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Attorney Michael Sullivan

FIVE SURE FIRE WAYS TO RUIN YOUR DISABILITY CLAIM

SPECIAL REPORT

SULLIVAN LAW OFFICE

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SPECIAL REPORT

5 Sure Fire Ways to RUIN your disability claim

Written By:
Attorney Michael Sullivan

DISCLAIMER: Office located at 1500 Story Ave. Louisville KY 40206. Others in firm may perform services. Kentucky does not certify legal specialties.

THIS IS AN ADVERTISEMENT. Main Number 502-587-0228

SECTION 1

THE DEVIL IS IN THE DETAILS

Don't Get Tripped Up on the Questions

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The Social Security Administration is very "form focused"

First, the initial application is an hour or more of detailed, targeted questions.

Next, they send you a "small forest" of more forms to fill out... UGGH.

FORMS YOU MAY GET:

- The Function Report
- The Pain Questionnaire
- The Activities of Daily Living Report

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The Social Security Administration is very "form focused"

Need to appeal, more FORMS…. DO NOT MESS THIS UP OR DO IT HALF WAY.

Consider that they ask you, for example in one form, do you cook, do you clean? Fail to fill it out properly. It can be used against you later.

Consider that as you try to think about responding to "do you cook", what is that question really asking? Is it really innocent? Can it be used against you later in time?

The devils always lie in the details!

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SECTION 1 *TAKE AWAY*

THE DEVIL IS IN THE DETAILS

Don't get tripped up on the questions

Provide a detailed explanation how you go about your activities of daily living (ADLs), always explain how you are limited and how you have changed your life to reflect your own health problems.

I know you're not feeling well and this can be very hard! Be sure you listed all your limiting health problems.

TIP: Maybe you have a mild heart problem that is well controlled with Rx meds, and it doesn't really bother you. So why list this on the disability application? Maybe because of what meds you take for the heart, you cannot take an effective Rx med for your severe arthritis or autoimmune disorder. Your pain is worse because the docs cannot treat you effectively for pain because of the heart medication. The heart is not a real issue, but it does affect other problems. So be sure to list everything.

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SECTION 2

EXPECTING SOCIAL SECURITY TO "JUST" BELIEVE YOU

Don't stop treating with your doctor

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The Social Security Administration Relies on Medical Proof to Decide Your Case

So if you quit treating with your doctor, how do you think the Social Security Administration, can make a favorable decision? Do you expect them to just believe you???

You should not go to the doctor for a year, and expect that the SSA will blindly accept your self described limitations at face value.

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The Social Security Administration is very “form focused”

Medical proof wins cases , it is even worse if you have some kind of health Insurance and still do not treat…. go to the doctor and keep all your medical appointments.

Finally, are you ignoring your doctor’s advice, another nail in the coffin of your case.

Keep all your doctor appointments and follow your doctor’s advice.

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SECTION 2 *TAKE AWAY*

EXPECTING SOCIAL SECURITY TO "JUST" BELIEVE YOU

Social Security doesn't **just** believe you. In fact, most people get denied even when legitimately disabled. They look at all your medical records and try to find ways to make sure you're really telling the truth about your disability.

I know this can be hard! Keep all your doctor visits and follow the doctor's instructions about treatment.

TIP: The bottom line here is that you need to "posture" your case to WIN. So get:objective medical proof to document what is wrong, well charted subjective complaints your testimony and other proof that is consistent with what you tell the doctors, and if you can get it, a medical report with rational limitations that reflect your health problems

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SECTION 3

HOLDING OUT ON YOUR ATTORNEY

Give your lawyer time to prepare

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The Majority of Approved Disability Cases End up at a Hearing.

An administrative law Judge will hear your case. The key to winning: Preparation.

Prepare Prepare Prepare

So, with that in mind, you should meet with your attorney 4-8 weeks BEFORE the hearing and go over the ENTIRE case.

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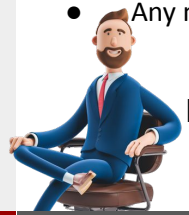
Don't Leave your Attorney "Out to Dry"

Want to know how to further blow it? Fail to Identify the following for your attorney

- Current Rx medications
- Current treating doctors (last 6 months or more)
- Recent hospital activity and special tests
- Review your 15 year work history
- Any medical source who will provide restrictions



Most people do not realize the importance of an attorney's help.

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SECTION 3 *TAKE AWAY*

HOLDING OUT ON YOUR ATTORNEY

The attorney should update your medical records, provide updated medication lists and a detailed work history. If you do not provide the information, or don't know the identify of your doctors, don't know your medications, then the job won't get done and then you go to court with old stuff, and worse, you may not be able to provide updated medicals later...

I know this is strict but - No proof = no win.

TIP: Just prepare for that meeting with your lawyer: know your meds, you're your doctors names & addresses ...

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SECTION 4

LYING OR EXAGGERATING TO THE JUDGE ON SMALL STUFF

Keep it 100% real for the judge

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You will be the main witness in your own case.

Administrative law Judge will hear your case. You will be the main witness in your own case. Your credibility will be paramount.

Now the SSA focus on consistency, consistency among the records and your own testimony...

Call it what you want, it is still whether you are believable to the judge.

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It can be scary to get in front of a judge

But you don't want to mess up! You got this far. But if you want to ruin your case, hedge or outright lie about small things… If you lie about small things, how can the Judge believe you about the big things?

So what if you tried marijuana, or drank some… usually your case is NOT about drugs or alcohol. But, those things are typically charted in the medical records, toxicology screens, mental health records, etc. The Judge asks, and you lie about use or a history of abuse, thinking the usual societal judgements apply… they don't.

Be 100%honest with the judge.

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SECTION 4 *TAKE AWAY*

LYING OR EXAGGERATING TO THE JUDGE ON SMALL STUFF

Your attorney will help you prepare and will help you understand how to be in front of a judge. They will put together a case for you to win. This will include putting everything together in a way that helps the judge see your matter in a way that can help you win.

The judge can be intimidating!

TIP: Get your case file from the attorney well before court and read your medical records. Be aware of what is there so there are no surprises. And don't lie or exaggerate to the judge about anything (especially small things).

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SECTION 5

SCREWING UP YOUR WORK HISTORY

Keeping the facts straight

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Work history is very important!

When you file a disability claim, one of the many threshold questions is "can you do your past work?" If you can, you LOSE!

So, before the Social Security Administration can determine whether you have a claim, they have to know what it was you did as a job, and if you can still do it just like before.

If you can still do your job just like you did before you will lose your case.

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They look at your work history carefully

They go back 15 years to look at your work. They look at your past work: (1) as you actually performed it; and (2) as it is normally performed in the national economy.

Want to blow it? Elevate or exaggerate your job, rely on a job title (and not the real work), and never clear up the mess. Be honest! If you fill out the forms really fast with no real awareness or intention you will most likely blow it and lose your case.

You don't want to lose on a technical point.

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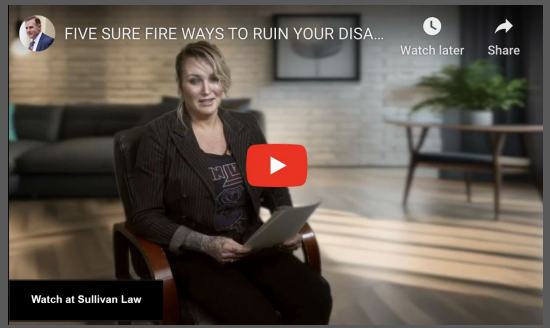

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SCREWING UP YOUR WORK HISTORY

Some people think making themselves a "manager" when they were really an "associate" will help them get more money. That's not how it works. Be completely honest with yourself and everyone involved about your real work history.

It can be tempting; but keeping it factual is best!

TIP: Get your real work description done right the first time, tell your attorney ALL the details. And if the forms don't have space (yes, that happens) use the remarks to clarify. Be detailed, descriptive and careful with the facts.

There are no guarantees. But all joking aside, Mr. Sullivan has seen it all. This is why he can give you informed information about how to win or lose your case. If you're legitimately disabled it's important to win.

Attorney Michael Sullivan has been helping good people get their Social Security benefits for over 25 years. He is passionate and he cares about helping you through the complex system.

There are so many ways to make a mistake in the process. If you need help and want us to take care of this for you. Let us know!

NEED HELP? Call or text us anytime at (502) 586-6877 for a free consultation so we can discuss your matter.

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