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Are Your Disability Benefits at Risk?



Your Social Security

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News and Information for SSDI and SSI Recipients

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Are Your Disability Benefits at Risk?

What you need to know now about Continuing Disability Reviews.

After navigating the long, complicated and difficult application and review process to qualify for Social Security Disability Benefits, you might feel like you been “run through the wringer.” But at least can rely on those benefits for the long haul, right? Well, maybe not.

If you are receiving disability benefits, the Social Security Administration (SSA) is required by law to conduct periodic

checks of your medical condition to determine if you still meet disability standards. These evaluations of a person’s disability status are called Continuing Disability Reviews (CDRs). At Cuddigan Law we are hearing a lot more about CDRs these days.

According to SSA’s own estimates there is a backlog of 1.3 million CDRs. Social Security says the fault for the backlog can be laid squarely at the feet of Congress. Funding cuts over the past few years, SSA says, has made it impossible to keep current on CDRs. Responding to allegations that some Americans are “gaming” the system to obtain disability benefits they are not really qualified for, Congress has increased the funding for CDRs and has mandated that SSA conduct reviews on a more timely basis.

So if you are receiving disability benefits, in the near future you may also receive notice that your case is under review. Here’s what you need to know now:

Although there are some differences from case to case, when you can expect to be contacted for a CDR generally depends on the classification of your disability. SSA uses three classifications:



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- Medical Improvement is Expected (MIE) – Your review is likely to come at about 18 months after you start receiving benefits.
- Medical Improvement Possible (MIP) –Your case will be reviewed every three years.
- Medical Improvement Not Expected (MINE) – Your review schedule will be once every seven years.

If you receive notice of a CDR, don’t panic. The notice will be accompanied by a form. Absolutely the best course of action is to fill out the form completely and send it back promptly. Be honest in your answers. You can be charged with a criminal offense–perjury–for answering untruthfully.

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If you receive the short form (SSA-455) Social Security is not expecting that you have seen any improvement in your medical condition. They are really checking for any other red flags which could affect your benefits such as earning more than \$1,070 per month or checking the box that says your health is better than it was at your last review. The short forms are scanned by a computer and if any red flags pop up, then SSA will conduct a full review of your case.

If the SSA sends you form SSA-454-BK, the agency is doing a full medical review, because it thinks your condition(s) may have improved. At 14 pages, this is appropriately known as the long form. Whatever you do don't skip over any questions. It is critically important that you fill this form out carefully and completely. Your continued eligibility for benefits depends on it.

If, as a result of the Continuing Disability Review process, SSA says you are no longer eligible for benefits, you can appeal. While your case is under appeal you can continue to receive your SSDI or SSI benefits, but there are strict procedures you must follow and deadlines you have to meet. If you are faced with a cessation of benefits, you

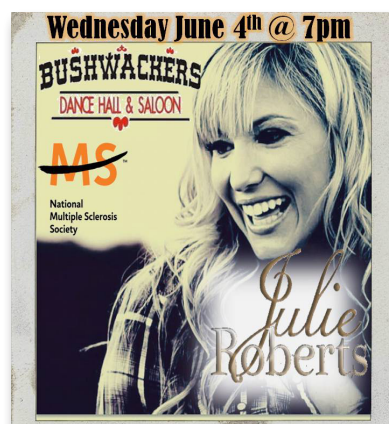
can contact Cuddigan Law for a free evaluation of your situation.



"5 Deadly Mistakes That Can Destroy Your Social Security Disability Case" is the #1 guide to improving the odds of winning a disability case.

For a FREE copy for you or someone you care about call Cuddigan Law at 402.933.5400 or email us at lawteam@cuddiganlaw.com

Local MS Society Works To Find a Cure



More than \$140,000 was raised at the April 12 *Walk MS* at Stinson Park in Omaha's Aksarben Village. *Walk MS* also connected people living with MS and those who care about them. It was an experience unlike any other—a day to come together, to celebrate the progress that has been made in treating MS and to show the power of connection. The attendance was estimated to be more than two thousand people.

Cuddigan Law was proud to participate in *Walk MS 2014*. The firm also participates in and sponsors other fund-raising events for the Mid-America MS Chapter throughout the year

Multiple sclerosis (MS) is an often disabling disease of the central nervous system that disrupts the flow of information within the brain, and between the brain and body.

An unpredictable disease, MS often prevents people from being able to work and otherwise care for themselves. One key symptom of MS is fatigue. Other common symptoms include losses in balance and dexterity. Problems with hand weakness or motor control can disqualify those with MS for even sit-down jobs.

We encourage you to join us next year for *Walk MS 2015*. When you participate in *Walk MS*, the funds you raise give hope to the more than 11,000 people living with MS in our community. The dollars raised support life-changing programs and cutting-edge research.

You can also help the effort to find a cure just by listening to some great live country music. Fast-rising country star, Julie Roberts, will be performing live at Bushwhackers in Ralston the evening of June 4.

All donations from the show will go to the local MS Society chapter. Julie is lending her voice to a cause that she is passionate about. The country singer, was diagnosed with multiple sclerosis in 2005

We, at Cuddigan Law, appreciate you joining us in the fight against MS.

Remember, every connection counts!

Meet Sean Cuddigan

A spotlight on the professional team members who work for you at Cuddigan Law.

Sean Cuddigan joined his father, Tim, in representing disability claimants as a law clerk in December 2005. Since he was admitted to the Nebraska Bar in September 2008, his practice has been devoted to Social Security disability. He assists clients with filing initial applications, filing appeals, and representation at the administrative hearings. Sean is a sustaining member of the National Organization of Social Security Claimants' Representatives.



"The biggest enjoyment I get out of practicing law is making a difference in my client's life. There is no greater sense of accomplishment than to help a client get ready for a hearing, win the hearing, and to help the client get the financial support and medical benefits that they need. A lot of my clients really struggle during the disability process and it makes me happy to see them smile after they win their case."

In Sean's spare time, he enjoys spending time with his wife Kortney and children-Jack and Emily. He also enjoys attending Creighton basketball games, watching Husker football, reading, socializing with friends, and running.



For Your Information

Cuddigan Law maintains an extensive free library of articles, videos and blogs about Social Security disability.

Visit our web site at cuddiganlaw.com

Here are two current items you may find informative and useful:

Why is Receiving Disability Benefits for Lupus So Difficult?
<http://www.cuddiganlaw.com/library/why-is-receiving-disability-benefits-for-lupus-so-difficult-.cfm>

Learn What to Expect at Your Social Security Disability Hearing
<http://www.cuddiganlaw.com/video/learn-what-to-expect-at-your-social-security-disability-hearing.cfm>

We're in your corner.

We value the confidence and trust you have placed with us in the past.

If you or a family member or a friend could use our help now or in the future, please pass along our name.

Cuddigan Law.

Disability law is all we do.



Tim & Sean Cuddigan

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