

SITUATIONAL RESOLUTION MATRIX ADVOCATING FOR DISABILITY INSURANCE

You have been diagnosed with Multiple Sclerosis (MS). You are working and need help from your employer to continue working; you can no longer work and want to apply for LTD (Long Term Disability) and/or SSDI (Social Security Disability Insurance); you do not qualify for SSDI and want to apply for SSI (Supplemental Security Income); you have applied for SSDI and/or SSI and have been denied, and now have to appeal that decision.

The following Matrix discusses each of the above-mentioned situations with the associated decision points necessary for you to achieve a successful outcome from the process, and a summary of the successful outcome process. Attached are excerpts from process documents referenced.

DISABILITY INSURANCE SITUATION	DECISION POINTS	SUCCESSFUL OUTCOME PROCESS
1) Working while disabled. Need reasonable accommodations from Employer.	1) Can you work full time or part time? 2) Do you want to keep your company benefits? 3) Do you have a copy of your job description? Does it indicate "essential functions" and their associated "physical, emotional, and mental" expectations? 4) Have you determined what you can and cannot do? 5) Does/do your doctor(s) agree with your conclusion that a) you are disabled with a DX of MS, and the b) you are unable to continue working without reasonable accommodations? Is he/they willing to write you a letter	1) Complete Symptom Impairment Matrix. ¹ 2) Complete Before & After Matrix. ² 3) Review your Job Description. Determine what you can and cannot do WITHOUT assistance, and what you can do WITH assistance. Refer to the JAN website. ³ 4) Create an Essential Functions Job Matrix, explaining what you can and

¹ See pages 9 & 10 for excerpt of Symptom Impairment Matrix.

² See pages 10, 11, & 12 for excerpt of Before & After Matrix.

³ See pages 12, 13, & 14 for excerpt of JAN MS reasonable accommodations examples.

	<p>to that affect?</p> <p>6) Have you reviewed the JAN (Job Analysis Network) MS Information? http://www.jan.wvu.edu/media/mult.htm</p> <p>7) Have you determined what you can and cannot do based on your Job Description?</p> <p>8) Have you written a letter to your Employer, and scheduled an appointment for your Reasonable Accommodations discussion?</p>	<p>can't do without assistance, and what you can with assistance.⁴</p> <p>5) Obtain agreement from your Doctor(s) and a letter to that effect, using all above as support documents.</p> <p>6) Draft a letter to your Employer asking for Reasonable Accommodations.</p> <p>7) Set an appointment with your Employer to discuss your reasonable accommodations.</p>
<p>2) Can't work any longer. Need to apply for LTD and/or SSDI.</p>	<p>1) Determine PRECISELY when you need to receive disability benefits.⁵ START THE PROCESS EARLY. Create a "disability timeframe" for yourself, so you can pace yourself as you complete the application process CORRECTLY the first time around. Steady but systematically = success in this process!! Taking shortcuts in the process GUARANTEES denial!!!!</p> <p>2) Reviewing your STD and LTD SPD's, determine whether you can or will apply for LTD before SSDI.</p> <p>3) Do you know how much money you would earn under LTD? SSDI?</p> <p>4) Do you know if you are qualified for LTD? SSDI⁶?</p> <p>5) Can you/Will you trigger LTD and continue working?</p> <p>6) Do you know how you will continue receiving your health insurance benefits until you qualify for Medicare? (See footnotes 6 and 7)</p> <p>7) Do your Doctors agree that you are incapable of performing gainful work?⁷</p>	<p>1) Obtain and review Company STD and LTD SPD's (Summary Plan Descriptions) and learn criteria. Determine if you need to apply for and qualify for STD before LTD.</p> <p>2) Apply for STD.</p> <p>3) Complete Symptom Impairment Matrix. (pgs. 9 & 10)</p> <p>4) Complete Before & After Matrix. (pgs. 10, 11, & 12)</p> <p>5) Complete Essential Functions Job Matrix. (pgs. 16 - 19)</p> <p>NOTE: ALL 3 MATRICES APPLY TO LTD, SSDI, AND SSI APPLICATIONS.</p> <p>6) Complete the rest of the LTD/SSDI application process.⁹</p> <p>7) Resolve with your doctors any differences between your matrices</p>

⁴ See pages 16 - 19 for excerpt of Essential Functions Job Matrix.

⁵ Refer to pages 6, 7, & 8 for Insurance Timeframe.

⁶ Refer to pages 6, 7, & 8 for Disability Insurance Terms Definitions.

⁷ Refer to pages 15 & 16 for definition of "gainful work" for LTD and SSDI purposes.

⁸ Refer to pages 20 & 21 for recommended content of supportive Doctor letter.

	<p>8) Do you have a copy of ALL doctor chart notes and copies of any diagnostic tests performed on you (like MRI and Spinal Tap test results)? Have you CAREFULLY READ all, and do your matrices' contents dovetail with the doctor chart notes and test findings? If not, have you brought discrepancies to the attention of, and resolved them with your doctors so that all of your symptom impairment documentation is in agreement?</p> <p>9) Are your doctors willing to write a letter for your LTD/SSDI application on your behalf?⁸</p> <p>10) Are your friends and co-workers willing to write letters for your LTD/SSDI application on your behalf, documenting the "before and after YOU" that they know?</p>	<p>and chart notes and test results.</p> <p>8) Obtain letters from friends and co-workers.</p> <p>9) Draft a copy of the RFC/PCE form¹⁰; work with your doctors to complete the form, with your matrices, chart notes, test results, and symptom impairment corroboration letters as verifying documentation for the form.</p> <p>10) Gather all other documents needed to complete SSDI application¹¹.</p> <p>11) REMEMBER TO RETAIN COPIES OF ALL DOCUMENTS SENT TO LTD Insurance Company and Social Security Administration.</p>
<p>3) Can't work any longer. Need to apply for SSI.</p>	<p>1) Do you qualify for SSI?¹²</p> <p>2) Will your Doctors agree that you are incapable of performing gainful work; are they willing to write a letter for your SSI application on your behalf?</p> <p>3) Are you able to compile the documentation necessary to "prove" your financial eligibility for SSI?</p>	<p>1) Complete all 3 matrices described in Situations #1 and #2 above.</p> <p>2) Obtain copies of all financial documents to provide with application.</p>

⁹ Refer to page 23 for outline of LTD/SSDI application process. For greater details either purchase \$9.95 DisabilityKey Workbook on website: <http://www.disabilitykey.com> Or, come to the **Oregon Chapter NMSS FIRST TUESDAY APPLYING FOR SSDI SEMINAR** presented by Carolyn Magura; **6:30pm to 8:30pm, THURSDAY, NOVEMBER 7TH, 2006**; Legacy Good Samaritan Education Center; North/South Conference Room; 1040 NW 22nd Ave;, Portland, OR. **Register online** at: www.defeatms.com; **register by calling** 1-800-344-4867. DisabilityKey Workbook will be available for purchase of \$10.00 at Seminar.

¹⁰ RFC/PCE Form = Residual Functional Capacity/Physical Capacity Evaluation Form. Traditionally used by LTD Insurance Companies and the SSA to assess the physical, mental, and emotional capability of a disability applicant to perform NORMAL DAILY - BOTH HOME AND WORK - ACTIVITIES. Example of actual MS patient's (Carolyn Magura) sanitized free copy available for download at <http://www.disabilitykey.com>

¹¹ Needed SSDI Application documents found at this weblink, under "Adult Checklist": http://www.ssa.gov/disability/disability_starter_kits_adult_eng.htm

¹² Refer to pages 21, 22, & 23 for SSDI and SSI qualifying criteria and definitions.

<p>4) Applied for and been denied for, SSDI and/or SSI. Need to appeal.</p>	<ol style="list-style-type: none"> 1) WHY, SPECIFICALLY, were you denied eligibility? 2) How long do you have to appeal? 3) Have you already appealed and are awaiting the ALJ (Social Security Administration’s Administrative Law Judge) hearing? 4) If denied because you do not qualify for SSDI, are you eligible to apply for SSI? 	<ol style="list-style-type: none"> 1) Make sure that you compile all of the needed documentation to appeal before the deadline!!! 2) If denied eligibility for SSDI, and eligible for SSI, apply for SSI using the above-documented process. 3) If denied eligibility for SSDI because you were found able to perform “gainful employment”¹³ attain copy of the free ebooklet from http://www.disabilitykey.com and follow the process therein during your appeal process.
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¹³ The SSA defines “gainful employment”, or “gainful work” as follows: Work for which your age, education, and past work experience qualifies you to perform that can earn you a minimum of \$830/month. A 20 page free downloadable ebooklet addressing how to refute this decision is available at the <http://www.disabilitykey.com>.