

Disability Rights Louisiana (DRLA) is a statewide non-profit agency providing FREE legal services, advocacy, and other supports to people with disabilities of all ages..

WHAT IS SOCIAL SECURITY?

Social Security is a federal insurance program which pays money to workers who have reached retirement age or become disabled, or to certain dependents of workers who have retired, become disabled or died.

WHO IS ELIGIBLE?

1. Retirement Benefits:

Social Security pays retirement benefits to workers who have reached their full retirement age and have paid enough into the system to be insured. Your full retirement age is based on the year you were born; 1955-1959 is 66 and 2 months to 66 and 10 months, and 1960 or later your full retirement age is 67. You can also apply for early retirement at age 62, but your benefits will be reduced for your lifetime. In certain situations, you may also qualify to receive benefits under the record of your spouse, parent, grandparent, or your child. There are several rules surrounding these benefits; you should contact Social Security to see if you are eligible and determine if you would benefit more through one of these verses' benefits on your work record.

2. Survivor's Benefits:

Social Security pays survivor's benefits to certain dependents of deceased workers who paid into Social Security. If you are a survivor of a deceased worker, you are eligible to receive benefits if the worker was insured for benefits at the time of his or her death and you are:

- a. A deceased worker's spouse, age 60 or older, or between the ages of 50 and 60 and disabled;
- b. A deceased worker's spouse taking care of the deceased worker's child, and the child is under 16 or disabled

- c. An unmarried child of a deceased worker who is under the age of 18 (19, if a full-time student in elementary or secondary school);
- d. A child with a disability of a deceased worker and the disability began before the age of 22;
- e. A grandchild of a deceased worker who was financially dependent on the worker; or
- f. A deceased worker's parent who is now age 62 or older and who was financially dependent on the worker.

3. Disability Benefits:

Social Security pays disability benefits to workers with disabilities which prevent them from working above a certain threshold called Substantial Gainful Activity (SGA). The SGA threshold amount can change each year; for 2026, it is \$1,680 in gross earnings per month, or \$2,830 for blindness. There are several types of disability benefits; disability benefits can be paid based on the individual's own work record called Social Security Disability Insurance (SSDI). Benefits paid from a spouse's work record are called Disabled Widow Benefits (DWB), and benefits paid from a parent's work record called Childhood Disability Benefits (CDB, also known as Disabled Adult Child benefits).

There is one other type of disability benefit: a separate program with different rules called Supplemental Security Income (SSI). Certain elderly individuals without disabilities with low-incomes and little resources may also be eligible for SSI.

There are many rules about working while receiving Social Security disability benefits. For help understanding these rules, you can contact Ticket to Work at 1-866-968-7842 and ask for a referral to the Work Incentives Planning and Assistance (WIPA) program in your area.

4. Benefits for Children With Disabilities:

Someone who is 18 years or older with a disability that began before the age of 22 and who has a parent who is a deceased, disabled or retired worker may be eligible for Social Security benefits on the earnings record of this parent.

If a child with a disability was receiving benefits on the work record of a deceased, disabled or retired worker as a minor child, s/he may be eligible to continue to receive benefits. If the child received SSI until getting this Social Security benefit then his/her Medicaid eligibility should usually continue.

TO APPLY:

You can apply for Social Security benefits by visiting your local Social Security office, calling Social Security, or online through your online Social Security account at www.ssa.gov.

APPEALING SOCIAL SECURITY DENIALS, TERMINATIONS, OR OVERPAYMENTS

You can appeal any decision Social Security makes, such as initial application denials, termination of the benefits you have been receiving, or overpayments. There are several appeals levels, and you should appeal before the date on the notice from Social Security. In some cases, if you appeal within 10 days, your benefits could continue while the appeal is pending.

You are allowed to have someone else represent you, such as an attorney or advocate. You may request a list of organizations that provide assistance from your local Social Security office.

If you need help or have questions about Disability Rights Louisiana, call or visit us online:

DisabilityRightsLA.org

**CALL TOLL-FREE: 1-800-960-7705
8325 Oak St. • New Orleans, LA 70118**