

## Social Security Disability Definition

Before getting into the complexity of Social Security rules, let's first address one of the biggest myths about disability benefits:

***You must be unable to work to get Social Security disability benefits.***

This is simply not true! This myth is the main barrier to people who receive benefits due to a disability in going to work. People equate Social Security's definition of disability with unemployable. People believe they must prove to Social Security that they cannot work to get benefits. And then they hold strong to that belief and do not attempt to ever work. This falsehood negatively impacts the person causing for many a life of poverty. Research has shown that for some it not only impacts them and their families but can lead to generations of poverty.

So let's set the record straight. The qualification to receive Social Security benefits due to a disability is different dependent on the program in which you qualify. More on those differences will be discussed in each following program section. Let's focus on the eligibility similarity of these programs - the definition of "disability".

Social Security's definition of disability is:

*"The law defines disability as the inability to engage in any substantial gainful activity (SGA) by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months."*

Nowhere in the definition does it state a person cannot work now or ever. The definition states there must be an "inability to engage in any Substantial Gainful Activity (SGA)" - **This is the key!**

According to Social Security, Substantial Gainful Activity (SGA) is the monthly earned income before taxes that shows a person is capable of doing significant work. In 2018, SGA is \$1,180 per month (\$1,970 for a person who is blind). If a person is capable of earning SGA, then they don't have a disability. SGA determination considers a person's age, education and work experience, no matter whether such work exists in the immediate area or whether there are job vacancies. The worker's impairment(s) must be the primary reason for their inability to engage in SGA. The "disability" is determined by what financial level the person is capable of working. Therefore, people who receive Social Security benefits can work. And Social Security has created rules (work incentives) that promote and support work for people with disabilities.

With the prove-you-can't-work myth out of the way, the focus is shifted to the financial earning possibilities. This shift makes all the difference - shifting from the disability to the capability. People should not live in poverty because they have a disability. And, believe it or not, Social Security agrees. That is why in 1999 they created the Ticket to

Work and Work Incentive Act, to help people with disabilities move towards financial security and maintain healthcare coverage.

### **Definition of Disability Under 18**

According to Social Security, a child under the age of 18 is considered disabled for SSI if:

- he or she has a medically determinable physical or mental impairment (or combination of impairments); and
- the impairment(s) results in marked and severe functional limitations; and
- the impairment(s) has lasted (or is expected to last) for at least one year or to result in death.

The Substantial Gainful Activity (SGA) test does not apply to a child under the age of 18. If a child does receive Social Security benefits, it will most likely be Supplemental Security Income (SSI) due to not having a work history. At age 18, there is a Redetermination to determine if the child qualifies for SSI benefits as an adult. Unlike a new application for adult SSI, SGA is not a determining factor in redetermination. Young adults who did not previously qualify for benefits may qualify as an adult because resources are now based on the individual and not that of the parents.