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Social Security clogged with disability claims

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For all the talk of an impending crisis in Social Security, one already exists: The system is clogged with hundreds of thousands of disputed disability claims, a backlog so big that some people wait years for a hearing.

Social Security officials blame underfunding, understaffing, a dramatic rise in cases and an increasing number of claims involving hard-to-prove ailments, such as back pain, depression and anxiety.

Even with a \$500 million infusion from the federal stimulus program, it could take years to clear the backlog. In the meantime, many of those who have applied for benefits struggle to make ends meet.

"I keep thinking every month I'll hear something," said 56-year-old Tampa resident Karen Slater Chambers, who quit her job driving a delivery truck after a series of accidents and injuries. She applied for disability four years ago, was turned down and is now awaiting an appeal hearing.

Social Security benefits are available to people who can no longer work because of a disability, regardless of whether it was suffered on the job or off. The monthly checks average \$1,063.

Someone seeking benefits must first send an application and wait an average of 106 days for a decision, according to the Social Security Administration. The agency denies nearly two-thirds of the applicants, who then can request a hearing to appeal.

Then the real wait begins. Those who received a hearing last fiscal year had waited nearly a year and half on average — twice the wait time in 2000, according to the SSA. More than 765,000 people — about double the number in 1998 — are now waiting for a hearing.

Sixty-one percent of applicants who go through an appeal hearing are ultimately approved for disability benefits.

Since 1990, the number of Americans receiving Social Security disability has more than doubled, to 7.4 million, while the number of staffers to process the claims — and sort out the fakers from the truly disabled — has dropped by around 5 percent.

"Workloads have gone up, resources did not go up proportionately, and the agency was too slow to embrace new technologies," said Social Security Commissioner Michael Astrue, explaining the backlog. "It's a combination of all those things."

Also, Astrue noted that at the start of the disability program in 1957, the vast majority of applicants were blue-collar workers, generally with a single disability from a traumatic accident. That is no longer the case.

Recipients receive benefits if they are deemed mentally or physically unable to work and the condition is expected to last at least a year or will lead to the person's death.

People injured on the job can often collect workers' compensation, though it generally runs out after a certain amount of time, while Social Security benefits continue as long as the disability persists. In Slater Chambers' case, she opted against workers' compensation by settling with her employer. But the settlement money is long gone.

Rep. Kathy Castor, D-Fla., introduced a bill that would require a hearing be held no more than 75 days from the time it is requested, and a final verdict no more than 15 days after that.

Castor represents Tampa, one area where the backlog has been particularly bad. "It's crushing, especially during the economic crisis," she said.

Astrue said Castor's proposal does not take into account the time applicants need to prepare their cases. He has set a goal of a nine-month maximum wait for a hearing.

"The long waits aren't acceptable," Astrue said. "But it's not something you can fix overnight."

Applicants increasingly have found they are unable to navigate the system on their own — 85 percent of them, by Astrue's estimation, hire a lawyer or obtain other representation to help prepare their paperwork, gather medical records and ready them for a hearing.

Dorothy Garcia filed for benefits in 2005 after a brain aneurysm and a series of mini-strokes, but two years later was still waiting. She agreed to give up a portion of her initial payout to someone who could expedite the process. The 53-year-old from Gibsonton, Fla., said the help was worth the price: Within 11 months of hiring claims services company Allsup, she was approved.

"If the disability system worked the way it should, we wouldn't be in business," said Dan Allsup, an executive with the Belleville, Ill., business.

The Social Security Administration is approaching the problem from multiple angles — experimenting with electronic records to speed up medical reviews, hiring more judges and other staff, and adding offices — but the efforts only go as far as the funding.

The recently passed budget gave the Social Security Administration \$126.5 million more than President Barack Obama requested, and many see the increase, combined with the stimulus relief, as the best chance the agency has had to relieve the backlog.

Slater Chambers said she has constant pain in her neck and back and her hands go numb, making it hard to grasp things. She said she cannot even win an arm-wrestling match with her 6-year-old granddaughter.

She is struggling to pay her bills. Her boyfriend and children give her money for a \$547 monthly mortgage payment and other expenses, and she gets help from her mother and grandmother, who are on Social Security themselves and are in their 70s and 90s.

"Why would I put myself through four years of not knowing if I could keep a house or food?" Slater Chambers asked. "It's like they don't realize that I just can't. If I could work, why wouldn't I?"

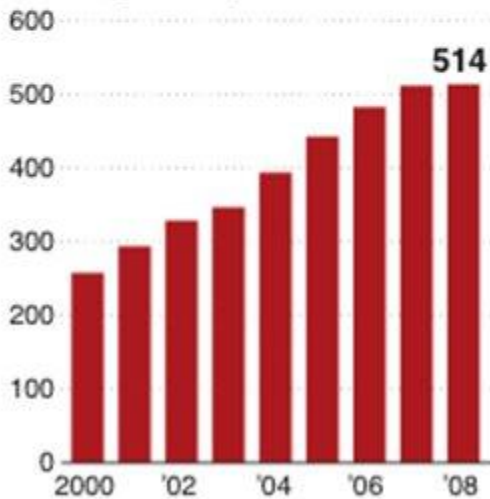


Karen Slater Chambers looks over Social Security disability papers, Tuesday, March 31, 2009 at her home in Tampa, Fla. The accidents and injuries had driven Slater Chambers, 56, out of the delivery truck she drove to a convenience store, where she pumped herself with painkillers just to make it through a shift of cashiering and stocking. The pain wouldn't fade, though. Her body no longer moved the same, She couldn't work. And so, she did what she considers the last resort: She filed for Social Security disability benefits four years ago, was turned down and is now awaiting an appeal hearing.. (AP Photo/Chris O'Meara)

Backlog increases

For Social Security disability applicants who had their initial claim denied, it takes almost a year and a half for a follow-up hearing.

Average days for a disability hearing, fiscal years



SOURCE: Social Security Administration AP

Graphic shows the annual increase of average days for a Social Security disability hearings since



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