

LONG TERM DISABILITY

UNDERSTANDING YOUR OPTIONS AND BENEFITS



SESSION CONTENT

Definitions

What's the difference between having a disability and being disabled?

What do different policies require?

Coverage

What types of coverage are available?

What are the basic differences?

Process

When should I apply?
What should I expect?
What if I'm denied?
Who can help?

DISABILITY OR DISABLED?

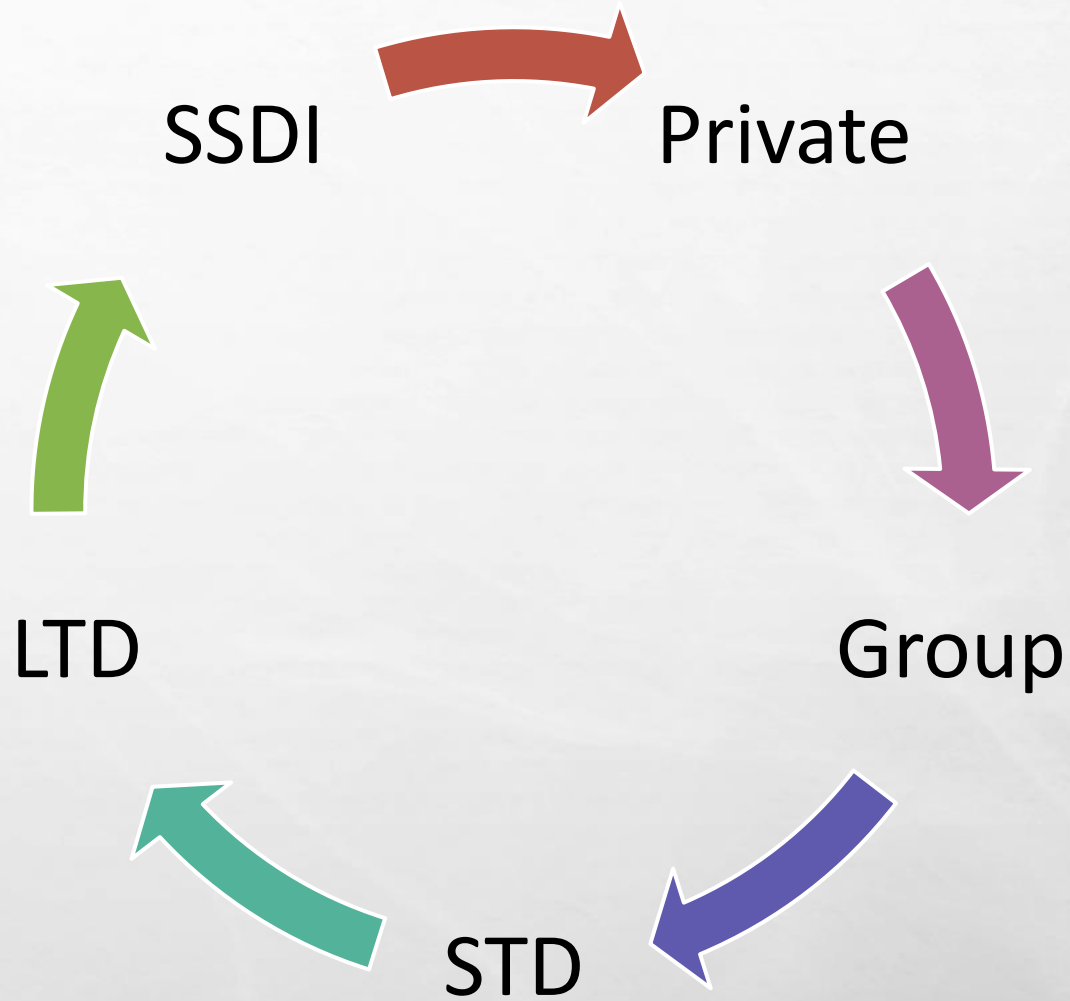


Disability



Disabled

COVERAGE TYPES



UNDERSTANDING DEFINITIONS OF DISABILITY (COMMERCIAL)

- 'INABILITY TO PERFORM THE MATERIAL DUTIES OF YOUR OWN OCCUPATION'
- 'INABILITY TO PERFORM YOUR REGULAR JOB DUTIES'
- 'INABILITY TO PERFORM THE MATERIAL DUTIES OF ANY OCCUPATION'
- 'INABILITY TO EARN MORE THAN XX% OF YOUR PRE-DISABILITY EARNINGS'
- DEFINITIONS GENERALLY INCLUDE LANGUAGE REQUIRING THE DISABILITY TO BE DUE TO ILLNESS OR INJURY

SOCIAL SECURITY DISABILITY INCOME DEFINITION

- TOTAL DISABILITY
- SSDI DEFINITION STATES –
 - YOU CANNOT DO WORK YOU DID BEFORE;
 - WE (SSA) DECIDE THAT YOU CANNOT ADJUST TO OTHER WORK BECAUSE OF YOUR MEDICAL CONDITIONS(S); AND
 - YOUR DISABILITY HAS LASTED OR IS EXPECTED TO LAST FOR AT LEAST ONE YEAR OR TO RESULT IN DEATH.

'PRE' DISABILITY

FMLA

ADA

NO income protection

Intermittent/reduced

Job Protection

Benefit Protections

Loses relevance once fully disabled

May allow you to work longer

Requires reasonable accommodations

THE PROCESS - FILING

When to file

- Generally when you can no longer work
- MUST be supported by your provider
- Know provisions for partial disabilities (does not apply for SSDI)

What to provide

- Forms as required...
- Medical Release
- Records – labs, test results, office visit notes, prescription records
- JOB DESCRIPTION
- Narrative letters from providers, especially for SSDI
- Expect a phone call!

CLAIM REVIEW – COMMERCIAL PLANS

Eligibility

Diagnosis

Limitations

Treatment

Prognosis

THE PROCESS - DECISIONS

COMMERCIAL PLANS

- ERISA TIME LINES (45 DAYS, 2 POSSIBLE 30 DAY EXTENSIONS)
- MORE APPROVALS THAN DENIALS
- DENIALS – APPEALS PROCESS USUALLY DEFINED BY ERISA
- LEGAL REPRESENTATION GENERALLY NOT APPROPRIATE/NEEDED DURING THE APPEAL PROCESS

SSDI

- EXPECT LONG DECISIONS TIMES (VARIES BY REGION)
- VERY HIGH INITIAL DENIALS – EXPECT TO APPEAL
- DO NOT PURSUE REPRESENTATION IF YOU HAVE COMMERCIAL INSURANCE
- DO PURSUE REPRESENTATION IF YOU DO NOT HAVE COMMERCIAL INSURANCE

MISTAKES TO AVOID

- KEEP SEEING YOUR DOCTOR!
- KNOW THE IMPACT OF WORKING
- KEEP TAKING MEDICATIONS
- KNOW YOUR APPEAL RIGHTS AND ALL DEADLINES (FILING AND APPEAL)
 - SSDI APPEALS – 60 DAYS
 - ERISA PLANS – 180 DAYS
- FOLLOW UP WITH YOUR PROVIDERS – DON'T ASSUME THEY'VE PROVIDED THE NECESSARY DOCUMENTATION!

RESOURCES

- WHAT YOU NEED TO KNOW WHEN YOU GET SOCIAL SECURITY DISABILITY BENEFITS: [HTTP://WWW.SSA.GOV/PUBS/EN-05-10153.PDF](http://www.ssa.gov/pubs/en-05-10153.pdf)
- SOCIAL SECURITY DISABILITY BENEFITS: [HTTP://WWW.SSA.GOV/PUBS/EN-05-10029.PDF](http://www.ssa.gov/pubs/en-05-10029.pdf)
- SSA DISABILITY WEB SITE: [HTTP://WWW.SSA.GOV/PGM/DISABILITY.HTM](http://www.ssa.gov/pgm/disability.htm)
- DISABILITYSECRETS.COM

LISTED DISEASES - UC

- DISABILITY BENEFITS FOR ULCERATIVE COLITIS
- ULCERATIVE COLITIS IS EVALUATED UNDER THE DISABILITY LISTING FOR INFLAMMATORY BOWEL DISEASE (IBD) IN SOCIAL SECURITY'S LISTING OF IMPAIRMENTS. TO QUALIFY UNDER THE IBD LISTING, YOU NEED TO HAVE A DIAGNOSIS OF IBD, PLUS A SPECIFIC COMPLICATION SUCH AS ANEMIA, A BOWEL OBSTRUCTION, PERINEAL DISEASE WITH AN ABSCESS OR FISTULA, OR A TENDER ABDOMINAL MASS. OR, IF YOU HAVE LOST A SIGNIFICANT AMOUNT OF WEIGHT, YOU CAN QUALIFY UNDER THE SSA'S DISABILITY LISTING FOR WEIGHT LOSS, WHICH REQUIRES A BMI OF 17.5 OR LESS.
- IF YOU DON'T HAVE ONE OF THE REQUISITE COMPLICATIONS OR AMOUNT OF WEIGHT LOSS, YOU CAN ALSO QUALIFY FOR DISABILITY BENEFITS IF YOU CAN SHOW THAT YOUR SYMPTOMS MAKE IT IMPOSSIBLE TO DO FULL-TIME WORK. FOR INSTANCE, IF YOUR DIARRHEA REQUIRES FREQUENT AND UNPLANNED TRIPS TO THE RESTROOM, OR YOUR FATIGUE AND ANEMIA PREVENT YOU FROM WORKING AT AN ACCEPTABLE PACE, THE SSA MAY AGREE THAT YOU ARE UNABLE TO WORK.