Applying for Disability Benefits with Breathing Disorders

Disability applications are commonly filed for conditions that impact the ability to breath. Breathing disorders encompass a multitude of conditions that affect proper lung function. Among them are:

- Chronic pulmonary obstructive disorders, which including COPD, chronic bronchitis, emphysema, and asthma
- Other chronic respiratory infections like pneumonia and tuberculosis
- Diseases like cystic fibrosis and cancer

For each of these breathing disorders, the Social Security Administration (SSA) determines medical eligibility for Social Security Disability (SSD) based on breathing test results.

There are other breathing disorders that can also potentially medically qualify you to receive SSD benefits. These include disorders like:

- Asthma
- Recurrent respiratory infections

With these types of breathing disorders, the SSA may require breathing test results, but the primary determination of medical eligibility depends on the frequency of episodes and the type and extend of supportive medical care required.

The SSA’s Blue Book and Medical Eligibility

The Blue Book is a manual of potentially disabling conditions and the medical evidence required for each to prove the condition is so severe that it prevents gainful employment.

To make medical eligibility determinations, the SSA uses a three step process:

1. Determine if your medical records exactly meet a listing in the Blue Book
2. See if your medical records match a listing in the Blue Book in level of severity
3. Analyze your residual functional capacity (RFC) to see if you are severely disabled despite your medical records not meeting or matching a listing in the Blue Book

Meeting or Matching a Listing

To meet or match a listing, the SSA compares your medical records with the requirements in the Blue Book. Most breathing disorders will be compared to the listings in Section 3.00 of the Blue Book. (http://www.ssa.gov/disability/professionals/bluebook/)

Cancers that affect breathing however are compared with listings in Section 13.00 instead. The Lung cancer listing appears in Section 13.14, here. If your cancer originated elsewhere and has spread to your lungs however, the SSA will use the original cancer site for evaluating your claim instead, which means
you may need to take a look at the requirements for another listing in section 13.00 of the Blue Book to determine if your medical records contain all of the evidence the SSA needs to see in order to find you eligible for SSD benefits.

**RFC Analysis and Medical Vocational Allowances**

If your application and medical records do not meet or match a listed condition, the SSA will perform and RFC analysis to determine the extent and severity of your limitations and whether or not those limitations prevent you from maintaining gainful employment. You and your doctor will need to complete RFC report forms for this to occur.

The SSA will also take into consideration:

- all of your medical conditions,
- your symptoms,
- any treatments required and the affects of those treatments,
- your work history and job skills,
- your education level,
- and your age.

If after reviewing your RFC the SSA finds you are so limited by your condition that you are unable to keep a job in which you earn a gainful living, then you will be granted SSD benefits under a medical vocational allowance.


**Technical Eligibility and the SSA’s Disability Programs**

Medically qualifying for SSD benefits is only half of the eligibility determination process. The SSA must also determine if you meet the technical requirements for receiving benefits.

There are two programs for which you may qualify with a breathing disorder. Each has its own technical eligibility rules:

- Social Security Disability Insurance (SSDI) – you must have the required work credits and must not earn more than what the SSA considers substantial gainful employment/activity (SGA) each month.

- Supplemental Security Income (SSI) – you must have very limited income and other financial resource or assets in order to qualify for this need-based program.

Learn more about SSDI and SSI here: [http://www.ssa.gov/disability/](http://www.ssa.gov/disability/)

**Applying for Benefits**
You can apply online via the SSA’s website or at your local SSA office. Online applications can be completed at any time. If you decide to apply at your local office though, you will need to schedule an appointment. Either way, you must be prepared to provide the SSA extensive information about your medical condition, work history, and your finances.

Most applications take four or more months to proceed through the initial review. You may receive a denial at this stage. If you do, you can request a second review and eventually file an appeal, if necessary. You can also seek assistance with your claim. A Social Security advocate or attorney can potentially increase your chances of receiving a favorable determination and of getting benefits sooner as well.

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