

# Social Security

## Notice of Reconsideration

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From: Social Security Administration  
Retirement, Survivors, and Disability Insurance

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Date:

Claim Number:        -    -

Claim for

- Disability Insurance Benefits
- Disabled Widow, Widower Benefits
- Childhood Disability Benefits

Upon receipt of your request for reconsideration we had your claim independently reviewed by a physician and disability examiner in the State agency which works with us in making disability determinations. The evidence in your case has been thoroughly evaluated; this includes the medical evidence and the additional information received since the original decision. We find that the previous determination denying your claim was proper under the law. The attached page identifies the legal requirements for this type of claim. Also attached is an explanation of how we decided this claim.

### OTHER BENEFITS

Based on the application you filed, entitlement to any other benefits, except those which entitlement has already been established, cannot be established. In the future, if you think entitlement to benefits can be established, you will need to file again.

### YOUR RIGHT TO APPEAL

If you believe that the reconsideration determination is not correct, you may request a hearing before an administrative law judge of the Office of Disability Adjudication and Review. If you want a hearing you must request it not later than 60 days from the date you receive this notice. You may make your request through any Social Security office or on the Internet at <http://www.socialsecurity.gov/disability/appeal>. As part of the appeal process, you also need to tell us about your current medical condition. We provide a form for doing that, the Disability Report - Appeal. You may contact one of our offices or call 1-800-772-1213 to request this form. Or, you may complete the report online after you complete the online Request for Hearing by Administrative Law Judge. Read the enclosed leaflet for a full explanation of your right to appeal.

### IF YOU WANT HELP WITH YOUR APPEAL

You can have a friend, lawyer, or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it. And if you hire a lawyer, we will withhold up to 25 percent of any past due Social Security benefits to pay toward the fee.

**Important: See other side for additional information. ►**

## **NEW APPLICATION**

You have the right to file a new application at any time, but filing a new application is not the same as appealing this decision. If you disagree with this decision and you file a new application instead of appealing, you might lose some benefits or not qualify for any benefits. Also, we could deny the new application using this decision, if the facts are the same.

So, if you disagree with this decision, you should ask for an appeal within 60 days.

## **IF YOU HAVE ANY QUESTIONS**

If you have any questions, you may call us toll free at 1-800-772-1213. We can answer most questions over the phone. You can also write or visit any Social Security Office.

If you do call or visit any office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment.

Summarized below are the legal requirements for the type of disability claim referred to in this letter:

Enclosure:  
SSA Pub. No. 70-10281

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### **Disability Insurance Claim**

To be considered disabled, a person must be unable to perform any substantial gainful work due to a medical condition which has lasted or can be expected to last for a continuous period of at least 12 months. The impairment must be so severe as to prevent the person from working not only in the person's usual occupation but in any other substantial gainful work considering age, education, training, and work experience. This condition must be disabling at a time when the person meets the earnings requirements of the law.

### **Disabled Widow (Widower) Claim**

A widow, widower, or surviving divorced wife (age 50-60) must meet the disability requirement of the law within a specified 7-year period. A person may be considered disabled only if he or she has a physical or mental impairment that is so severe as to ordinarily prevent a person from working. The disability must have lasted or be expected to last for a continuous period of at least 12 months.

### **Childhood Disability Claim**

Childhood disability insurance benefits may be paid to a person age 18 or older if the person has a disability which began before age 22. The impairment, whether physical or mental, must be so severe that it prevents the person from engaging in any substantial gainful work, considering age, education and previous training. In addition, the condition must have lasted or be expected to last for a continuous period of at least 12 months.