

Overpayment, Blindness, and Other Issues for a Social Security Lawyer

Q: How do I handle a Social Security Disability overpayment issue?

A: Any social security lawyer will tell you that, if the Social Security Administration determines that they have paid you more than they should, they will probably send you a Notice of Overpayment. This can happen for a variety of reasons, such as a failure to report a change in your lifestyle or status to the Social Security Administration. It can also happen when Social Security does not process your change in status quickly enough, and delays the change in your monthly check.

You may want to speak to a social security lawyer about your options, but in general, there are three different things you can do when you receive a notice of overpayment. First, if you believe the overpayment is incorrect, you can ask for a reconsideration. When you do this, you are essentially requesting Social Security to look over your file again and perhaps meet with you to work out the problem (when this happens, it is a good idea to bring your social security lawyer).

Another option is to ask the SSA for a waiver. This means that you acknowledge that you received an overpayment, but cannot pay the amount back. A social security lawyer or advocate will likely suggest this if the overpayment wasnt your fault. If, however, you believe that the overpayment was your responsibility, you can set up a payment arrangement with the SSA. Social Security will generally allow you to make repayment in installments. Speak to a social security lawyer for details.

Q: I am considered to be legally blind. Can I get social security benefits?

A: If you speak to a social security lawyer, he or she will give you this simple answer: maybe. Those people who are legally blind qualify for social security disability under the same general rules as those with any other disability. The SSA will consider you to be legally blind if your vision cannot be corrected to 20/200 or better in your best eye. Even those that do not fall under the category of legal blindness can receive some benefits. If unsure, it is best to talk to your social security lawyer or advocate about qualifying for legal blindness.

The SSA has special guidelines when working with legally blind applicants. Because blindness has such a huge effect on a persons ability to work, the blind are generally given a higher monthly earnings limit than other disabled persons. In 2008, the monthly earnings limit was \$1,570. It may be a good idea to speak to your social security lawyer for a better idea of how this works.

Q: Do I need to wait a year after the start of my disability to apply for benefits?

A: In short, no. A social security lawyer will tell you that the SSA defines disability as an inability to make a gainful income due to a disability that is either fatal, or has lasted 12 months, or is expected to last at least 12 months. While some take this to mean they cannot apply for benefits for 12 months, that is simply not true. Your social security lawyer will encourage you to apply on day one.

About the Author

For more about [social security benefits](#), visit www.hillandponton.com.

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