



Little
**THE ^TXT BOOK OF
SOCIAL SECURITY DISABILITY**

BY JORDAN ZIEGLER, ESQ.

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Disclaimer: This Little Txt Book of Social Security Disability is intended to be easy reading on a difficult subject. Social Security Disability is a serious matter and should not be taken as lightly as the concept of this book. If an illness or injury keeps you from working, contact our offices right away so we can help you get all the benefits to which you are entitled.

TABLE OF CONTENTS

CHAPTER 1

What is Social Security Disability?

CHAPTER 2

What if I am still employed and receiving benefits but cannot go to work?

CHAPTER 3

I've heard of SSDI and SSI. What's the difference and which one would I get?

CHAPTER 4

How does SSA evaluate my claim?

CHAPTER 5

How much past work do I need to be eligible?

CHAPTER 6

How do I make my case?

CHAPTER 7

Is there a special SSDB category for blindness or low vision?

CHAPTER 8

I want to apply.

CHAPTER 9

I was approved, how much money will I receive and when do payments begin?

CHAPTER 10

Do I also get Medicare if approved?

CHAPTER 11

I am receiving SS benefits. Can I work?

CHAPTER 12

If I'm approved, do any family members receive benefits?

TABLE OF CONTENTS

CHAPTER 13

What happens if I pass away?

CHAPTER 14

What if I'm denied?

CHAPTER 15

The 4 different levels of determinations and appeals.

CHAPTER 16

The basics of appeals.

CHAPTER 17

Initial Determination. Why is every decision called an initial determination, even if it's my third decision?

CHAPTER 18

Reconsideration

CHAPTER 19

Hearing

CHAPTER 20

Appeals Council

CHAPTER 21

Federal Court

CHAPTER 22

This is a LOT of information. Can you summarize it all?

CHAPTER 23

Pro Tips

CHAPTER 24

Final Advice

CHAPTER 1

What is Social Security Disability?

If an illness or injury keeps you from working, Social Security Disability (SSDB) can help replace part of your lost income. You've been paying into this program with every paycheck — it's your money, not a handout. Think of

SSDB as a safety net you helped build.

If you can't work because of a serious medical condition, SSDB helps you pay for daily needs while you recover or adjust.

It's there to say, "We've got your back."



CHAPTER 2

What if I am still employed and receiving benefits but cannot go to work?



You may qualify for SSDB even if:

- * You're still technically employed and receiving payments from your employer or of any kind, but can't actually go to work and do your job
- * You're receiving workers' comp or other benefits

To qualify, you must:

- * Have a medical condition that significantly limits your ability to work
- * Expect that condition to last at least 12 months or could result in death
- * Have worked long enough to earn enough Social Security "credits"



CHAPTER 3

I've heard of **SSDI** and **SSI**. What's the difference and which one would I get?

There are two main programs:

- * **SSDI** — for people who worked and paid Social Security taxes. It's based on your work history and earnings.
- * **SSI** — for people with limited income and resources, or who have never worked due to disability. It's not tied to your work history.



If you're on SSDI, your disability benefits turn into retirement benefits once you reach full retirement age — same amount, just a new label.

Both programs use the same 5 Steps to decide if you're medically disabled.

It's important to know which benefits you may qualify to receive.

CHAPTER 4

How does Social Security Administration (SSA) evaluate my claim?



When you apply for SSDB, the SSA uses a five-step process to decide if you qualify.



5 STEPS

1

Are you working?

If you're working and earning more than a certain monthly amount, you probably won't qualify. If you're not earning over, move to Step 2.

2

Is your condition “severe”?

It must seriously limit your ability to lift, stand, walk, carry, sit, remember, or do other basic work tasks for at least 12 months. It's not always about being 100% disabled, Significant limitation is required. If yes, move to Step 3.

3

Does it match a listed medical condition?

The SSA keeps an official list of severe conditions that automatically qualify. If yours is listed, you're approved at this step. If not, move to Step 4.

5

Can you do any other kind of work?

SSA considers your age, education, and job skills to see if there's other work you could do. If the answer is “no” at this stage, you're approved for disability. Each step builds on the last — so every detail in your paperwork matters.

4

Can you do any of your past work?

If your medical issues keep you from doing your job, you move on to Step 5.

CHAPTER 5

How much past work do I need to be eligible?

You must have worked long enough – and recently enough – to qualify for disability benefits.

WARNING: Technical information to follow!



Social Security work credits are based on your total yearly wages or self-employment income. You can earn up to 4 credits each year.

The amount needed for a work credit changes from year to year.

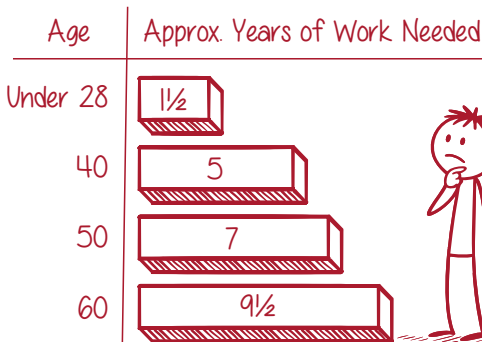
The number of work credits you need to be eligible for disability benefits depends on your age when your disability begins. Generally, you need 40 credits, 20 of which were earned in the last 10 years ending with the year your disability begins. This is called the 20/40 Rule. However, younger workers may be eligible with fewer credits.

In general, to be eligible to get SSDB benefits, you must meet two different earning tests:

1. A recent work test, based on your age at the time you developed a disability and
2. A duration of work test to show that you worked long enough.
(An exception is for certain blind workers who only must meet the duration test.)

The following chart shows the rules for how much work you need to have done for the recent work test, based on your age and when you developed a disability.

You earn Social Security “credits” based on your yearly income – up to four per year. Most adults need 40 credits total, including 20 in the last 10 years, but younger workers need fewer. The older you are when disability starts, the more work history you need



CHAPTER 6

How do I make my case?

To be approved, you must show that your condition:

- * Keeps you from doing your job or any other full-time work
- * Has lasted (or will last) at least 12 months or could result in death

The SSA reviews medical evidence — doctor reports, test results, and treatment records.

If your doctor doesn't provide enough info, you may be asked to see another doctor for an exam.

Yours and our goals are to prove your condition truly limits your ability to work.



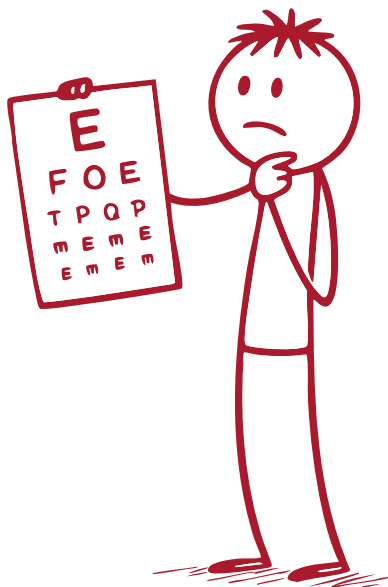
AGE MATTERS!

- * Over age 50 (easier), you need to prove you can no longer do the type of work you've done in the past.
- * Under age 50 (more difficult), you must verify that your disability prevents you from doing any work into the future as well

CHAPTER 7

Is there a special **SSDB** category for blindness or low vision?

You're legally blind if your best eye can't be corrected better than 20/200 or your field of vision is 20 degrees or less. Even if you don't meet that definition, you may still qualify if your vision — alone or with other conditions — keeps you from working. People who are blind have slightly higher income limits and special rules recognizing how vision loss affects work. You may still be able to do some tasks, but SSDB asks whether you can sustain full-time employment.



WARNING

Dangerous roads ahead. Keep reading but for informational purposes only. For best results, call our law firm before traveling ahead.



Proceed alone at your own risk.

CHAPTER 8

I want to apply.



How do I know the decision?

When SSA decides your case, they'll mail you a letter. If approved, it tells you how much you'll get and when payments start. If denied, it explains why and how to appeal. Either way, you'll know your next step – and you always have the right to appeal if you disagree.

CHAPTER 9

I was approved, how much money will I receive and when do payments begin?

Once approved, there's usually a 5-month waiting period before payments begin, with benefits starting in the 6th month after your disability onset. Monthly payments are based on your lifetime earnings, and at the time of writing this book, most people receive between \$3,000 and \$4,000. Some serious conditions, such as ALS or pancreatic cancer, skip the waiting period. If you receive workers' comp or certain government pensions, your SSDB may be adjusted. Your approval letter explains when payments start and how much you'll receive.



CHAPTER 10

Do I also get Medicare if approved?

Yes! Once you've received SSDB benefits for 2 years, you automatically get Medicare coverage. If you're on SSI, you qualify for Medicaid right away. That means your medical care continues — even when you can't work.



CHAPTER 11

I am receiving SS benefits. Can I work?

You can try to go back to work – carefully. If you earn below a certain monthly limit, you may still get benefits. If you work for less than 9 months and stop because of your condition, it's called an unsuccessful work attempt, and your payments continue. If you work 9 months or more, your benefits keep going for 3 extra months before stopping. You don't have to repay anything for that trial time, and help is available for training or job adjustments if you're ready to try again.



CHAPTER 12

If I'm approved, do any family members receive benefits?

Your SSDB benefits may help your family as well.

Those who may qualify include:

- * Your spouse (age 62+, or any age if caring for your young or disabled child)
- * Your child under 18, or under 19 if still in high school
- * Your adult child if they became disabled before age 22

In some cases, a stepchild or grandchild may qualify too. SSDB can be a family safety net – not just for you, but for the people who rely on you most.



CHAPTER 13

What happens if I pass away?

If you die, your surviving spouse or divorced spouse may receive benefits if:

- * They're between 50 and 60 and meet the medical definition of disability, and
- * Their disability began before or within 7 years of your death. Spouses who were caring for your child may also qualify later if they become disabled themselves. The same medical rules apply as for regular SSDB – the support can continue even after you're gone.



CHAPTER 14

**What if am denied?
Don't give up.**

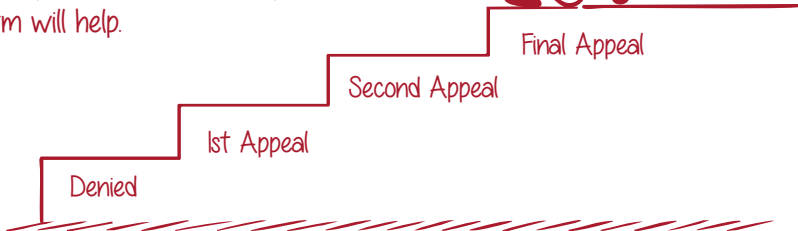


Call the law firm.

Many people are denied the first time — even those who clearly qualify. The key is to appeal, not quit. You can challenge almost any decision, and each appeal gives SSA another chance to review your evidence. It may take several tries — but persistence pays off. Stay patient, stay organized, and keep your paperwork ready. Hiring a law firm will help.



APPROVED!



CHAPTER 15

The 4 different levels of determinations and appeals.

If you're denied, there are four steps to appeal your case.



Let the law firm handle these appeals.



1

Reconsideration

Another review of your file.

2

Hearing

You explain your case to an administrative judge.



3

Appeals Council

A higher review if you disagree with the judge.

4

Federal Court

the final step, where a U.S. District Court reviews your claim.



CHAPTER 16

The basics of appeals.

You generally have 60 days to file an appeal after getting a denial notice. SSA assumes you got their letter 5 days after the date printed on it.



WARNING: If you have a lawyer, tell them right away so they can handle it for you. If not, you can still file yourself — just follow the deadlines carefully. Appeals can sound complicated, but the goal is simple: make sure your case gets a fair review.

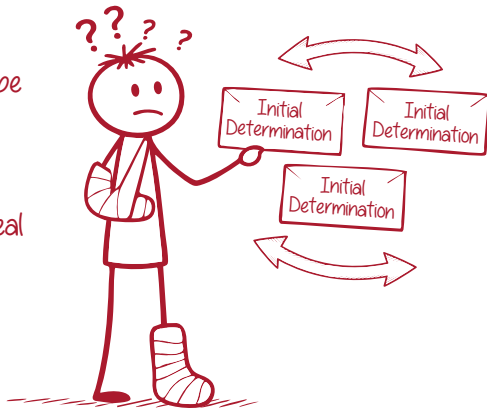
CHAPTER 17

Initial Determination. Why is every decision called an initial determination, even if it's my third decision?

Every time SSA makes a decision on your claim, it's called an Initial Determination – even if it's your third or fourth one. It's their official written notice explaining what they decided and why. An Initial Determination might tell you:

- * Whether you're eligible
- * How much your payment will be
- * If you've been overpaid and whether you must repay it

Each new decision after an appeal still carries that same name – so don't let it confuse you.



CHAPTER 18

Reconsideration

If your first application is denied, your next step is Reconsideration. You ask SSA to take another look – like pressing “review” on your case.

- * If you file within 10 days, your payments may continue during review.
- * If you file within 60 days, they’ll still review it, though payments might pause.
- * For medical cases, you can ask to keep benefits going during the appeal if you file quickly.

This step gives SSA a fresh chance to see new or missed information before you move up to a hearing.



CHAPTER 19

Hearing

If you disagree after reconsideration, you can ask for a hearing before an administrative law judge. You'll get at least 75 days' notice with the date and details. You can appear in person, by phone, or by video, and bring new evidence or witnesses. We will appear with you. The judge may also call medical or vocational experts to testify and the hearing is recorded. If you skip the hearing, you could lose your appeal rights – so showing up matters. Afterward, you'll get a written decision in the mail.



CHAPTER 20

Appeals Council

If you still disagree with the judge's decision, you can ask the Appeals Council to review it. They may:

- * Approve, deny, or dismiss your request, or
- * Send your case back to the judge for another look. You can also submit new, relevant evidence if it relates to your condition before the hearing date. If they plan to issue a less favorable decision, they'll give you a chance to respond first. You'll receive their final action in writing, with an explanation.



APPROVE



DENY



DISMISS



BACK FOR
REVIEW



CHAPTER 21

Federal Court

Your final option is to take your case to U.S. District Court. You must file soon after receiving the Appeals Council's decision. The court reviews your case, the evidence, and SSA's reasoning. They can:

- * Send it back for another hearing,
- * Order SSA to approve your benefits, or
- * Dismiss the case entirely.



BACK FOR
HEARING



ORDER
APPROVAL



DISMISS
CASE



CHAPTER 22

This is a **LOT** of information.
Can you summarize it all?

Here's a quick recap.

You may qualify for SSDB if you:

- * Have an illness or injury that keeps you from working
- * Expect the condition to last at least a year or lead to death
- * Became disabled after a spouse's death or before age 22
- * Were injured on the job or after military service



You can also qualify through certain family or survivor situations. If you meet the medical and work rules, SSDB can be the support you need to move forward.

CHAPTER 23

Pro Tips



Document
EVERYTHING



Be patient
(like, really patient)



Hire a
disability lawyer



Don't be afraid
to ask questions



CHAPTER 24

Final Advice



- * Remember most disability claims are initially rejected
- * Consider working with an experienced disability lawyer
- * Thoroughly document your medical condition
- * Be persistent in the application and appeals process

Of the approximately 2.5 million applications for SSDB benefits the Social Security Administration receives each year, most SSDB claims are rejected. With a tough SSDB lawyer by your side, handling everything from filling out your application to an SSDB claim appeal hearing, your chances of receiving SSDB money increases exponentially. Don't fall for all the ads telling you to call Social Security "advocates." They don't have the legal experience and background that a disability lawyer can provide. As trusted SSDB attorneys who have been helping New Yorkers obtain SSDB payments during tough times, we will help fight for your rights!

Call us today at **800.692.3717** or contact us online for a free evaluation at workerslaw.com

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NOTES



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