

## Social Security Attorney Commonly Asked Questions

Q: How long do you have to be out of work before you can apply for social security disability benefits?

A: You should submit an application for disability benefits as soon as you become injured. If you are approved, you are not eligible to receive benefits until after a 5 month waiting period from the established date of onset of your condition. The onset date is the first day you were unable to work due to your condition. But the review process for an application takes an average of at least 90 days. So, if you wait to apply, you can expect delays in receiving your first payment. You will be able to receive retroactive benefits, even if you wait to apply. No one can receive benefits for the 5 month waiting period. But the longer you wait to apply, the longer you wait for your first check. A social security attorney can be an invaluable source, if you are having difficulty applying for disability benefits.

Q: Can you receive Medicaid and social security disability?

A: A person who is approved for social security disability insurance (SSDI) is eligible for Medicare. Medicare cannot begin until 2 years have past since the onset date of the injury, in addition to the required waiting period (5 months) an individual had to wait to begin receiving SSDI benefits. Those who collect SSI can apply for Medicaid. The distinction can get a bit confusing for those who may collect both SSI and SSDI for a certain period of time. Those claimants should contact their social security representative to find out more information about applying for Medicare or Medicaid. A social security attorney can be helpful, if you are having any difficulty understanding why you are eligible for certain benefits and not others or do not know how to apply for benefits.

Q: Do you need a [social security attorney](#) if you plan to appeal your claim?

A: It is not required that you have a social security attorney for any portion of the application process for disability benefits. If your initial application is denied and you plan to appeal for reconsideration, however, you may wish to hire a lawyer. A fair number of claims that are filed for reconsideration are not approved and must be appealed to go before a hearing. Statistically, the majority of claims that receive approval during a hearing process have a social security attorney representing them. The knowledge and expertise a social security attorney can bring to the hearing process can be invaluable.

## About the Author

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