Lupus and Social Security Disability Programs

LISA GONZALEZ GOETZ, PA
GONZALEZ & GOETZ, LLC
SOCIAL SECURITY DISABILITY PROGRAMS

- Disability Insurance Benefits (Title II)

- Supplemental Security Income (Title XVI)
“Disability” under Social Security is based on your inability to work full time on a substantially gainful basis.

SSA considers an individual disabled if:

- An individual is unable to perform their past relevant work
- An individual is unable to adjust to other work because of their medical conditions(s); and
- The disability is expected to last for at least one year or result in death
Proper Preparation may be the distinguishing factor between a Denial or a Fully Favorable Decision

The Clients impairments, circumstances surrounding impairments and work history.

The 5 Step Sequential Process

The outline in preparation for the Hearing
PRE-HEARING BRIEFS AND OTHER SUBMISSIONS

Brief submissions to the Administrative Law Judge

Opening statement

Referencing specific exhibits

Referencing specific criteria and subsections of the listings
AMENDED ONSET DATES

- Wages recorded after the onset date
- Substantial Gainful Work Activity (SGA)
- Unsuccessful work activity (non SGA)
- Trial Work Period
DIRECT EXAMINATION OF THE CLAIMANT

- Administrative Law Judges & the commencement of the Hearing

- Questions made to the claimant help clarify the allegations of the impairments made in the medical records

- A thorough and clear response from the claimant solidifies their credibility
14.00 IMMUNE SYSTEM DISORDERS - ADULT

- **Section 14.01** Category of Impairments, Immune System Disorders
- **Sections 14.02** Systemic Lupus Erythematosus
- **Section 14.03** Systemic Vasculitis
- **Section 14.04** Systemic Sclerosis (Scleroderma)
- **Section 14.05** Polymyositis and Dermatomyositis’
- **Section 14.06** Undifferentiated and mixed connective tissue disease
- **Section 14.07** Immune deficiency disorders, excluding HIV infection
- **Section 14.08** Human Immunodeficiency Virus (HIV) Infection
- **Section 14.09** Inflammatory Arthritis
- **Section 14.10** Sjogren’s Syndrome
- **Section 14.00** Immune System Disorders
Under the Immune System Disorders Listings, anything that affects your immune system is considered.

For example:
- Problems in antibody production,
- Impaired cell-mediated immunity,
- Combined type of antibody/cellular deficiency,
- Impaired phagocytosis,
- Complement deficiency
- Recurrent and unusual infections
- Inflammation
Any and all limitations which are associated with Lupus are also considered:

- Severe fatigue
- Fever, malaise
- Diffuse musculoskeletal pain
- Involuntary weight loss
1. Autoimmune Disorders 14.00 (D)
2. Immune Deficiency Disorders {excluding human immunodeficiency virus (HIV) Infection} 14.00 (E)
3. Human Immunodeficiency Virus (HIV) Infections 14.00 (F)

You need to show:

- Medical History
- Report(s) of a physical examination
- Report(s) of laboratory findings
- Appropriate medically acceptable imaging angiography, x-ray imaging such as: Computerized axial tomography (CAT scan) or magnetic resonance imaging (MRI), with or without contrast material, myelography, and radionuclear bone scans
- Tissue biopsy reports
Symptoms in these listings can include:

- Severe fatigue, fever, malaise or involuntary weight loss, which has affected your ability to perform any Substantial Gainful Work Activity (SGA)
Medical problems with organ(s), such as the heart, lungs, kidneys, or skin can be evaluated by SSA under several different Listings of Impairments:

- The inability to ambulate effectively (see Listing 1.00B2b)
- The inability to perform fine and gross movements effectively (see Listing 1.00B2bc)
- Major peripheral joints (see Listing 1.00F)
- Systemic Vasculitis
- Systemic Sclerosis (scleroderma)
- Inflammatory arthritis
- Raynaud’s phenomenon
- Sjogren’s syndrome
TELEPHONE (877) 399-8020
FAX (954) 764-8992
200 EAST LAS OLAS BOULEVARD, SUITE 1630,
FORT LAUDERDALE, FL 33301