



When Social Security ends or reduces your SSI or SSDI for non-disability reasons

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- ❖ The information here is for people who live in Washington State. However, much of it also applies elsewhere in the United States.
 - ❖ If you **live in Washington State, get public benefits** like SSI, food stamps, or TANF, and have gotten legal financial obligations (LFOs) refunded by the Court, you may need to follow “spend down requirements” to keep getting benefits. **You should tell Social Security about this refund as soon as possible.** If you have questions, call CLEAR at 1-888-201-1014 or see contact info below.
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Social Security has stopped or reduced my benefits. What are my rights?

Social Security must tell you in writing before it reduces or stops (terminates) your benefits.

You can fight their decision to reduce or terminate your benefits by asking for (requesting) **reconsideration**. See “Can I appeal the termination?” below.

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- ❖ You can keep getting benefits, and in the same amount, from Social Security after the termination date in the notice if you request reconsideration within ten days of the date on the notice.
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What should the notice from Social Security say?

It must say:

- **Why** Social Security is reducing or terminating your benefits.
- **When** they will do so.
- **What** to do if you do not agree.

Can I appeal Social Security's decision to reduce or terminate my benefits?

Yes, by asking for reconsideration.

You fill out a Request for Reconsideration form from your Social Security Office, get one [online](#), or file an appeal on their website at ssa.gov/benefits/disability/appeal.html.

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- ❖ You must make this request within **60 days** of the date on the notice **or** have a good reason to make a late request. To keep getting the same benefits while Social Security decides the appeal, you must request reconsideration within **ten days of the date on the notice**.
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Do I have reconsideration options?

Yes.

The request for reconsideration form has three appeal options:

- 1. Case Review:** a Social Security representative reviews all evidence in your file and any other evidence you give them.
- 2. Informal Conference:** you can review your file, give Social Security more evidence, and give testimony in a casual meeting.
- 3. Formal Conference:** a formal chance to present your case before a Social Security representative.

What can I do to help my reconsideration request?

You can review your file and give Social Security more evidence. **Do this as soon as you can.**

Contact your local Social Security office to set up a time to look at your file. Visit secure.ssa.gov/ICON/main.jsp to find the contact info for your local office.

Then, decide what information might help Social Security change its decision. Give them that information. You may have a relative, friend, or lawyer help you review your file, get more evidence, and/or represent you at your reconsideration conference.

What if Social Security denies my reconsideration request?

You can ask for a hearing before an Administrative Law Judge (ALJ). You must do so **within sixty days** of the date you got the denial notice from Social Security.

You can file your hearing request at your local Social Security office **or** fill it out and send it by certified mail to your local Social Security office.

The form number is [HA-501](#). You can download it from ssa.gov/forms/ha-501.pdf or file an appeal online at ssa.gov/benefits/disability/appeal.html.

When will my hearing take place?

The hearing will happen many months after you ask for it. The ALJ will let you know when the hearing date is at least 75 days beforehand.

Should I submit evidence before or during the hearing?

If you have more evidence, you should give it to the ALJ or let the ALJ know about your evidence generally at least five business days before your hearing.

If you do not do this in time, generally you must have a good reason for your lateness, such as:

- A physical, mental, or educational limitation
- Circumstances beyond your control

Can I make a witness show up to the ALJ hearing?

Yes. Generally, you must let the ALJ know **at least ten business days before** the hearing that you want the ALJ to make (issue) a **subpoena**.

A subpoena is a written order requiring a witness to come to a hearing to give testimony. The subpoena will have the information about the hearing date, time and place so your witness will know when and where to go.

If the witness needs to take off from work to come to your hearing, they can show the subpoena to their employer.

Should I have someone represent me at the ALJ hearing?

You can have someone like a lawyer or an experienced paralegal represent you. You can also represent yourself. Generally, represented people do better.

If you want a lawyer with experience in Social Security claims, contact your local bar association or the [National Organization for Social Security Claimant Representatives](#) for a referral.

How do I get ready for my hearing?

If you represent yourself at your hearing, you must get a copy of your hearing file. The Office of Hearings Operations (OHO) will send you a letter when your file is ready for your review.

Call the 1-800 number listed at the top of the letter to schedule an appointment to copy the file at the hearing office.

As your hearing date gets closer, make a list of what you want to tell the judge and what you want your witnesses to tell the judge.

When will I get a decision?

The ALJ will mail you a written decision within a few months. If the decision is not good for you, it will tell you how to appeal it to the Appeals Council.

Get Legal Help

- **Apply online** with [CLEAR*Online](https://nwjustice.org/apply-online) - nwjustice.org/apply-online
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at nwjustice.org/apply-online.
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.
- **Deaf, hard of hearing or speech impaired callers** can call any of these numbers using the relay service of your choice.

CLEAR and 2-1-1 will provide interpreters.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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