

## Should I Hire a Social Security Lawyer to Help with My Claim?

Filing for Social Security Disability benefits can be a daunting process. Whether you are navigating the waters yourself or have sought the counsel of a social security lawyer, it helps to have as much information as possible on your side. Some common questions about filing for disability through the Social Security Administration are included below.

Q: Am I eligible to receive Social Security disability benefits, if I currently receive workers compensation benefits?

A: If you receive workers compensation benefits, you are still eligible to receive Social Security Disability benefits. You are entitled to collect benefits from both, but cannot exceed 80 percent of your estimated annual income average. Your 80 percent limit may be higher or lower than that of someone else, since the annual earning history of one person differs from that of another. That means one worker may have a high enough cap to collect full benefits, while another may not. If your combined workers compensation and social security benefits exceed that 80 percent maximum, your social security benefits will be reduced to meet that limit. Say that your monthly average income was \$5000, your 80 percent maximum monthly cap would be \$4000. You may be eligible for \$2500 per month in Social Security Disability, but already receive \$2500 each month in workers compensation. Your Social Security benefits would be reduced to \$1500 to meet your cap of \$4000.

Consider consulting a social security lawyer or a Social Security representative, if any of your current workers compensation benefits are increased, reduced, or paid via one large sum (instead of in installments). Any changes to your workers compensation can affect your social security benefits.

Q: Are my Social Security benefits contingent upon my assets?

A: Your assets should not affect your Social Security Disability benefits. Social Security Disability benefits are awarded based on how long you were in the workforce and how much you paid into the Social Security system. You earned the benefits through prior contributions. You should receive the same amount of benefits, regardless of your assets. Your assets do matter if you are applying for Supplemental Security Income (SSI). SSI benefits are awarded based on need, so any income and assets you have must be considered.

A social security lawyer may be a good resource, if you are unclear about the affect your particular assets may have on your SSD or SSI benefits.

Q: Is it a requirement for me to see one of the Social Security doctors?

A: Not in all cases. The disability examiner for your case may not feel he has enough background on your case and wishes for you to undergo a consultative exam (CE.) If, for example, your doctor cannot provide many details about your condition or you have not received recent care for your treatment, your disability examiner may request a consultative examination. The medical specialist that provides the CE will be able to provide an updated profile of your condition. The CE will be looked at in concert with your other medical records. The Social Security Administration will pay for your CE. Contact your case representative, if you feel you should not have to go through another exam. If you feel like you have been unfairly subjected to multiple examinations, contacting a social security lawyer might provide some insight into how and why certain examinations may or may not be needed.

## About the Author

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