



a program of Law Foundation of Silicon Valley  
152 North Third Street, 3<sup>rd</sup> Floor  
San Jose, California 95112

MHAP Intake Line (408) 280-2420 • Fax (408) 350-1158 • TTD (408) 294-5667

## ***Social Security Disability Insurance (SSDI)***

### **What Is Social Security Disability Insurance (SSDI)?**

SSDI is a federal insurance program financed with Social Security taxes paid by workers and employers. Monthly disability benefits are payable to disabled workers and their dependents, disabled widow(er)s or adults disabled since childhood.

### **Am I Eligible For SSDI?**

To be eligible for SSDI based on your own disability, you must:

- Have worked and paid Social Security taxes for enough years to be covered
- Meet the Social Security Administration's definition of a disability

There are no income or resource limits for SSDI.

### **How Does The Social Security Administration Define Disability?**

To qualify as disabled, you must have a severe physical or mental impairment that is expected to last for a continuous period of at least 12 months or that will result in death. The impairment must prevent you from working, meaning that you are unable to engage in any substantial gainful activity (SGA).

### **What Is Substantial Gainful Activity (SGA)?**

The Social Security Administration looks at your earnings to determine whether the work activity is SGA. Generally, if you are working and your wages average \$1180 (SGA for 2018) or more per month, Social Security presumes that you are making SGA and not disabled. If you are not working at the SGA level, Social Security will evaluate your medical condition to determine whether you can perform your prior work or any other type of employment.

### **If I Qualify For SSDI, When Do My Benefits Start?**

If you qualify for SSDI, the Social Security Administration determines when your disability began, which can be up to one year prior to the date of your application. There is also a waiting period for SSDI, with benefits starting five months after the onset date of your disability.

### **How Much Money Will I Receive From SSDI Benefits?**

SSDI payment amounts are based on your lifetime average earnings and vary from person to person. The Social Security Administration will examine your work history to determine your monthly payments. In general, the more you earned while working, the greater the SSDI monthly benefit.

### **Can I Apply For Both SSDI And Supplemental Security Income (SSI)?**

Yes. In addition to SSDI, you also may be eligible for Supplemental Security Income (SSI). However, if you are eligible for SSI and SSDI, your combined benefit amount can not be more than \$750 (individual) or \$1125 (couple) per month. Please see our handout on SSI to learn more about that program.

### **Does SSDI Include Health Insurance Coverage?**

Yes. After the five-month waiting period for SSDI, you must wait an additional 24 months before receiving Medicare benefits. Medicare now has four parts: Part A (Hospital Insurance), Part B (Medical Insurance), Part C (Medicare Advantage), and Part D (Outpatient Prescription Coverage).

Part A pays for most in-patient hospital services and some skilled nursing care and there is no monthly premium. Part B helps pay for doctor visits and other outpatient services. Part B coverage is optional and if you want this coverage, \$96.40 will be deducted from your monthly SSDI check. SSDI beneficiaries are also eligible for prescription drug benefits under Part D. If you want this coverage, you are required to pay a premium of approximately \$32/month and may include a deductible (a threshold amount of money you must pay before you are eligible for the drug benefit). For questions about Part D, you can contact the State Health Insurance Assistance Program at 1-800-434-0222

### **Am I also Eligible For Medi-CAL?**

Depending on your income you may also qualify for Medi-CAL. For more info and to apply for Medi-CAL, contact the Assistance Application Center at 1919 Senter Road, San Jose, 408-271-5600.

### **When Should I Apply For SSDI?**

You should file for SSDI as soon as you believe that you have a disability that prevents you from working. To apply, call 1-800-772-1213 in order to set up an appointment with a claim representative at your local Social Security Administration office. See MHAP's information sheet, "How to Apply for SSI and/or SSDI Benefits".

### **What Happens If My SSDI Application Is Denied?**

It can take the Social Security Administration (SSA) many months to make a decision on an initial SSDI application. If you disagree with SSA's denial of your application, you can appeal the decision through the process listed on the notice. See MHAP's information sheet, "How to Apply for SSI and/or SSDI Benefits."

*DISCLAIMER: This fact sheet is intended to provide accurate, general information regarding legal rights. It does not constitute legal advice. Because laws and legal procedures are subject to frequent change and differing interpretations, the Mental Health Advocacy Project cannot ensure the information in this fact sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular case or situation.*