



Requesting a Hearing After A Reconsideration of a Supplemental Security Income & Social Security Disability (SSI/SSD) Application Was Denied

Frequently Asked Questions

Q: How do I request a hearing before an Administrative Law Judge?

A: If you do not agree with a reconsideration decision made by SSA, you may request a hearing before an Administrative Law Judge (ALJ). You must request within 65 days from the date you got the reconsideration decision by filing one of three ways, including:

- An online form to request a disability hearing: <https://secure.ssa.gov/iApplsRe/start>
- An online for a non-disability hearing if your issue is with a termination or overpayment: <https://secure.ssa.gov/iApplNMD/start>
- A complete Form HA-501, Request For Hearing By Administrative Law Judge and submit it to your local Social Security office by fax, mail, or in person. You can find your local office by zip code at <https://secure.ssa.gov/ICON/main.jsp>

Be sure to keep a copy of your request and proof of submission for your records.

Q: What are additional forms for disability hearing requests?

A: If you are requesting a hearing on the denial of a claim for disability benefits, you must complete and sign additional forms:

- SSA-3441, Disability Report - Appeal, and
- SSA-827, Authorization to Disclose Information to SSA
- SSA-1696, Appointment of Representative, if you are appointing a representative. Your representative should also sign this form.

If you are unsure of which forms to complete, you can call your local Social Security office for help.

Q: How do I prepare for my hearing?

A: The most important thing you can do for your case is to request all your medical records and submit them to the hearing office, including outpatient treatment records, lab reports, x-rays, and MRIs, physical therapy and pain management records, psychiatric and therapy records, and inpatient and ER records.

You must submit your evidence or inform SSA's Office of Hearing Operations (OHO) about any missing evidence at least 5 business days before the hearing and inform the

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hearing office about any new treatment, new doctors, work activity, and other changes in your case.

If you want the judge to request records that you cannot get, you can ask for a subpoena to force a party to provide evidence at your hearing. Subpoenas must be requested in writing at least 10 business days before the hearing date. For more information about subpoenas, contact the SSA OHO near you: https://www.ssa.gov/appeals/ho_locator.html

Q: How is the hearing conducted? Do I have to appear in person?

A: SSA will mail you a hearing notice at least 75 days before the hearing, unless you agree to waive (give up your rights to) this advance notice.

Talk to an attorney before you waive your right to a 75-day notice. The hearing may be held via phone, video conference, or in-person at a hearing office.

Q: What if the ALJ denies my claim? What's next?

A: You may request a review by Social Security's Appeals Council. The same request is used for disability or non-disability claims and must be filed within 65 days of the judge's decision.

You can file the request online at <https://secure.ssa.gov/iAppINMD/oao> or file the paper form by fax, mail, or in person. If the Appeals Council reviews your case, it will either decide your case itself or return it to the judge for further review. The Appeals Council may deny a request if it finds the judge did not make a mistake.

Q: How do I get legal help?

A: If you live in New York City, call Legal Services of NYC at 917-661-4500 or the New York Legal Assistance Group at 212-613-5000. If you live outside of New York City, contact your nearest Legal Services Corporation provider. Visit lsc.gov or lawhelp.org to find a provider near you.