



Please Note

This packet does not contain legal advice.

This guide contains legal information, not legal advice. Legal *information* is background information about your rights. Legal *advice* is advice from a lawyer about what to do in your own specific situation. Legal Aid is not your lawyer in your social security matter.

What Social Security Looks At When Deciding If You Are Disabled

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(1) WORK

You are not working; or

You are working, **but** earning less than what Social Security calls a “substantial gainful activity” (or **SGA**) amount every month. In 2021, this amount is \$1,310/month if you are not blind, and \$2,190 if you are blind.

If you make more than this, Social Security will assume you are not disabled unless you can show you get special accommodations for your disability that allow you to work.

(2) WHAT YOUR MEDICAL RECORDS SHOW

1. (i) You have a serious mental and/or physical health condition(s) that makes it very difficult for you to work or earn more than the SGA amount;
2. (ii) You have had or are expected to have this serious health condition(s) for at least one year; and
3. (iii) Your serious health condition(s) stop you from doing **any** full-time job, not just your past job. *Note: Trying to prove that you cannot even do a sit-down job is one of the biggest challenges people have.*

****Medical records are the most important part of Social Security decisions. So, make sure to talk to your doctor about any/all problems you have.****

(3) DRUGS AND ALCOHOL

Your serious health condition(s) are not caused by drug or alcohol abuse. In other words, your problems still exist even when you are not using drugs or alcohol.

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