

How to Qualify for Social Security Disability Benefits with a Head Injury

A severe brain or head injury can change the course of a person's life. In some cases the impact of a head injury can occur suddenly. In other cases the symptoms of injury present themselves over time. No matter how a brain injury has impacted your life, your ability to perform daily activities may be severely impaired as a result. If you are no longer able to work, the resulting loss of income and increased medical expenses can wreak havoc on your finances.

Fortunately, the Social Security Administration (SSA) recognizes that individuals with injuries or illnesses may need financial support. They offer this support in the form of Social Security Disability benefits. The two types of benefits offered by the SSA are Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI).

If you have experienced a head injury and can no longer earn a living, you may be eligible to receive SSDI or SSI benefits. This article will provide an overview of the Social Security Disability benefits and will prepare you to begin the application process. Keep in mind that if an individual has experienced a severe head injury, he or she will likely need assistance throughout the application process. If you or a loved one cannot apply for disability benefits on your own, a family member or caregiver may apply on your behalf.

1. Are You Disabled?

Before you can receive any type of disability benefits, you must be disabled. While this may seem obvious, the term 'disability' is relatively subjective. For this reason, the SSA has established an official definition of the term. An adult with a head injury must meet the following in order to be considered disabled:

- You cannot do work that you did before your head injury; and
- Your head injury prevents you from learning to do any other type of work; and
- The effects of your head injury have lasted or are expected to last for at least one year or to result in death.

As you have probably noted, this definition excludes all but the most serious injuries. Unfortunately, individuals who do not meet this definition will not qualify for disability benefits. Those who do meet this definition will be evaluated based on certain technical and medical criteria.

2. What are your Benefit Options?

As stated, the SSA offers two primary disability benefit programs—SSDI and SSI. Each program is intended to offer financial assistance to different groups of people with different types of needs. For this reason, each program has its own technical eligibility requirements. These are explained below:

SSDI is a type of insurance program that provides financial assistance to disabled workers and their eligible dependents. To qualify for SSDI, applicants must have adequate employment history and must have paid Social Security taxes throughout their career. To learn more about qualifying for SSDI, visit the following page: <http://www.disability-benefits-help.org/ssdi/qualify-for-ssdi>.

SSI is different from SSDI in that it is a needs-based program. Rather than work history and tax contributions, eligibility for SSI is based on strict financial limits. To qualify, applicants must earn very little income and must have limited resources. To learn more about qualifying for SSI benefits, visit the following page: <http://www.socialsecurity.gov/ssi/text-eligibility-ussi.htm>.

In certain circumstances, applicants may be eligible to receive benefits from both the SSDI program and the SSI program.

3. Identify the Blue Book Listing for your Condition.

To determine an applicant's medical eligibility, the SSA and Disability Determination Services (DDS) will consult a manual of disabling conditions. This manual is commonly referred to as the Blue Book and contains the medical requirements for a wide range of conditions and illness. Individuals applying for disability benefits must meet the criteria under a Blue Book listing. If a person's specific condition is not listed in the Blue Book, his or her condition must match the symptoms and severity of a related listing.

Most head and brain injuries will qualify under Blue Book section 11.18—Cerebral Trauma. Although many Blue Book listings outline specific medical criteria pertaining to a particular condition, the listing for Cerebral Trauma points applicants to other, related listings. These include the following:

- 11.02—Convulsive Epilepsy (Psychomotor or Grand Mal)
- 11.03—Non-convulsive Epilepsy (Petite Mal, Psychomotor, or Focal)
- 11.04—Central Nervous System Vascular Accident (Stroke)
- 12.02—Organic Mental Disorder

Although the SSA understands that you may not have these particular conditions, the symptoms and effects of a head injury are often comparable. You or a loved one should look over each of these listings to determine which listing is the best match for you. Access these listings, here:

<http://www.ssa.gov/disability/professionals/bluebook/AdultListings.htm>.

If you do not meet a particular listing, there is a chance you may qualify under a medical vocational allowance. This means that the SSA will evaluate your past job training, your age, and your physical and mental abilities. If it is determined that you cannot do any type of work you will be awarded benefits. If it is determined that you are capable of holding a job, the SSA will decline your application for benefits and will offer you career path suggestions.

4. Preparing for the Application Process

Before applying for disability benefits, you will need to gather documentation to support and substantiate your claim. This should include medical records such as statements from doctors, records of treatment, and any test results you may have. You may also need to gather financial statements and record of employment—depending on which program you choose to apply for. For a complete list of required documents, visit the [Adult Disability Checklist](#).

5. Submitting your Application and Receiving a Decision

Once you have collected everything you need to begin the application process, you can do so on the SSA's website or in person with an SSA representative. To apply in person, you will have to contact your local Social Security field office to schedule an appointment.

The application itself is made up of different forms that you will have to fill out. When completing the application paperwork be sure to include detailed information regarding your condition, symptoms, and impairments. It is important that you provide the SSA with insight into the challenges and limitations you face on a daily basis.

After submitting your initial application, it may take several months or longer to process your claim. If the SSA denies your application—which happens to more than two thirds of applications—you are allowed to file an appeal. It is important to note that you must file your appeal within 60 days of receiving your notice of denial. If you don't file your appeal within this time frame, you will be required to submit a brand new application.

Although it can be overwhelming and discouraging to have your application denied, you should realize that many more applicants are approved during the appeals process than during the initial application.

6. Navigating the Appeals Process

If your initial application is denied and you choose to file an appeal, you should become familiar with the appeals proceedings. These are as follows:

- *Submit a request in writing to the SSA for an appeal:* Another SSA representative will re-review the original claim to determine if benefits should be awarded. This is called reconsideration. Because reconsideration only occurs in some states, you should check with your local Social Security office to see if this applies to your claim.
- *Administrative Law Judge Hearing:* The applicant and, if they choose, their representative will attend a hearing to verbally defend their case in front of an Administrative Law Judge. If your claim is denied, you will move on to the next stage. If your claim is approved you will be awarded benefits.
- *Appeals Council:* The case will be re-reviewed by an appeals court.
- *Federal Court:* If you are denied at all other stages of the application and appeals process, the last stage in is to present the case in Federal Court. The Federal Court will make the final decision as to whether or not the applicant is eligible to receive Social Security Disability benefits.

Although this process may seem daunting, it is important that you do not give up. The SSA awards retroactive benefits so although you may not be approved right away, you may be eligible to receive payment for the time spent during appeals.

Once you are awarded benefits, you will be able to focus on your health rather than your finances. For more information about applying for benefits after a head injury, visit the following page: <http://www.disability-benefits-help.org/disabling-conditions/traumatic-brain-injury-and-social-security-disability>.