

How to Prepare for Your Social Security Hearing

1 Review Your Social Security File

Social Security should send you a CD or email you a password-protected file that contains all medical and disability-related records in your file. If you have not received the files by the time your hearing date is set, call Disability Adjudication and ask for them: 1-800-772-1213

2 Request Updated Medical Records

The Social Security Office of Hearing Operations (OHO) may not have your recent medical records, especially for treatment you received after you requested your hearing. Therefore, you should request them from any doctor, therapist, case worker, or hospital you have seen recently. This includes any emergency room visits. If you have not had any recent medical treatment by your hearing date, explain to the Social Security judge why, and ask her/him to order a Social Security medical exam (also called a "Consultative Exam") for you.

3 Give Medical Records to OHO At Least 5 Business Days Before the Hearing

Make a copy of all records for yourself and then send or hand-deliver them to OHO. OHO must receive all records at least 5 business days before the hearing. If you cannot get records in time, then you must notify the judge at least 5 days before the hearing to explain that you tried but were unable to get important records. You can ask for the judge's help getting records before or at the hearing, but the judge may deny your request.



4 Prepare to Talk About Your Physical and/or Mental Conditions

The judge will ask you about your physical and mental conditions. You should be ready to talk about how often and how badly your health condition(s) affect you. Do symptoms happen hourly, daily, or weekly? How bad is the physical and/or mental pain you experience? How do these health problems affect your ability to work?

You will want to give specific examples. For example, are you likely to miss work or because of symptoms or medical appointments? If you have depression, you might explain how your depression makes it hard for you to concentrate, interact with others, or take care of yourself.

The judge will likely ask you about activities that you are able to do, such as if you can go grocery shopping, take public transportation, or take care of pets. If you are able to do these things, do you need any assistance, does it take you longer than other people, or do these activities make your symptoms worse? For example, if you do your own laundry or cook your own meals, how long does it take you and how do you feel afterwards? Do you experience more symptoms after finishing certain tasks? These are the types of things you'll want to tell the judge.

5 Prepare to Explain Why You Might Not Be Taking Medication Your Doctor Prescribed and/or Any History of or Current Substance Use

If you are prescribed medication but don't take it, why don't you take it? Do you experience severe side effects? Do medications help your problems or make things worse? These are all important things to share with the judge, especially if they ask about you not following a medication regimen.

The judge may ask you about substance use, such as whether you have a history of or are currently using non-prescribed drugs or alcohol. In your response, you should be prepared to provide context to give the judge the full picture. For example, have you had any periods of sobriety, and if so, how were your physical or mental symptoms during that time?

Under Social Security rules, if your disability would improve to the point of being able to work if you stopped using alcohol or drugs, then you are not considered disabled. However, if your disability would continue even if you stopped using substances, or if it's too hard to say because your disability and substance use are intertwined, then you may still be found disabled.