

HEARINGS & APPEALS COUNCIL

ALJ Hearing

At the hearing, an Administrative Law Judge (**ALJ**) will ask you questions and review medical evidence. You will need medical documents. You have to right to represent yourself (*pro se*) or choose a legal representative. You do not need a representative for a hearing but a representative might be helpful in getting your medical evidence of your disability.



Appeals Council

If the ALJ denies your claim, you can file another appeal called "Request for Review of Hearing Decision/Order by the Appeals Council". You have to file this appeal within 60 days from the date of the ALJ denial decision. If not, you need a good reason for filing late. The appeal is filed either at your local SSA office or by calling SSA's toll-free telephone number.

MANHATTAN LEGAL SERVICES

The Disabled Elderly Chinatown Project (**DECP**) is sponsored by Manhattan Legal Services (**MLS**) which provides free legal services to low-income Manhattan residents with disability matters. DECP can assist you with the following:

- SSI, SSD or Social Security retirement claims
- SSI or SSD terminations
- SSI or SSD overpayments

Contact

Manhattan Legal Services
Disability Advocacy Program
Disabled Elderly Chinatown Project
Phone: 646-442-3100
Fax: 212-227-0798

Location

90 John Street, Suite 301
New York, New York 10038

How to get to us

Subway: Take 2/3 or 4/5 **Fulton Street**
Take A/C or J/M/Z to **Broadway/Nassau**
Bus: Take M15 to **Lower Main South Ferry**



Disabled Elderly Chinatown Project Presents: 'Claiming Your Benefits'

Do you think you qualify for Social Security Disability (**SSD**) and/or Supplemental Security Income (**SSI**) benefits but don't know how to get these benefits?

Or

Do you have a serious medical condition(s) that prevents you from working or doing basic activities?
Are you in the process of applying for SSD/SSI benefits but are unsure what is going to happen next?

You can apply for SSD or SSI benefits in one of 3 ways. One, you can go to your local Social Security Administration (**SSA**) district office and ask for services in your language. Two, you can call SSA's national toll-free number at 1800-772-1213 (TTY 1800-325-0778) from 7am to 7pm, Monday to Friday, and ask for services in your language.

Three, you can use the internet at www.socialsecurity.gov. Application forms are available at the district office, or you may call SSA and ask SSA to mail the forms to you.

Below is more information about disability benefits and free legal assistance

HOW TO CLAIM BENEFITS

You will be asked for the following:

- Medical records, hospital visits and medication information
- Medical conditions limiting your ability to work
- Medical conditions limiting your daily activities
- Birth certificate or proof of US citizenship/legal residency
- Federal income tax returns
- Social security numbers for you, your spouse, and children



- Savings or checking account numbers
- Any jobs you held and their dates in the 15 years before you became unable to work
- Any worker's compensation information including date of injury
- Income and resources for your household such as life insurance policies, etc.

APPLICATION

You will have to fill out a SSI application form for SSI benefits and a SSD form for SSD benefits; a disability report, a work history report, and a medical report for both types of benefits.

SSA defines disability as a physical or mental condition lasting or expecting to last over a year that causes you unable to work.

SSA uses a **5-step process** to determine whether or not you have a disability:

1. Can you perform work?
2. Is your health condition severe?
3. Does your condition meet one of the SSA listed medical impairments?
4. Can you return to your past work?
5. Can you perform other types of work?

APPEAL

If your application is denied, you have the right to appeal:

- The denial notice should tell you why you were denied and how to appeal
- You have 60 days from the date of the denial notice to appeal, unless you can show good cause for delay
- The appeal is called “A Request for an Administrative Law Judge Hearing” (**ALJ Hearing**)
- You do not need a representative to fill out this appeal for a hearing
- It takes SSA several months, almost a year, to send you a hearing date
- After you request an ALJ hearing, you will receive a notice of hearing date at least 20 days before the date