

InVisible InCourage Live with Mary Dale Walters of Allsup  
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Transcription provided by Stacie Valle for Virtual VRI

**Kellie Pokrifka:** Hello everyone! Welcome back! Today we are excited to have Mary Dale Walters, the Senior VP for Allsup. Today we are talking about how to file for disability and what that entails. Mary Dale, thanks for joining us! So, what is Allsup?

**Mary Dale Walters:** Allsup is a Social Security disability representation organization. We help people with social security, or veterans, disability. We also help people get back to work if they want to after being out for a while.

**Kellie Pokrifka:** So what is the first thing you want to cover about social security disability insurance?

**Mary Dale Walters:** I will call it SSDI. I want to talk about it in context of today. We are in the middle of a pandemic. We have people seeking jobs while managing a disability and that can be 2-3 times higher than the national average and that doesn't include people on disability wanting to come back. During rocky times people with a disability struggle even more to find jobs. They look for other sources. If they are workers that have paid FICA taxes they may be eligible for Social Security. You might be eligible if you are prevented from working for 12+ months. Now you have to decide if you want to go this route, if you will be able to find a job, maybe your progressive disability has gotten worse, or you have been diagnosed with something severe. You begin to look for alternatives. They come to Allsup through truehelp.com.

The vast people that come to us aren't eligible. They aren't severe enough medically or they haven't worked enough. If you can't work

because of a disability don't delay. We screen and assess a lot of people. You can do that online with us at [get started.truehelp.com](http://getstarted.truehelp.com). It is an online assessment tool. It asks 20-30 questions and will help you conclude if you are or not eligible for your Social Security benefits. You might not be, but you saved 2-3 years trying to get approved for something the government will deny.

We try to help people through the process. We have helped 325,000 people get their benefits, we are good at this. There are lots of complexities to the program. Right now Social Security has shuttered the doors, so the public can't go in and they aren't holding as many hearings. The disability program is still important but you want to make sure when the doors open again that you aren't in this big pool of applicants without anyone to help you navigate through to help you get the right attention from Social Security.

**Kellie Pokrifka:** Is nothing happening online?

**Mary Dale Walters:** You can do some tools online. They have something called medical listings. 10 different types of disabilities that if you can prove you have the severity and you have the medical records, you can get through a little quicker. But most people, 65% of people, don't immediately meet a medical listing. So Social Security sends you to a consultative exam. They decided your doctors opinion isn't their top consideration and they can overrule that with their own review. That can be a 30 minute opinion with a doctor you have never met. People don't want to leave their homes right now, doctors don't want to see you if it isn't critical. They aren't throwing you out without the exam, but they are freezing claims. You can apply online but you might get tangled up in this.

We are getting calls from people, even our customers, getting stuck in these areas. Asking what to do about these exams, or hearings they

where scheduled for. So we are making sure our customers and appointments and documents are being put together. Everything with Social Security is done on paper. They have 62,000 employees working from home now. They have some people in the office processing paper. That paper may say you are eligible, and what you need to know. And maybe a letter that says you aren't eligible. And another letter that says you have to sign a different form. All these things are delayed though because the processing of it all is delayed. If you have a representative helping you through the process, and someone that specializes in that application level, you can have confidence and peace of mind that it will take longer than usual, but when the doors open again, you will have someone by your side that has reviewed you and gotten your medical, and knows you are ready to go.

**Kellie Pokrifka:** That sounds great.

If you have a disability and you want to apply for SSDI if you don't have to go through a consult with a different doctor is there a list of conditions?

**Mary Dale Walters:** There is a list of 10 different conditions. There are 2 categories. 1 for musculoskeletal things and one is more for arthritis types of categories affecting the system. There is one for cancer and one for mental illnesses. There are ones for cardiovascular. And inside those medical listings it will say "if you have Parkinsons" or "diabetes" then this is the severity you have to have to qualify on the medical listing under endocrine problems. Lots of us have diabetes but we aren't sure if we are ready yet, or maybe we are heading into dialysis so we know we can't work. So if you look through those listings you will know you will have a decision quicker.

If you have something called a compassionate allowance, which is about 225-250 disabilities that are really severe, a huge percentage

expected to take your life, almost any stage 4 cancer, Lou Gehrig's disease, then you can go to Social Security and put in the right things to flag their system -- which doesn't always happen -- but you can get flagged as compassionate allowance and you can get your decision in a matter of weeks. There is still a 5 month waiting period. If I say today I have stage 4 brain cancer, I might get a 3 week decision, but if they look at the date of the disability and the onset date, I might have 3 months to go before benefits start. It gets challenging in there. Often people say you will get benefits right away, but when people are having a shortened life, they don't always want to spend those last months dealing with the government. They are more worried about their spouse and kids and family. We get a lot of people that come to us with a horrible diagnosis and they want someone else to take care of all this for them.

There are options depending on the illness and severity. They are good at catching the severe ones. But only 30% meet that listing. And that is what I do as a representative. I need your medical and work history. We take all that for 15 years to make sure you are covered. That you have the FICA taxes paid, and the right medical records. If you don't have all that they will advise you. If you haven't been to your neurologist in 9 months and you have epilepsy, lets make sure your doctor is still on board with this. So your rep makes sure you have the best chance possible. They won't take you on if they don't think you are eligible.

**Kellie Pokrifka:** Do you only have to jump through those hoops if your condition is not on the list, or even if you are on the list?

**Mary Dale Walters:** You still have to file the evidence to show you clearly meet that medical listing. There is one for endocrine diseases like diabetes. You can say you have diabetes and show the test results but Social Security wants to make sure it is severe enough and that it

is impairing your heart, vascular system, ability to walk, stand, drive. Ability to function during the day and if you take medications that impair abilities. It is specific with what you need. If you have Parkinsons, can you walk, stand, sit. Can you walk or drive. And they get into daily living. This is where you get tripped up. You get asked to fill out a daily living questionnaire. It is open ended. They might ask "what do you do all day?" or "do you need help with personal grooming or grocery shopping?" My sister was blind, and if you asked her "do you grocery shop?" she would say yes. She wouldn't think through that someone had to drive her, help her read the labels, that she was getting the right prescriptions, the right change or right credit card at the cashier, someone had to drive her, and help her put her groceries away.

**Kellie Pokrifka:** You said these were if you were over 30. What happens if you are under 30?

**Mary Dale Walters:** The program recognizes that someone under 30 has less work history typically so if you are under 30, have you worked 4 of the last 8 years. Generally that is the rule. When you contribute your FICA they look at what you earned by quarter. And you need enough quarters to meet the FICA rules and you have to make over 1400 dollars per quarter for 40 quarters. The benefit ranges and it is based on how much you earned while working. A younger person is expected to overcome, better manage disability and to go back to work. So they are a lot tougher on them unless they clearly meet a medical listing. So if you are younger and need benefits is particularly challenging. I think of adult children with schizophrenia. It can take a long time to get through the process.

**Kellie Pokrifka:** What if you had a childhood disability. And you are never able to work. Can you qualify for SSDI?

**Mary Dale Walters:** Typically they will move from childhood coverage and then into the SSI program. The supplemental program. It isn't based on FICA because of no work history. It can be based on parents' work histories. It is pretty complicated but we can help you figure that out. Social Security is working really hard right now with the labor department to help younger people, people with autism, muscular dystrophy, mental illnesses to migrate into jobs and there is a lot of focus right now to help them transition so they don't just transition from one safety net into another.

**Kellie Pokrifka:** If someone applies on their own, do you have any data of the percentages that will get approved?

**Mary Dale Walters:** About 37% of all that apply. About 2000 will apply per year, it will go up this year I think. About 37%. I know Allsup's data. Our approval rating is more like 54%.

**Kellie Pokrifka:** Do you know how many appeals are typically required?

**Mary Dale Walters:** Last year they made some changes. Every state now has a reconsideration level, the first level of appeal. If you are denied benefits you have 60 days to file for a reconsideration. That is done at the state level. That takes 4-6 months to get through. It has a 13% approval rate. Allsup has a 23%. Then you have 60 more days if denied there. Then you go to the hearing level. The hearing level still has a massive backlog. It could add up to 500 days on top of the previous months you waited. You have a choice of video hearings or live. We recommend in person. They are better quality with higher approval rate. Right now they are all by telephone. And you definitely want a representative there. You want to make sure the experts brought in are appropriately reviewed and questioned by your representative.

If you don't get through there there is a 4th level, the appeals counsel. They only approve 1% of their decisions. I believe maybe 30% they send you back to the judge that denied you at the hearing level because there is a problem there. They remained you back there. So it is like great, the judge is seeing you again and told they made a mistake.

**Kellie Pokrifka:** Terrible.

**Mary Dale Walters:** The system was designed to give everyone a chance, but over the years it is just more and more barriers for everyone to jump over, and not a easy way to get a better opportunity. There is research out there that says the more difficult you make something the more likely people are to fall out of it and not keep pushing forward. Reconsideration being added back in to all the states and more rules and requirements for all the paperwork. They all contribute to people that may need the help giving up.

One thing I like to mention is that when you reach retirement you go off SSDI and you go onto retirement. If you just say I am not going to deal with this, it counteracts your ability to get the proper retirement benefits when you retire. Because they stop counting when you get your disability benefits. You could have 10 years you don't work. Instead of that showing up as 0s they freeze that. So they look at a lesser work history to make that calculation. It is a big mistake and I have met a few people that did that and they were displeased come retirement.

**Kellie Pokrifka:** Do you have tips on what people should include in an application that people overlook?

**Mary Dale Walters:** Great question. I think it is an attitude. You

have to be brutally honest. Just include every detail. Ask you spouse if you do something. You might deny it, but they will tell you what you do. Understanding the complexity that is brought to your life. You may have adapted a great way. You may walk different, a new path, or sit different. So you don't realize the impacts it has had. You also may have more than one disability. Diabetes, and then that includes kidney and vascular problems. So my tip is to put everything in there you can think of. Every doctors appointment. Every piece of information. Do you need help to get out of bed? Does it take 10 minutes to focus? Or to stand up? Do you use a shower chair now? All those things that you don't think of as part of the disability? It is because in the end, how does it reflect on your daily activities? Your drug therapy that you take can affect your ability to concentrate, it can change our personality. It all effects ability to work. You have to open yourself up to believing that.

**Kellie Pokrifka:** How is this different for veterans?

**Mary Dale Walters:** There is a veterans disability program. You may get benefits from both programs. We handle a lot of dual cases. Those are typically veterans ... their system is a rating system. You can ask for a rating on more than one disability. If you are rated 80% or more you will qualify for SSDI. Their program is designed for people that have a disability as a result of service, or that worsened with a result of military activity. They just redesigned their system about a year ago and they have shortened their wait time. It used to be 8 years to get through their appeal system.

The VA does not allow for paid assistance at the application level. If you are rated for PTSD and hearing loss and they have charts that show what you will get for all that, you may get a 30% rating on one and 10% on the other, and it fluctuates. And 5 years later you get through the process. So having a representative when you appeal

those ratings or denials, is when it is helpful. You assess which path for an appeal you want to go down. Some are more complicated than others. They are called claims agents in the VA system. They will then work with the SSDI team to see if you are eligible for both.

Social Security does not take away your disability from the VA and the other way around. You can get both.

**Kellie Pokrifka:** We are just about out of time but I have 2 more questions. A lot of the conversation around disability is the worry of extending it to more people for fear of abuse of the system. Is that a problem?

**Mary Dale Walters:** Good question. The Social Security Trust, where all the money goes to pay the benefits, they just released the annual statement of the DI Trust, and it is expectant to be solvent until 2056. They have spent a lot of time and energy over the last 5-6 years keeping fraudsters out and really scaling down people who are eligible. It has flooded people into the appeals process but the economy improved. Fewer were applying for benefits and employers were being more flexible and working with people that had a disability. Between the fraud units, and the representatives whose jobs are to keep people out of the system that are trying to defraud it, and they are approving fewer people for benefits, are protecting that trust. It is easy to call out incidents of fraud, but you have to spend 4 years getting through this system sometimes so you have to be good at fraud. I see the reports monthly from their investigative office and a lot of the fraud comes from people cashing Mom's checks, and she died 10 years ago. So there will always be fraud, but combined with the agency, Congress, the OIG, they are making sure the benefits aren't jeopardized by the ineligible.

**Kellie Pokrifka:** So it is more overinflated.

**Mary Dale Walters:** I would say so.

**Kellie Pokrifka:** And this is a more personal question we ask everyone. On your darkest days and toughest hours, what gives you the courage to get through one more day?

**Mary Dale Walters:** Great question on days like now. I will quote the people I work with here at Allsup when I ask them what they like best, and they say "I go home at the end of the day knowing I helped someone." And I say that. Especially with people needing more support because of COVID-19. I know 30 people got approved yesterday. Or 100 people in the last 3 days got that letter. And their lives now have a weight off their shoulders.

**Kellie Pokrifka:** That is wonderful. I have so many more questions, but time is up. You will be answering questions in the comments if anyone has any?

**Mary Dale Walters:** I can, yes.

**Kellie Pokrifka:** Great, thank you very much!

**Mary Dale Walters:** And thank you for your organization and you do phenomenal work. Take care!

**Kellie Pokrifka:** Thank you.

[End of call]