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How Does the Treating Doctor's Opinion Affect My Claim?

Most doctors don't know what constitutes a disabling condition under Social Security regulations. The treating doctor can diagnose your impairment and report the functional limitations, but the Social Security Administration decides if you are eligible to receive disability benefits. The opinions of the treating physicians are given some weight during the evaluation process if they are supported by objective medical findings and consistent with the other evidence included in your claim.



There are certain factors the SSA will take into consideration to determine the significance of a treating doctor's opinion, such as:

1. Healthcare services provided to the claimant consistently for a lengthy period of time and;
2. The doctor specializing in treating the type of condition the claimant has.

When a doctor explains his opinions by citing medical evidence, it gives the SSA more insight into the claimant's limitations than a doctor who merely fills out a questionnaire.

How to Appeal the Judge's Denial of the Disability Claim

When the administrative law judge denies your disability claim, you can pursue the next stage of the appeals process. The Appeals Council may review the judge's decision if you request an appeal.

1. Submit a Written Request: This must be done within sixty days of being notified of the judge's unfavorable decision. The Appeals Council will either make its own decision about your case or forward it to an administrative law judge for further review.

2. File a Civil Lawsuit: You can file in federal district court against the Social Security Administration if the Appeals Council decides not to review the case or issues a denial of disability benefits.

REJECTED

**SOCIAL SECURITY
BENEFIT CLAIM**

If you receive a denial, it's crucial to have an experienced disability attorney who understands Social Security regulations and civil litigation representing you.

Proving the Limiting Effects of Chronic Pain in a Claim

Certain medical conditions can cause chronic pain that severely limits a person's ability to function and perform daily activities. If you are unable to work because of chronic pain, you must prove that the symptoms could have reasonably been produced by a medically determinable impairment. Medical evidence such as exam results and clinical findings need to be included in your disability claim in order to qualify for benefits.



Your medical history, objective medical findings, and opinions of the treating physicians can help to substantiate your disability claim. If your pain is more severe than indicated by the medical records, the Social Security Administration will evaluate your statements and information provided by individuals who have seen how the impairment affects you. The claims examiner or judge will analyze the strength and credibility of all the evidence.

Your case is important to us. If we can't help you, we'll do our best to refer you to someone who can.

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