

# Your Social Security

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News and Information for SSDI and SSI Recipients

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## “Can I Work and Still Collect Disability?”

This is a question we hear all the time at our office. The answer is (as it often is with matters concerning the Social Security Administration) it depends and it's complicated. But let's try to uncomplicate this situation and lay out some guidelines.

Generally, you cannot draw Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits if you are engaged in “substantial gainful activity”. SSA defines “substantial gainful activity” as

any job — full or part time — in which you earn more than \$1,070 per month (\$1,800 per month if you are blind). If your gross monthly earnings exceed this amount, your benefits will be taken away, because it is the Social Security Administration's position that if you can make over this minimal amount of money you are not functionally limited enough to be considered disabled.

Because this income cutoff also applies to persons who are applying for benefits, does it mean you can do some work while you are waiting for your case to be decided? Technically, yes, but bear in mind that when Social Security sees you are able to perform some work they may not believe you are as disabled as you claim.

If you are receiving disability benefits, but your condition has improved and you would like to try working again, there is some good news. To encourage individuals to go back to work SSA has work incentives which make it possible to earn more than the “substantial gainful activity” limits and still receive monthly disability payments for a period of time. In addition to the continuation of disability benefits, the work incentives include continued Medicare or Medicaid while you work; and help with education, training, and rehabilitation to start a new line of work. If you later find you cannot



*“...benefit recipients have a fair amount of flexibility to try returning to work. However, always keep in mind that it is critically important to notify SSA promptly when you start or stop working, or if any other change occurs which could affect your benefits...”*

continue working after SSA ends your disability payments, you have up to five years in which you will not have to file a new application to restart your benefits.

Social Security allows for a trial work period where you can work for at least nine months to test your ability to work with no reduction in your benefits regardless of how much money you make. But you must report the work activity to SSA and continue to have a disabling impairment.

For a month to count as a trial work  
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## “Can I Work and Still Collect Disability?”



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**Cuddigan Law**

1005 S. 107th Ave. Ste . 201  
Omaha, NE 68114  
cuddiganlaw.com  
402.933.5318

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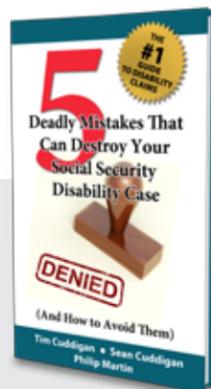
month, your earnings must be \$770 or more. If your gross earnings in any month fall below this amount the month will not count as part of the trial work period. The nine trial work months do not have to be consecutive. According to SSA: "The trial work period continues until you have worked nine months within a 60-month period."

After your trial work period, there is an extended period of eligibility where you have 36 months during which you can work and still receive benefits for any month your earnings are not "substantial" (that is, \$1,070 or \$1,800 if you are blind). No new application or disability decision is needed for you to receive Social Security disability benefits during this period.

All of this means that benefit recipients have a fair amount of flexibility to try returning to work. However, remember that it is critically important to notify SSA promptly when you start or stop working, or if any other change occurs which could affect your benefits.

Please keep in mind that this article covers only the general guidelines regarding working and disability. It is important to consult with your attorney if your disability case is pending and you return to work or contact Social

Security if you are receiving disability benefits and return to work.



**"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 402.933.5318 or email us at [lawteam@cuddiganlaw.com](mailto:lawteam@cuddiganlaw.com)**

## Free Turkey Giveaway

Thanksgiving is just around the corner and your Thanksgiving turkey could be on us.

You can win one of twenty \$25 Walmart gift cards to be given away by Cuddigan Law and eat for free this Thanksgiving.

All you have to do is register for your chance to win. Just send an email to [drawing@cuddiganlaw.com](mailto:drawing@cuddiganlaw.com) with "Free Turkey" in the subject line and please include your name and address and phone number in the body of the email (so we can notify the winners). Or you can enter on our website at [cuddiganlaw.com/winfreegiftcard](http://cuddiganlaw.com/winfreegiftcard) or by sending your contact information to: Cuddigan Law, 1005 S. 107th Ave. Suite 201, Omaha, NE 68114.

The entry deadline is midnight November 13. Winners will be drawn at random and notified by November 17.



## Comfort Food

### From the kitchen of Janet Cuddigan

Here's a recipe that will spice up a Halloween party or even a Wednesday night potluck dinner. It was a favorite of my Auntie Mabel Frandsen. I hope it's a favorite with your family, too.

#### Cinnamon Cake

1/2 cup sugar  
1 cup flour  
2 teaspoons baking powder 1 teaspoon cinnamon  
1/2 cup milk  
1 egg, beaten  
4 tablespoons butter, melted

Mix together sugar, flour, baking powder, and cinnamon. Add milk, egg, melted butter. Bake in 8 or 9 inch square pan at 350 degrees for about 30 minutes. When fresh out of the oven, gently rub the top with a stick of butter or margarine and sprinkle with a cinnamon and sugar mix.



## Connections

A spotlight on organizations that offer help and assistance in our community.

**Organization:** National Association on Mental Illness (NAMI)



**Mission:** As the nation's largest grassroots mental health organization, NAMI advocates for access to services, treatment, support, and research for those affected by mental illness and is steadfast in its commitment to raise awareness and build a community of hope for all of those in need.

**Help Offered:** NAMI offers an array of support and education programs. NAMI operates a helpline, organizes group forums, offers special assistance to veterans, helps to locate missing persons with mental illnesses, and more.

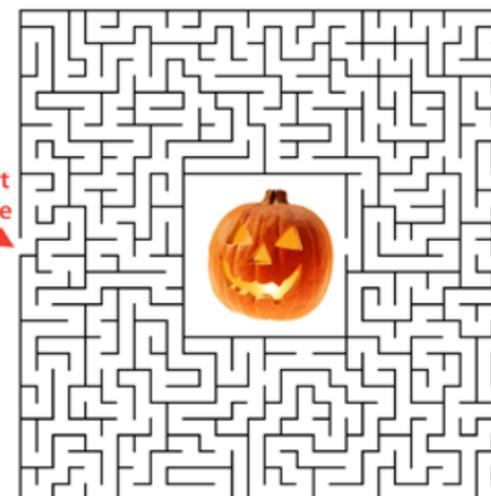
**Contact Information:** [www.naminebraska.org](http://www.naminebraska.org), (877) 463-6264

(Source: [nami.org](http://nami.org))

(Cuddigan Law is a proud supporter of NAMI and a sponsor of their annual "NAMIWalk Nebraska" event.)



Start Here



This Month:  
A Halloween Maze

For the puzzle solution go to [cuddiganlaw.com/library/newsletters](http://cuddiganlaw.com/library/newsletters)

## 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

**Cuddigan Law**  
1005 S. 107th Ave. Ste. 201  
Omaha, NE 68114  
[cuddiganlaw.com](http://cuddiganlaw.com)  
402.933.5318