

Office of U. S. Senator Tim Kaine



Social Security Disability Casework

Thank you for contacting my office regarding your pending Social Security Disability claim. The SSA receives numerous applications for disability benefits and it can take a long period of time to receive a decision.

Many disability applications are denied at the first step. After the first denial of application, there are three appeals steps in the administrative review process.

•**Reconsideration** - The claimant has 60 days to ask for reconsideration. All information, including new medical information, is reviewed by the Disability Determination Service (DDS). If that application is denied, you have 60 days to request a hearing before an Administrative Law Judge. It may take several months before a hearing is scheduled

•**Hearing** - If the claimant disagrees with the reconsideration determination, he/she can request a hearing before an Administrative Law Judge (ALJ). The ALJ will review the evidence and hold a hearing with the claimant. If you are denied at the Administrative Law Judge level, your next course of action would be to appeal the judge's decision to the Appeals Council in Virginia within 60 days.

•**Appeals Council** - If the claimant disagrees with the ALJ's decision, he/she can request a review by the Appeals Council. Once the Appeals Council receives your file, it will take at least two years for a review. In the interest of fairness, our office cannot expedite any of these hearings or appeals.

If you are approved for disability benefits, the benefits won't begin until the sixth full month after the date of approval. In addition, you must wait two years before you qualify for Medicare coverage.

Frequently Asked Questions

Can you help me get my Social Security disability approved?

While my office can make an inquiry on your behalf about the status of a pending case, or for clarification on the reasons for a denial, it would be inappropriate for me to compel any agency to decide an issue in your favor, or to overturn a decision that is final.

Can you help me expedite my Social Security disability claim?

My office can make an inquiry to request the status of your pending claim or submit a request for an expedited review on your behalf. However, the Office of Disability Adjudication and Review (ODAR) determines if a case is "critical" and requires special processing under specific situations.

To learn more about criteria for expedited requests a go to: http://www.ssa.gov/OP_Home/hallex/I-02/I-2-1-40.html .Along with the Privacy Release Form, attach supporting documentation showing a need for expedited attention, to my casework staff.