

What is a Continuing Disability Review?

If you currently receive Social Security disability (SSD) or Supplemental Security Income (SSI) benefits, you need to understand that there is no such thing as permanent disability guaranteeing future payment of benefits. The [Social Security Administration](#) (SSA) will periodically review your case to see if your disabling medical impairments ended or improved, and if you can return to work. This review process is called a [Continuing Disability Review](#), or CDR.

When a claim is awarded, the state agency or an Administrative Law Judge may suggest a review in the near future – usually within 12 to 24 months. Sometimes it can take 5 to 7 years after the initial award of benefits before the SSA reviews your claim again. Other triggers for a CDR could be a return to work, medical evidence that a previously disabling condition has improved (e.g. cancer now in full remission), or information from someone, such as a doctor or even a neighbor, that your conditions are no longer severe. There is no way to anticipate if or when a CDR will happen and are at the sole discretion of the SSA.

Times, They Are A-Changin'

There has been a lot of undeserved, bad press about SSD benefits in the news lately. The result is that, as of January 2014, the SSA has initiated reviews on thousands of cases in Philadelphia and surrounding regions due to unwarranted concerns over fraud and abuse of the system. The administration now employs a fraud investigation unit that is looking at your Facebook account and, in very limited circumstances, conducting surveillance.

What Happens Next?

If you currently receive SSD or SSI benefits you may get a letter asking for updates on your medical conditions, your recent medical treatment, and current medications. You need to respond within the time frame provided by the SSA and keep in constant contact with the agency. If you do not, they can and will terminate your benefits.

You may be asked to attend a physical or mental examination with one of the SSA's doctors and you must attend this appointment. If you don't reschedule or show up for the examination, the SSA could stop your benefits based on your failure to cooperate.

If you get a letter stopping your benefits due to a CDR you must do two things immediately:

(1) Call an attorney that can help you prove to a judge that nothing has changed and you still have the same disabling medical conditions that prevent you from working. You do not have to use the same attorney you did during your initial claim, and you should use a lawyer you are comfortable with and will work hard for you.

(2) If you do not want your benefits to stop while you wait for a hearing, you must notify the SSA within 10 days of the dated letter notifying you of the stop in benefits. If you choose to continue your benefits and lose at the hearing, you will owe that money back to the SSA and the payment of future benefits will stop. If you do not notify the SSA within the 10 day deadline that you are electing for your benefits to continue while you wait for a hearing, your monthly benefits will stop. The stakes are high so you need to make smart, quick decisions.

If your claim is under a review or facing a stoppage of your benefits, please call our experienced attorneys for a free, no obligation consultation by calling 215-587-8400 or [contact us here](#) before it's too late.