

Social Security Benefits for Disabled Veterans

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Many disabled service members are surprised to learn that they are not only entitled to disability benefits from the Department of Veteran Affairs, but also from the Social Security Administration. Although a separate application is required, service members who become disabled during service to our country on or after 1 October 2001, will receive expedited processing of disability claims

Benefits:

The Social Security Administration is unlike other government programs (benefits based upon an injury incurred during military service) or disability insurance plan (payments to an insurance company) which provide monetary benefits to individuals with a partial disability or short-term disability. Entitlement to Social Security disability is predicated upon the disabled service member's (1) inability to perform substantial work due to his or her medical condition; and (2) the medical condition(s) must last, or be expected to last, at least one year or be expected to result in death. Eligible service members will receive disability benefits through two distinct programs: Social Security Disability Insurance (SSDI), and Supplemental Security Income (SSI). The SSDI program provides

benefits to "insured" disabled veterans (worked long enough to qualify and paid Social Security taxes) and certain members of his or her family. The SSI program provides benefits based upon financial need.

Military status and receipt of military pay will not, by themselves, prevent the receipt of Social Security disability benefits. The service member's actual work activity will be the determinative factor. Even if the wounded service member is still receiving pay while disabled, he or she can receive Social Security disability benefits. For example, if a wounded or injured service member is recovering in a hospital, and is expected to be unable to work for at least a year, he or she may be eligible to receive disability benefits while continuing to receive military pay.

Others Eligible for Benefits:

Certain members of a service member's family may also qualify for Social Security disability benefits. These include: (1) a spouse (if older than age 62 or any age if caring for a child of the disabled service member who is under age 16 or disabled); (2) an unmarried child (adopted, stepchild, or grandchild) under age 18 (under age 19 if in elementary or secondary school full time); and (3) an unmarried disabled child older than age 18 (disability must have started prior to age 22).

In limited circumstances a divorced spouse may qualify for disability benefits based on the disabled service member's earnings. Spousal eligibility requires: (1) at least 10 years of marriage; (2) not currently married; and (3) at least age 62. Any amount received by the disabled service member's former spouse will not reduce the disabled service member's benefits.

The Decision:

By law, Social Security disability payments cannot begin until the service member has been disabled for at least five full months. Payments will then continue as long as the disability has not improved and the service member cannot work. Each service member's case will be reviewed on a regular basis.

Special Veteran Benefits:

Older service members may additionally qualify for "Special Veteran Benefits." Eligibility requires the service member to be: (1) age 65 or older as of 14 December 1999; (2) a World War II veteran; (3) eligible for Supplemental Security Income (SSI) for December 1999 or for the month they apply for special veterans benefits; and (4) have other benefit income that is less than 75 percent of the current SSI federal benefit rate. However, a veteran's dependents or survivors are not eligible for the special benefit. ↓

