Military Service and Social Security Disability Benefits

Overview
Military service members may receive faster processing of disability claims from Social Security.

The expedited (faster) process is used for military service members who become disabled while on active military service on or after October 1, 2001, regardless of where the disability occurred.

Benefits available through Social Security are different than those from the Department of Veterans Affairs and require a separate application.

Active duty status and receipt of military pay does not, in itself, necessarily prevent payment of disability benefits.

How does military pay affect eligibility for disability benefits?
You cannot engage in substantial work activity for pay or profit, also known as substantial gainful activity.

Active duty status and receipt of military pay does not, in itself, necessarily prevent payment of disability benefits. Receipt of military payments should never stop you from applying for disability benefits from Social Security.

If you are receiving treatment at a military medical facility and working in a designated therapy program or on limited duty, Social Security will evaluate your work activity to determine your eligibility for benefits. The actual work activity is the controlling factor and not the amount of pay you receive or your military duty status.

What types of benefits can I receive?
Social Security pays disability benefits through two programs:
• the Social Security disability insurance program, which pays benefits to you and certain members of your family if you are insured, meaning that you worked long enough and paid Social Security taxes
• the Supplemental Security Income (SSI) program, which pays benefits based on financial need.

What is Social Security's definition of disability?
By law, Social Security has a very strict definition. To be found disabled:
• you must be unable to do substantial work because of your medical condition(s) and
• your medical condition(s) must have lasted, or be expected to last, at least one year or be expected to result in death.

While some programs give money to people with partial disability or short-term disability, Social Security does not.

How do I apply?
You may apply for disability benefits at any time while in military status or after discharge, whether you are still hospitalized, in a rehabilitation program or undergoing out-patient treatment in a military or civilian medical facility.

You may apply online at the Social Security website www.socialsecurity.gov/woundedwarriors or in person at the nearest Social Security office or by telephone. You may call 800-772-1213 to schedule an appointment. If you are deaf or hard of hearing, you may call the TTY number, 800-325-0778.

There is a disability starter kit available online at www.ssa.gov to help you complete your application.
What do I need to apply?
Claimants and their representatives must provide information and documentation about age, employment, proof of citizenship, Social Security coverage and information regarding all impairments and related treatment.

See www.ssa.gov for a full list of needed documentation.

If you are receiving military (or worker's) compensation, then proof of payment will be necessary.

How does Social Security make the decision?
Your claim is sent to a state Disability Determination Services (DDS) office that makes disability decisions. The state has medical and vocational experts who will contact your doctors and other places where you received treatment to get your medical records.

The state agency may ask you to have an examination or medical test. You will not have to pay the costs of any additional exams or tests you are asked to take.

How long does it take for a decision?
The length of time it takes to receive a decision on your disability claim can vary, depending on several factors, but primarily on:

- the nature of your disability,
- how quickly they obtain medical evidence from your doctor or other medical sources, and
- whether it is necessary to send you for a medical examination in order to obtain evidence to support your claim.

Can I do anything to speed the decision?
Yes. After the application for Social Security disability benefits is received, it is uniquely identified as a military service member claim, and it is expedited through all phases of processing, in both Social Security and the DDS.

Disability claims filed online are also expedited.

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This fact sheet is given to you as a guide to help you generally

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