



## Tips of the Month



### Apply:

Understand the difference between SSDI and SSI benefits. If you aren't sure which program you qualify for, apply for both.



### Appeal:

If you have any medical evidence that was not mentioned in your denial letter, be sure to include this new evidence with your appeal. If you are waiting on medical records or other evidence, deliver it to SSA as soon as possible after submitting your appeal. Do NOT rely on SSA to gather your evidence for you.



### Hearing:

Be prepared to answer these questions at your hearing:

"When was the last time you traveled out of state?"

"If you spent hours traveling in a car or plane, why can't you spend hours sitting at a desk?"

# Multiple Sclerosis

## & Disability Benefits

### What do you need to know?

Multiple Sclerosis is well known for the physical and cognitive debilitation that it causes its victims. Half to three-quarters of people with MS are unemployed within 10 years of diagnosis.

While many will apply for Social Security Disability (SSDI or SSI), most claimants are denied benefits even if they cannot work.

Find out what Social Security (SSA) is looking for when deciding whether you are "disabled" based upon your diagnoses of MS.

### SSA's "Listing of Impairment" for MS

#### SSA's Listing of Impairment for MS: 11:09 Multiple Sclerosis

##### 11.09 Multiple sclerosis, characterized by A or B:

*A. Disorganization of motor function in two extremities, resulting in an extreme limitation in the ability to stand up from a seated position, balance while standing or walking, or use the upper extremities.*

OR

*B. Marked limitation in physical functioning, and in one of the following:*

- 1. Understanding, remembering, or applying information; or*
- 2. Interacting with others; or*
- 3. Concentrating, persisting, or maintaining pace; or*
- 4. Adapting or managing oneself.*

SSA will try to determine if you meet the criteria for either section A or section B. **You do not have to prove both sections.** However,  
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be aware that SSA attaches very specific meanings and requirements to nearly every word or phrase in the above listing for MS. We have outlined many of these definitions for you, below.

**Definitions**

*[These definitions are adapted from SSA's explanations in "11.00-Neurological-Adult."](#)*

**Disorganization of motor function:** means interference, due to your neurological disorder, with movement of two extremities.

Disorganization of motor function results in an extreme limitation in your ability to: Stand up from a seated position; or Balance while standing or walking; or Use your upper extremities (including fingers, wrists, hands, arms, and shoulders).

**Marked limitation in physical functioning:** means that your neurological disease process causes persistent and intermittent symptoms that limit your ability to do work-related physical tasks or activities on a sustained basis.

These symptoms affect your ability to stand, balance, walk, use both upper extremities for fine and gross movements, or limit your use of one upper and one lower extremity.

**Marked limitation in mental functioning:** means that you are seriously limited in your ability to function independently, appropriately, and effectively on a sustained basis while completing work-related mental activities.

**Understanding, remembering, or applying information:** refers to your ability to learn, recall, and use information to perform work activities.

**Interacting with others:** refers to your ability to relate to and work with supervisors, co workers, and the public.

**Concentrating, persisting, or maintaining pace:** refers to your ability to focus attention on work activities and to stay on-task at a sustained rate.

**Adapting or managing oneself:** refers to your ability to regulate emotions, control behavior, and maintain well-being in a work setting.

*For more definitions, examples, and information visit: <http://www.hardindisability.com/ms-listing/>.*

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**Community Resource: National MS Society**

The National MS Society offers a variety of programs, services, and resources for people living with MS. Talk to an "MS Navigator" to get information and help.

-  Deal with a crisis.
-  Find support from others living with MS.
-  Access comprehensive educational programs.
-  Find what you need to maintain independence.

Contact your MS Navigator at **1-800-344-4867** or online at <http://www.nationalmssociety.org/Helpful-Links/Contact-Us>.

\*Please note: we have not investigated this resource, are not affiliated with them, and do not necessarily endorse this resource. We are just sharing information that we hope will be helpful to you.\*



**Visit our online Support Group**

Open to:

- Arkansas SSDI/SSI Claimants
- Friends and Family Members
- Other disability advocates

**Questions always welcome!**

<https://www.facebook.com/groups/hardindisability/>

**Medical Evidence**

SSA will require both **medical** and **non-medical** evidence of impairments caused by your MS.

**Medical evidence** comes from your doctors and includes your medical history, examination findings, relevant lab tests, and the results of any MRI, CT, X-ray, or EEG imaging. Descriptions of your treatment, medications, and notes from your doctor will also be considered. **Medical evidence is critical, and you can not be found “disabled” without it!**

**Non-medical evidence** includes statements made by you or others about your impairments, your restrictions, your daily activities, or your efforts to work. **These statements are also very important.**

Having an attorney to help gather the medical and non medical evidence needed to prove your claim can have a huge impact on the outcome of your case. Most claimants wait until they have been denied at least twice before hiring an attorney to help with their cases.

**Can't meet the listing?**

If you are worried that you won't meet SSA's listing for Multiple Sclerosis, don't give up! Many successful disability claimants **cannot** meet the terms for a specific listing, because the requirements are just too stringent.

Even if you cannot meet any particular listing, SSA must consider **ALL** of your impairments together, and then decide whether the **combination of impairments** keeps you from working. Submit evidence for **ALL** impairments, not just MS.

**More Information**

If you need to know more about the SSDI/SSI application or appeals process, please do not hesitate to contact our office at [\(501\) 247-1830](tel:5012471830) or visit our website at [www.hardindisability.com](http://www.hardindisability.com).

*If you have requests, suggestions, or submissions for a future issue of the Hardin Disability newsletter, please email: [newsletter@thehardinlawfirm.com](mailto:newsletter@thehardinlawfirm.com). We'd love to hear from you!*

☀️ **Best wishes for a blessed April!** ☁️

**From attorney Deborah L. Hardin and the rest of your disability team at The Hardin Law Firm, PLC.**

To **subscribe** or **unsubscribe** to this newsletter, please call: (501) 247-1830 or email: [newsletter@thehardinlawfirm.com](mailto:newsletter@thehardinlawfirm.com).

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