

How to Fight a Reduction or Termination of Supplemental Security Income (SSI) or Social Security Benefits Based on Non-disability Reasons

What should I know about terminations?

Social Security must notify you in writing before reducing or stopping your benefits. You may fight the termination by asking for reconsideration. You may continue to receive the same benefits after the termination date in the notice if you request reconsideration in time. **You must request reconsideration within 10 days of receiving the notice to keep getting benefits.**

The notice must tell you why your benefits are being terminated and when the termination will happen and what to do if you do not agree.

May I appeal the termination?

Yes, by asking for reconsideration. To do so, fill out a Request for Reconsideration form from your Social Security Office or get one online at www.ssa.gov. **You must make this request within 60 days of the date you got notice or you must have a good reason if you request reconsideration late. In order to keep getting the same benefits while the appeal is decided, you must request reconsideration within 10 days of the date of the notice.**

You may review your file and give Social Security additional evidence. Do this as soon as possible. Contact your Social Security office to set up a time to look at your file. Call the national toll-free number, 1-800-772-1213, to ask for your local SSA office number. Then, decide what information might help Social Security to change its decision and give that information to them. You may have a relative, friend or lawyer help you review your file or get

additional evidence and/or represent you at your reconsideration conference.

What if reconsideration is denied?

If reconsideration is denied, you may ask for a hearing before an Administrative Law Judge (ALJ). You must ask for a hearing within 60 days of the date you got notice of the denial. **If the benefit is SSI, and you want to continue to receive the benefits, you must request an ALJ Hearing within 10 days of receiving the reconsideration decision.** You can file the hearing request at your local Social Security office or you can get the hearing request form online at www.ssa.gov. Fill it out and mail it to your local SSA office. (The form number is HA-501). The hearing will not take place until many months after the date of your request. The ALJ will notify you of the hearing date at least 20 days in advance. If you have additional evidence such as new medical records which show you are disabled, submit it to the ALJ before or at the hearing.

You may have someone, such as a lawyer or experienced paralegal, represent you at the ALJ hearing or you can represent yourself. Generally, represented people are more successful at the hearings. If you would like a lawyer who does a lot of Social Security claims, refer to your yellow pages or contact your local bar association for a referral.

If you choose to represent yourself at your hearing, get a copy of your file as soon as possible. When you get ready for your

hearing, make a list of things you want to tell the judge and a list of things you want your witnesses to tell the judge. Also, be sure and take any papers that you want the ALJ to have.

The ALJ will make a written decision and mail it to you within a few months. If it is not favorable, it will tell you how to appeal it to the Appeals Council.

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