

Applying for Social Security Benefits

Hidradenitis patients who consider applying for Social Security benefits often are overwhelmed and have a lot of questions. HS-USA has assisted many sufferers with the process of applying for Social Security and we are offering consolidated information here for your guidance. Be diligent in collecting the evidence, and you are on your way to a quick approval.

General Questions

Does Hidradenitis Suppurativa qualify as a disabling disease according to the Social Security Administration?

Yes, it does. According to section 800 of the Social Security website, Hidradenitis is listed as a disabling disease. The definition for having disabling HS according to the Social Security Administration is as follows:

8.06 Hidradenitis Suppurativa, with extensive skin lesions involving *both* axillae, *both* inguinal areas or the perineum that persist for *at least 3 months* despite continuing treatment as prescribed.



You can find that information at

⇒ <http://www.ssa.gov/disability/professionals/bluebook/8.00-Skin-Adult.htm>

This same link also discusses how the Social Security Administration evaluates your skin disorder, as well as what documentation they require.

What is the difference between SSD and SSI?

Both programs are administered by the Social Security Administration (SSA). For most people, the medical requirements for each program are the same and the person's disability is determined by the same process, although each program has some distinctions:

- ⇒ **Social Security Disability Insurance (SSD)** pays benefits to you and certain members of your family if you are "insured," meaning that you worked long enough and paid Social Security taxes. Disability benefits are payable to disabled workers, disabled widow(er)s or adults disabled since childhood, who are otherwise eligible. Auxiliary benefits may be payable to a worker's dependents, as well. The monthly disability benefit payment is based on the Social Security earnings record of the insured worker on whose Social Security number the disability claim is filed. Generally, benefits are paid if you are unable to work for a year or more because of a disability and continue until you are able to work again on a regular basis. There are also a number of special rules, called "work incentives," that provide continued benefits and health care coverage to help you make the transition back to work. Depending on your earnings history, you may receive anywhere from \$500 to \$2,000 a month or more.
- ⇒ **Supplemental Security Income (SSI)** pays benefits based on financial need. The program is financed through general tax revenues. SSI disability benefits are payable to adults or children who are disabled or blind, or who are age 65 or older, and have limited income and financial resources. Effective January 2004 the SSI payment for an eligible individual is \$564 per month and \$846 per month for an eligible couple, but not everyone gets the same amount because it may be supplemented by the State or decreased by other countable income and resources. In addition, your financial resources (savings and assets you own) cannot exceed \$2,000 (\$3,000 if married). You can be eligible for SSI even if you have never worked in employment covered under Social Security. Generally, to be eligible for SSI, an individual also must be a resident of the United States and must be a citizen or a noncitizen lawfully admitted for permanent residence.



- ⇒ SSA's toll-free information line: **1-800-772-1213**
- ⇒ Information on SSI: <http://www.socialsecurity.gov/pubs/11000.html>
- ⇒ Information on SSD: <http://www.ssa.gov/dibplan/index.htm>

How long will the process take?

From 6 to 18 months to get through the Administrative Law Judge hearing decision stage. Sometimes you will be required to go before a judge and sometimes you will be approved without going before a judge. Usually if you are denied you will end up going before a judge the next time around. Though Social Security lists a 6 to 18 month timeframe, it has taken some people 2 to 4 years before being approved.

What will it cost me?

That depends on a number of factors. If you hire an attorney, you will probably be required to pay approximately 30% of your back pay. If you don't hire an attorney, the application will cost you nothing. Most places have attorneys who work on a percentage basis. Cost will be determined by who you hire, what percentage is agreed on and how much they charge, as well as how long it takes for a favorable decision.

There is cost associated with obtaining your medical records. You have a right to copies of your medical records, but different offices and hospitals charge different fees for that. Some will charge .05 cents per page. Others may charge a straight up fee of up to \$400.00. It varies from facility to facility.



- ⇒ SSI Frequently Asked Questions:
<http://www.cyberstation.net/paralegal/social-security-disability/>

How to apply – Step by Step

It is good advice for anyone with HS to prepare for the eventuality that you will have to apply for Social Security someday. You might as well start laying the foundation and keep records as you accumulate them. Start taking pictures. You will need a lot of proof to present with your application when it's time. When you fill out your papers BE YOUR OWN BEST ADVOCATE. Do not file your papers until you have all of the following in order. Here are steps that will improve your chances of being accepted.

1. Assemble medical evidence

Obtain all medical records that prove you have had HS and have been continuously treated for at least the past 12 months. You must assemble these records yourself. If you leave it up to SSA, you could end up in a file pending drawer and eventually denied due to lack of documentation and information. It pays to plan ahead. Here are some tips:

- ⇒ Dated and annotated photos are a must for HS. Otherwise HS tends to read like you have a few small boils or pimples and that is that. You need to show them how bad it is. It is best to have someone else take these pictures. Make sure they are well lit and in focus. See that you can correlate any major event (emergency room visit, absence from work, etc.) with a picture.

Example of photo annotation: "HS lesion of right axillia, 10/23/05. Note cellulitis. Have had prior surgery excising area on 1/06/05. Area still active and painful."

- ⇒ Maintain regular and consistent treatment with physicians that support your claim for disability. If you cannot afford to maintain treatment with private physicians please utilize free clinics and county facilities. Most cities have clinics that work on a sliding fee scale; or try state programs. Some Medicaid plans can be found online if you are not working and have no income.

- ⇒ If you have had surgery or hospital stay, request copies of your records. It can take up to two weeks for them to find them and call you to come in and pull the ones you want copies of. You don't have to purchase all your records. They will usually allow you to go through your file and pull out only what you need. Save yourself money, only get copies of what illness you are using to obtain disability for.
- ⇒ Talk with the "Billing Specialist" at your doctor's office....they should be able to give you the ICD9-CPT coding and diagnostics information, this will help in processing the claim.
- ⇒ When you take your paperwork to the disability office they should make copies and give you back the originals. You paid good money for your records – always keep a copy. If you find a hard nose that will not make you copies at the disability office, tell them *you* will come back with copies. If they lose your copy you go back to square one.

2. Prepare to prove your inability to work

Make sure you have exhausted all your resources and that above all things the doctor is in complete agreement with you on the fact that they cannot see you being able to perform your current duties. Know that it depends a lot on what your current skills are and what you are qualified to do. If they feel you could still perform one of your skills, you may be denied.

For example, if you perform mostly office work, their argument may be you could still do with extra breaks and being able to stand, but what they cannot resolve is how you were to perform those duties if you are unable to wear any clothing because it pains you to do so.

If you are on short-term or long-term disability leave from your employer get copies of the statements and/or paperwork showing reasons and duration.

3. Tell them how you suffer


Write a detailed statement about how HS has disabled you. Be as graphic as you need to be. You must paint a complete picture of how disabled you are. Often an HS patient has made so many adjustments they have forgotten about them all. If you cannot shave, and cannot wear deodorant, and you cannot wear a bra or underwear due to flareups; say so! If you cannot lift your arms to brush your hair or drive a car; say so. If your reflexes have been compromised due to chronic scaring and flaring; say so.

- ⇒ When you describe the pain, *use* the word "suffer".

Have neighbors, family and friends write statements about the deterioration of your health due to HS. While this is not a requirement, it is helpful.

4. Print medical articles

Print out Medical Papers that describe your Disability:



- ⇒ Hidradenitis Suppurativa – A Treatment Challenge
<http://www.aafp.org/afp/20051015/1547.pdf>
- ⇒ "Hidradenitis Suppurativa", Jan von der Werth
http://www.hs-usa.org/pub/articles/2001_HS_VDW.pdf
- ⇒ "Hidradenitis Suppurativa", Jean Revuz
<http://www.orpha.net/data/patho/GB/uk-hidradenitis-suppurativa.pdf>

All of the above articles help dispel myths and show the challenges of treating HS. They also speak about the mental impact as well as the fact that HS can be a debilitating disease. Remember, just because we know this does not mean your SSA case managers do. Educate them.

5. Fill out and file the paperwork

If you have internet access, you can obtain the forms online (see reference below). You can even apply directly online. Or visit your local SSA office to get forms and instructions. You will need to schedule an interview, to which you should bring your filled-out forms and all supporting information.



- ⇒ Apply for Disability online (you cannot apply for SSI online)
<http://www.ssa.gov/applyfordisability>
- ⇒ Find an SSA office near you
www.socialsecurity.gov/locator/
- ⇒ Forms online (to print)
<http://www.socialsecurity.gov/online/>
- ⇒ Call: **1-800-772-1213** to ask for help with forms, to schedule your interview



Good Luck!

You've been accepted!

Congratulations! You have taken the biggest hurdle. However, don't rest on your laurels. Continue to be diligent with your documentation.

If you are given notice that Social Security wants to review your case after you're already receiving benefits, fill out the required paperwork. Do it in a timely manner and send them copies of everything you have had done since you were approved. Since your HS probably isn't improving dramatically, this should not be a problem if you have continued to document all activities.

You've been denied. What's next?

Appeal immediately! Don't wait until it is too late, or you could lose valuable back pay. If approved after denial, you are eligible to collect money from the date of your first application.

Don't lose faith. About 60% of claims are initially denied, most are approved at a later stage. Read the denial carefully, sometimes they will tell you the basis for the denial, and make sure you follow the steps in this paper.