

## HOW DOES WORK AFFECT MY DISABILITY CASE?

By Attorney Melissa A. Davidson



This is a common question from our clients who are often forced to wait in excess of two years for their Social Security disability hearing. It is important to know that working can negatively affect your chances of approval. While the Social Security Administration allows a person to earn up to \$1,220 per month (gross) in 2019 and still pursue a claim for benefits, the reality is that the Administrative Law Judge will question the person in depth at their hearing regarding the job.

The Judge will want to know the physical and mental demands of the job, whether the person is being accommodated in some way, the length of shifts worked, and why they couldn't work the job full time if they are not having problems with part-time hours.

Convincing the Judge that a person can work 30 hours a week, but not 40 can be challenging.

If you must work while pursuing your disability claim, we advise that you stay under \$850 per month (gross). While any work creates challenges in proving disability, work over this amount may significantly impact your credibility at the hearing.

Judges are most understanding of jobs that are not physically or mentally demanding, done for a friend or employer that understands the person's disabilities and limitations, and is not performed in 8-hour shifts.

If you have additional questions about working while waiting for your claim, please call your Case Administrator. Also, please inform us if you start a job or end a job so that we may assist you in tracking your dates of employment. While any work creates

challenges in proving disability, work over this amount is significantly more difficult to prove disability and if it violates certain limits, can also prevent benefits completely.

### LAWSUIT: RoundUp Weed Killer

April showers do bring May flowers, but they also cause weeds to grow throughout the spring and summer. The obvious solution to this problem is using a weed killer, something that millions of people all over the world use.



Weed killer, or herbicide, is available for purchase in stores all across the country. One of the most popular products is RoundUp, a

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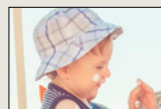
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**...Roundup Lawsuit (cont.)**

herbicide containing glyphosate as its main ingredient. Back in May, a California Jury awarded a couple more than \$2 billion after they claimed the glyphosate in their Roundup weed killer caused their non-Hodgkin's lymphoma, a form of cancer. While Bayer plans to appeal the decision, there are over 13,000 cases pending against them for similar claims.

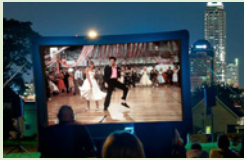
If you or a loved one has been diagnosed with non-Hodgkin's lymphoma, and you have regularly used Roundup products, please contact our office right away at 317-634-8565 to discuss your options.

**FREE Events for Summertime**

Beech Grove Music on Main  
**Saturday, August 24, 4-9 PM**  
 Beech Grove Chamber of Commerce  
 409 Main St.  
 Beech Grove, IN 46107

A free outdoor concert with local and regional musicians, including a kids zone, vendors, a beer garden, and food trucks. Visit [BeechGroveChamber.org](http://BeechGroveChamber.org) and click Events for more information.

Sunset Cinema on the Canal:  
Grease (Rated PG-13)



**Thursday, September 5, 7-11 PM**  
 Indy Canal Walk (near 337 W 11th St.)  
 Indianapolis, IN 46202

Film screening is free. Families should bring blankets and chairs and are welcome to bring snacks and drinks. Refreshments will be available for purchase nearby. Films begin around dusk, about 9:00 p.m. See [IndyFilmFest.org](http://IndyFilmFest.org).

IUPUI Regatta  
**Saturday, September 21, 9 AM-4 PM**  
 Military Park, 601 W New York St.  
 Indianapolis, IN 46202



A free, family-friendly event hosted by IUPUI. Watch the canoe races or just enjoy

the festival, which includes live music, contests, food and other vendors. PBS Kids will be onsite with more family fun. Learn more at [Regatta.IUPUI.edu](http://Regatta.IUPUI.edu).



In as little as 15 minutes, ultraviolet (UV) rays can damage your skin. In addition to sunburns, premature wrinkles, and the potential for eye damage, too much exposure to the skin can cause skin cancer.

According to the American Academy of Dermatology, skin cancer is the most common cancer in the United States with an estimated 9,500 people diagnosed each day.

The Center for Disease Control (CDC) has recommendations for how to protect yourself from harmful sun exposure.

- Try to limit exposure to direct sunlight by staying in shady areas, whether under an umbrella, tree, or other shelter.
- Shirts with long sleeves and long pants and skirts made with tightly woven fabric offer the most protection from UV rays.

Of course this isn't always practical in the summer. Wearing a t-shirt or swim cover-up will provide some protection. Dark clothes offer more UV protection than lighter clothes, and dry clothes offer more UV protection than wet clothes.

- Wear a hat with a brim all the way around to shade your face, ears, and neck. Canvas and other tightly woven fabrics offer the best protection, and straw hats have holes that offer the least protection. If your hat doesn't have a brim that reaches all the way around, such as a baseball cap, make sure to apply sunscreen to your ears and neck.
- Wear sunglasses that block both UVA and UVB rays, which are standard for most sunglasses sold in the US. This reduces the risk of cataracts and protect the skin around the eyes.
- Use a broad spectrum sunscreen with at least 15 SPF, even on slightly cloudy or cool days. It should be reapplied every two hours you are outside, if you sweat, go swimming, or if you towel off. Be sure to check the expiration date, as FDA regulations require sunscreen to remain at their original strength for three years.

Note: For optimal protection, combine all of these tips when exposed to the sun for any length of time.

## Summer Fun Puzzler

F G Y S P W B I E S C C L B H  
 T Y R R O I B N E G A H E E Y  
 P E M I C C I P E N O J K A V  
 B W K Y L L C U O I S G R C S  
 J R C R P L Q E X N A S O H T  
 X L L I A E I E R E D W N P G  
 E D Z L B M J N C D P I S L O  
 B H P R L G S S G R U M H I J  
 Y L A B X K N R F A R M N O C  
 I B X J A R R I E G B I D A Z  
 K C O M M A H I D M F N I J M  
 C M O W I N G Z Y A R G F N B  
 W H Z T U S H D X A E A T A A  
 C O N C E R T S V F F R F Y T  
 O O Z U A E H N V U L L F M B

Summertime may make for easy living. But, this puzzle may not be! See if you can find the seasonal words below.

Remember, words can go forwards, backwards, up, down, and diagonally.

Barbeque Beach Bicycle Canoe Concerts Farmers Market Gardening Grilling	Hammock Mowing Reading Snorkel Soccer Swimming Zip Line Zoo
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# June Resource Spotlight: IN\* Source Special Education Parent Support



by Whitney Young

*“Children are not a distraction from more important work. They are the most important work.” –C.S. Lewis*

Parenting is both rewarding and challenging for every family. If you have a child with special needs, you know how important it is to ensure your child has access to the most effective educational programs and support services, and how difficult it can be to know where to start.

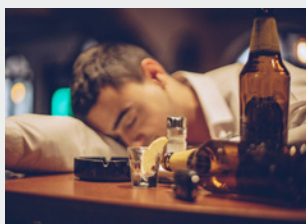
This is where the program specialists at IN\*Source come in. Participants gain access to amazing parent-to-parent community support programs, individual assistance, training on how to advocate for their child’s best interest, and a wealth of useful information, rights, and responsibilities related to early intervention and special education processes under state and federal law.

For more information visit [insource.org](http://insource.org) or call (574)234-7101.



## Third-Party Liability for Overserving Alcohol

Indiana is one of several states that has Dram Shop laws. A “dram” is a word that originated in the 15th century to describe a small amount of alcohol, and a “dram shop” is a bar or any other establishment that sells alcohol.



In this state, a person injured by an intoxicated individual—whether in a motor vehicle accident or by physical assault—can potentially file a civil suit against the person who injured them, as well as

the party who overserved the at-fault individual.

Liability covers not only establishments, but also extends to social hosts in Indiana. The person or business that served the alcohol is only liable if they (1) had knowledge that the person was already intoxicated and (2) the intoxication was a foreseeable cause of the injuries.

It should also be noted that the intoxicated person cannot sue a social host or establishment for overserving them, only the injured party has that right.

Dram shop claims have a two year statute of limitations, and damages may be awarded to cover losses including: medical bills, lost wages, damaged property, and pain and suffering.

## CLIP & SAVE: Helpful Contacts

### Hankey Law Office

434 East New York Street, Indianapolis, IN 46202  
Office: 317-634-8565 | Toll Free: 800-520-3633 | Fax: 317-634-9818  
[hankeylaw.com](http://hankeylaw.com) | [facebook.com/hankeylawoffice](https://facebook.com/hankeylawoffice)

### Contact us if:

- Your marital status has changed
- You moved to a new address or changed your phone number
- You received a denial letter
- You went to see a new doctor
- You have been admitted to the hospital
- You have had a new diagnosis
- You have a new test/lab/MRI/x-ray

### Additional Resources

Connect to Help Information Referral Network – 211  
Families First Crisis Line – 317-251-7575  
Center Township Trustees Financial Assistance – 317-633-3610

Healthy Indiana Plan: low cost insurance for Indiana Families  
877-438-4479 | [hip.in.gov](http://hip.in.gov)

Damien Center: for those affected by HIV/AIDS –  
317-632-0123 | [damien.org](http://damien.org)

Genesaret Free Clinics Health: care for those unable to afford services  
317-639-5645 | [genesaret.org](http://genesaret.org)

### Housing Help:

Access Ability | [abilityindiana.org](http://abilityindiana.org) | 317-926-1660

Indianapolis Public Housing Agency | [indyhousing.org](http://indyhousing.org) | 317-261-7200

Family and Social Services Administration | [in.gov/fssa](http://in.gov/fssa)

*Division of Disability and Rehabilitative Services* | 800-545-7763

*Division of Family Resources* | 800-403-0864

*Medicaid Recipient Info* | 800-457-4584

*Mental Health Consumer Services* | 800-901-1133

You can apply for Social Security disability benefits by calling 800-772-1212, online at [ssa.gov](http://ssa.gov), or in person at your local office.

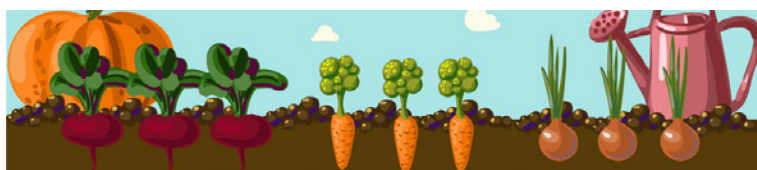
### Central Indiana Local Social Security Offices\*

West Side: 6745 Network Place | 866-218-2309

Downtown: 575 N Pennsylvania St, Room 685 | 866-592-2812

East Side: 5515 N Post Rd | 866-220-7899

*\*If you live outside of the Indianapolis area, please ask a Case Administrator for the address and phone number to your local social security office.*



**“To plant a garden  
is to believe in tomorrow.”**

– Audrey Hepburn



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With 80 years of combined experience, both in and out of the courtroom, the legal professionals of the Charles D. Hankey Law Office can resolve cases involving:

- Disability Claims (SSD/SSI)
- Car Accidents
- Premises Liability
- Long Term Disability
- Truck Accidents
- Product Liability
- Short Term Disability
- Motorcycle Accidents
- Brain/Head Injuries
- Worker's Compensation
- Bicycle Accidents
- Spinal Injuries
- Employment Law
- Railroad Crossing/  
Train Accidents
- Dog Bites /Animal Attacks
- Workplace Discrimination
- Airplane Accidents
- Child Injuries
- Wage & Hour Issues
- Highway Defects
- Construction Accidents
- Insurance Law
- Workers' Compensation
- Burn Injuries
- Personal Injury
- Drowning

## Employee Spotlight: Tierra



Meet Tierra, one of the receptionists at the Hankey Law Office. She was previously working at a law firm in Terre Haute before joining the team.

Tierra grew up on the east side of Indianapolis and graduated from Brebeuf Jesuit College Prep. She then attended Indiana State University and graduated with

a major in Psychology and a minor in African-American Studies. In her free time, she likes to listen to music and hang out with her friends.

Past results afford no guarantee of future results. Every case is different and must be judged on its own merits. The contents of this newsletter do not constitute legal advice.

**P: (317) 638-1656**



**Daniel M. Randolph**  
 De Parte De;  
 Charles Hankey Law Office, PC

*Hable con nuestro abogado bilingüe!*

*Necesita ayuda con...*

- Discapacidad del Seguro Social
- Incapacidad a Largo Plazo
- Compensación Laboral
- Accidentes Personales