



Securing today
and tomorrow

How We Decide if You Still Have a Qualifying Disability

[SSA.gov](https://www.ssa.gov)



In most cases, you're reading this publication because you just got a letter telling you we're going to review your medical condition. The law requires that we review your case from time to time to verify that you still have a disability.

Generally, if your health hasn't improved, or if your disability still keeps you from working, you'll continue to receive your benefits. Our review process gives you the opportunity to show that you still have a qualifying disability and ensures that your benefits aren't stopped by mistake. We'll evaluate all evidence about your condition. If you have more than one disabling condition, we'll consider the combined effect of all your impairments on your ability to work.

Frequency of reviews

The frequency of reviews depends on the nature and severity of your medical condition and whether it's expected to improve.

- If improvement is expected, your first review generally will be 6 to 18 months after the date we determine your disability began.
- If improvement is possible, but can't be predicted, we'll review your case about every 3 years.
- If improvement is not expected, we'll review your case every 7 years.

Your initial award notice will tell you when you can expect your first medical review.

What happens during a review

At the review, we'll ask how your medical condition affects you and whether it's improved. We'll ask you to bring:

- Your doctors' names, addresses, and phone numbers.
- Any patient record numbers for any hospitals and other medical sources that have treated you since we last contacted you.
- The dates (if you worked since your last review), the pay you received, and the kind of work you did.

We'll gather the information

We will send your case to the Disability Determination Services in your state, which makes disability decisions for us.

To help us make our decision, we'll first gather new information about your medical condition.

- We'll ask your doctors, hospitals, and other medical sources for your medical records. We'll ask them how your medical condition limits your activities, what your medical tests show, and what medical treatments you've been given.
- If we need more information, we'll ask you to go for a special examination or test for which we'll pay. You'll be notified in writing of the date, time, and place of the examination.

An experienced disability examiner and a medical consultant will carefully review all the information received for your case.

We'll review the facts

Next, we'll look at what your medical condition was when we last reviewed your case. We'll also look at any new health problems you may have.

We'll make a decision about whether or not your medical condition has improved. If we decide your medical condition has improved, we'll determine if it has improved enough to allow you to work.

We'll also look to see if your overall medical condition affects the kind of work you can do. We'll evaluate the requirements of the work you did in the past and for any kind of work you might be able to do now.

How your benefits are affected

If your medical condition has improved, and we decide you can work, your benefits will stop.

Your disability benefits will also stop if:

- You can work because you've benefited from vocational training or advances in medical treatment or vocational technology.
- We made a mistake in an earlier decision to give or continue your disability benefits.
- You aren't following the treatment your doctor ordered (without a good reason), and you probably could work if you followed the treatment.
- You gave us false or misleading information when we made an earlier decision.

- You aren't cooperating with us, and you don't have a good reason for not cooperating.
- You're working and your average monthly earnings show that you're doing substantial gainful work. The amount of earnings we consider substantial and gainful changes each year. For the current figure, refer to the annual *Update* (Publication No. 05-10003). However, this situation won't affect Supplemental Security Income (SSI) payments.

If your condition hasn't improved, and you aren't able to work, your cash benefits will continue.

If you disagree with the decision

If we decide your disability benefits will stop, and you disagree, you can appeal our decision. This means you can ask us to look at your case again to see if our decision was correct. There are 4 levels of appeal and, generally, you have 60 days to appeal from one level to the next. The 4 levels are:

- **Reconsideration** — Your case is independently reviewed by people who had no part in the original decision. You may appear before a disability hearing officer who'll decide your appeal.
- **Hearing** — If you disagree with the reconsideration decision, you may request a hearing before an administrative law judge.

- **Appeals Council** — If you disagree with the administrative law judge’s decision, you may ask for a review of the decision by the Appeals Council.
- **Federal court** — If you disagree with the Appeals Council decision, or if the Appeals Council decides not to review your case, you may bring a civil action in a federal court.

For more information about our appeals process, please read *Your Right To Question The Decision Made On Your Claim* (publication No. 05-10058).

What if I try to work?

Special rules make it possible for people receiving Social Security disability benefits or Supplemental Security Income (SSI) payments to work and still receive monthly payments. If you’re receiving Social Security disability benefits, and you’ve reported your work activity, you may have unlimited earnings during a trial work period of up to 9 months (not necessarily in a row). You may still receive full benefits during this time. Other rules allow cash benefits and Medicare to continue while you attempt to work regularly. If you’re receiving SSI disability payments, you may continue to receive monthly payments while you work, as long as your income and resources continue to be under certain limits. If your cash payments stop because your total income exceeds the SSI limits, you may still be eligible for Medicaid.

We have other programs that can help you with work expenses, training, and rehabilitation. Ask your Social Security office for more information about special rules for people with disabilities who want to work

Contacting Us

The most convenient way to do business with us is to visit www.ssa.gov to get information and use our online services. There are several things you can do online: apply for benefits; start or complete your request for an original or replacement Social Security card; get useful information; find publications; and get answers to frequently asked questions.

Or, you can call us toll-free at **1-800-772-1213** or at **1-800-325-0778** (TTY) if you're deaf or hard of hearing. We can answer your call from 8 a.m. to 7 p.m., weekdays. We provide free interpreter services upon request. For quicker access to a representative, try calling early in the day (between 8 a.m. and 10 a.m. local time) or later in the day. **We are less busy later in the week (Wednesday to Friday) and later in the month.** You can also use our automated services via phone, 24 hours a day, so you do not need to speak with a representative. If you need to visit an office, you **must** have an appointment.



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