as age, employment, marital status, and Social Security coverage, the SSA hands the information on to a special state agency called a Disability Determination Service (DDS) that performs the actual determination. In Rhode Island, the DDS is run by the Office of Rehabilitative Services.

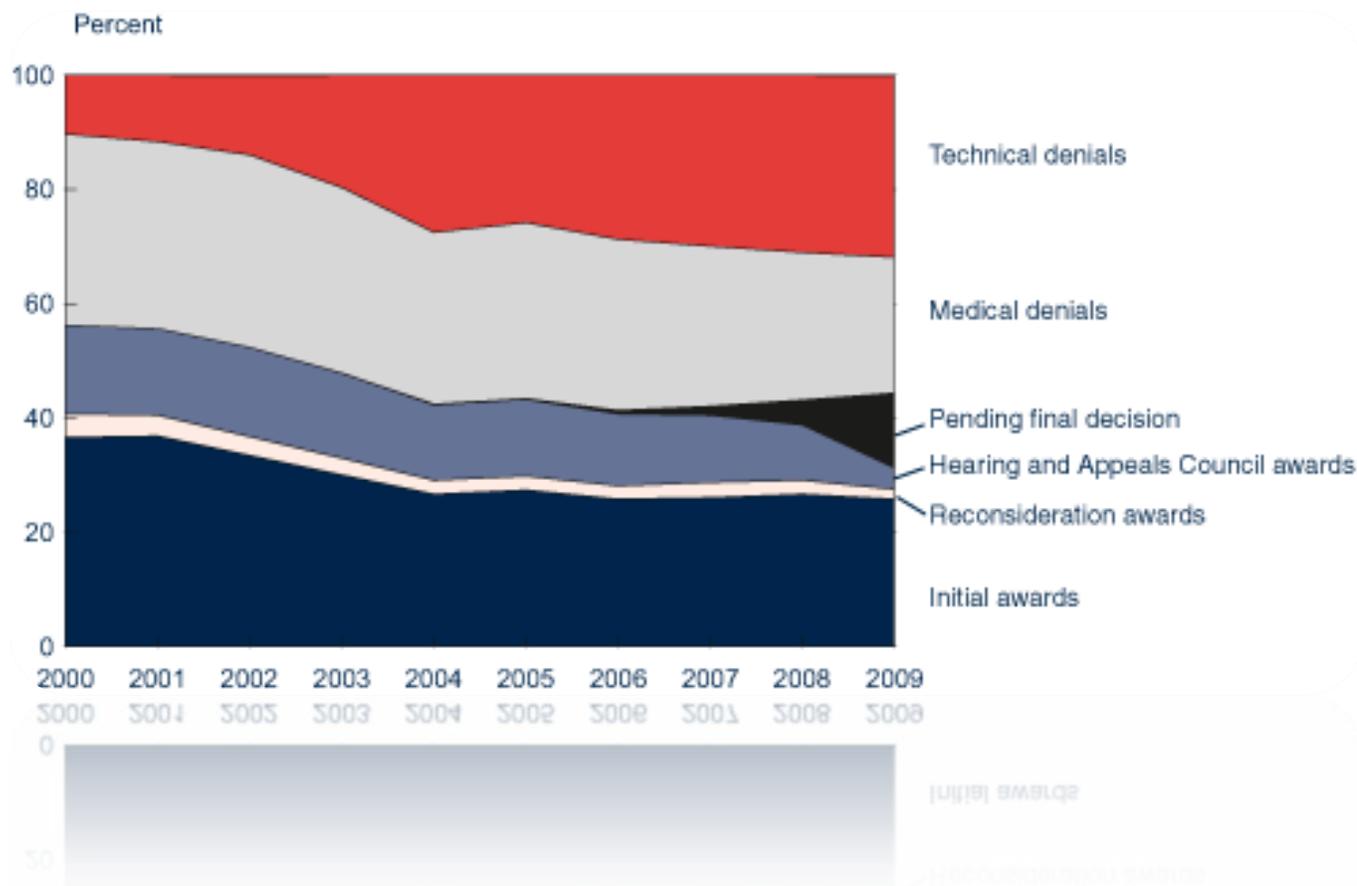
The SSA determines whether or not an applicant is disabled according to a publication called Disability Evaluation Under Social Security (also known as the “Blue Book”). The Blue Book contains rules for medical evidence the SSA and DDS accept, and the list of recognized disabilities. While the applicant is still in treatment, the SSA prefers to gather evidence from the treating professional. The records from your current doctors may be best for helping the SSA process your claim more quickly and without needing to go to another doctor to complete your claim. The SSA also requests copies evidence from other sources, such as hospitals, clinics, and other health care facilities where you may have been treated.

Type of Medical Professional	Kind of Evidence Provided
Licensed Physicians (M.D. or D.O.)	General Evidence
Licensed or Certified Psychologists	Mental Retardation, Learning Disabilities, Borderline Intellectual Functioning
Licensed Optometrists	Visual Disorders
Licensed Podiatrists	Impairment of the Foot and Ankle
Qualified Speech-Language Pathologists	Speech or Language Impairments

If there is not enough evidence provided for the SSA to make a determination of disability, then the state DDS may request a Consultative Examination, or CE. The CE is performed by a doctor or other health care professional selected by the DDS. This may also be done if the treating medical professional is unable or unwilling to help, or the SSA has had negative experiences with the treating professional. These exams are often at the expense of the SSA, and they may cover certain transportation costs.

For more information on these statistics, please visit the [SSDI Statistical Report](#).

## When Social Security Disability Denies a Claim



From 1999 to 2009, the amount of SSDI claims more than doubled, from 1.2 million per year, to 2.7 million per year. In the same time, the percentage of claims that resulted in awards declined from 56% to 36%. While just over half a million applicants were denied in 1999, that number almost tripled to nearly 1.5 million.

When an initial claim is denied, there is an appeals process that is available. Within 60 days from the date of your denial letter, you can appeal the decision. There are four levels to the appeal: reconsideration, hearing by an administrative law judge, review by the Appeals Council, and Federal Court review. Each level of appeal happens one after the other – you cannot go to Federal Court before applying to the SSA for reconsideration, and you cannot go before the appeals council before having an administrative hearing.

Levels of SSDI Appeal
Reconsideration
Administrative Hearing
Appeals Council
Federal Court

Reconsideration is the first step in the appeals process. A member of their staff who did not participate in the original decision to deny your claim reviews all of the information that has been submitted to the SSA. If there is any new evidence, that is also part of the reconsideration process. From 1999 to 2009, only an average of 11% of all reconsiderations resulted in a new award.

If the Reconsideration does not result in an award, the next step as an Administrative Hearing before an Administrative Law Judge. These judges have limited powers under the law that created the Social Security Administration, but are otherwise much like any other judge. If the Hearing still does not end with a reward, the decision can be appealed to the Appeals Council. If the Council also does not grant a reward, then the applicant can appeal directly to Federal district court. This is a more traditional courtroom setting. Of all cases that went to the Hearing stage or beyond between 1999 and 2009, over 73% resulted in an award for the claimant.

## Hire a Social Security Disability Lawyer - Increase Chances of Success

The Social Security Disability process can be long and complicated. The increased success rate at higher levels of appeals can be attributed to applicants hiring attorneys to handle those appeals. While it is always a good idea to hire an attorney before you get to the Federal court level, it may be in your best interest to hire a Social Security Disability lawyer before you begin your application process or before the first appeal of a denied claim.

### For More Information

For more information on SSDI applications and appeals, especially in Rhode Island, please [click here](#).

### Statistics: Rhode Island and Social Security Disability

Year	Number of Recipients in RI	Total Payments	Average Payment (dollars)
2003	201,875	\$1,338,000,000	\$6,629
2004	207,621	\$1,531,000,000	\$7,374
2005	209,371	\$1,638,000,000	\$7,822
2006	212,491	\$1,647,000,000	\$7,750
2007	208,429	\$1,632,000,000	\$7,830
2008	203,731	\$1,648,000,000	\$8,087
2009	203,223	\$1,556,000,000	\$7,654

### RI Social Security Disability Lawyer – d’Oliveira & Associates

It can be very difficult and complicated to obtain Social Security Disability Insurance (SSDI) after a work-related injury. It may be in an applicant’s best interests to speak with a Social Security Disability attorney regarding for advice. d’Oliveira & Associates, P.C, RI Social Security Disability lawyers.

Please contact the law offices of **d’Oliveira & Associates, P.C.** at **1-800-992-6878** or fill out a [contact form](#) for a free legal consultation.