



CHARLES D. HANKEY LAW OFFICE P.C.

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:

- PERSONAL INJURY
- AIRPLANE ACCIDENTS
- DOG BITES/ANIMAL ATTACKS
- CAR ACCIDENTS
- HIGHWAY DEFECTS
- CHILD INJURIES
- TRUCK ACCIDENTS
- WORKERS' COMPENSATION
- CONSTRUCTION ACCIDENTS
- MOTORCYCLE ACCIDENTS
- PREMISES LIABILITY
- BURN INJURIES
- BICYCLE ACCIDENTS
- PRODUCT LIABILITY
- DROWNING
- RAILROAD CROSSING/
TRAIN ACCIDENTS
- BRAIN/HEAD INJURIES
- SPINAL INJURIES

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EMPLOYEE SPOTLIGHT: MEGAN COTTON



Megan is a new addition to the team. She joined the Hankey Law Office in January 2011 as our client intake specialist. Megan is a graduate of Indiana University and double majored in both criminal justice and telecommunications. In her free time she enjoys politics, traveling, reading, and watching the Colts.

FROM THE DESK OF CHARLES D. HANKEY

SECRETS TO THE HIGHEST SSI CHECK



Social Security has two payment programs for the disabled; SSD and SSI. How much of an SSI check you get depends on your living arrangements.

To get SSI, you must not have more than \$2,000 in resources (\$3,000 for a couple). Any income in your household affects the amount of SSI. SSI is to help elderly, blind, and disabled people get food and shelter.

Some states supplement SSI payments, but not Indiana. There are 3 categories that you can fall into depending on your living arrangements and the rate varies for each category.

Category	Individual amount	Couple amount
Living alone	\$674.00	\$1,011.00
Living in another household	\$449.31	\$674.00
Institutionalized	\$30.00	\$60.00

Social Security considers you to be living alone if you live alone (as an individual or as a couple); own your own home; rent your own home and have your name on the lease; are a boarder; pay a flat fee for room and board; pay your per person share for either food or shelter; buy your own food separately from other people in the household; or are homeless. Even if you stay with family you can be considered to live alone if you contribute to your room and board. Social Security considers you to live in the household of another person if you receive both food and shelter free, or at a cost which is below your per person share for that household.

You can determine your per-person share of household expenses by adding together how much the household pays per month for food and shelter, including heating, taxes, water and sewer, and dividing that amount by the number of people in the household, including children. If you are paying that amount or more, you will be considered living alone. If you pay less, you will be considered to be living in the household of another, and entitled to a lesser amount.

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REPORTING WORK INJURIES

By Stacy Crider



One of the first road bumps in Worker's Compensation claims comes if the claimant did not promptly report the injury to their superior.

If hurt on the job, it is imperative that you immediately report the injury, even if it is not a big injury, it can turn into something worse later and this way there is a written report to back up your account of what happened.

In some cases, this is difficult because your direct superior might not report the incident the way they should. If you report an injury to your boss and you do not think they made a written report, there are steps you can take to ensure a report is made.

1. First and most importantly, if you experience pain, ask to see a doctor immediately! Worker's Compensation is to ensure that you get the health care that you need and that it is provided by your employer. If, at any time, a workplace injury causes you an injury or pain that you feel should be treated by a doctor, notify your supervisor of the incident and ask that they send you to a doctor. Once you are properly treated, you can make sure a report of the incident was made, but your health should be the number one priority always.

2. One way to make sure a written report was made is to ask to see the written report, explaining that you just want to make sure they understand what happened and reported it correctly. In most instances employers will want you to actually be the one to write the report or at least sign it, if this did not happen; asking to see the report ensures that one was in fact made.

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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.

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SOCIAL SECURITY CAN EFFECT YOUR DISABILITY BENEFITS

By Melissa A. Davidson



Long term disability (LTD) policies, or disability pensions, are benefits offered as part of employment at many companies. These benefits are different from Social Security disability benefits. If you have an LTD policy, it is important that you apply for both LTD and Social Security disability benefits.

Almost every long term disability policy requires the claimant to also apply for Social Security Disability benefits. The reason is that

any benefits that the claimant receives from Social Security disability are offset, or subtracted, from the long term disability benefit. For example, if a person is owed \$2,000 per month under a LTD plan, and Social Security pays that person \$1,500 per month, then the LTD policy will only pay \$500 each month. In some cases, the LTD policy is also allowed to deduct the Social Security disability benefits paid to the claimant's children.

I find it shocking that the courts and the government allow this. Insurance companies should not be allowed to save money by offsetting a government benefit. They especially should not be allowed to offset Social Security benefits paid to a claimant's children, when the insurance company never paid a benefit to the children.

I strongly encourage readers to send letters to their senators and congresspersons asking that changes be made to the law that allows insurance companies to offset government benefits thereby saving themselves millions of dollars.

Despite this harsh reality, it is still a good idea to apply for both types of benefits, if you are eligible to do so. It's a good idea to have benefits coming from two sources because you never know when one source may review your claim and terminate benefits. Also, most LTD policies contain a minimum payment amount. So even if your Social Security payments are more than your LTD benefit, you may still be owed the minimum amount each month. It may not be much, but every dollar counts these days.

The Charles Hankey Law Office is a unique firm because we are able to assist clients with both the Social Security disability claims and long term disability and disability pension claims.

FINANCIAL RECOVERY AFTER PIT BULL ATTACK

The Hankey Law Office recently obtained a financial settlement for one of our clients who suffered a nasty arm injury in a pit bull attack. To achieve this victory, we filed a lawsuit against the apartment complex where the attack occurred. Through a lot of patient work by our injury litigation team, we were able to compel the apartment complex to offer a decent settlement. It was helpful to our case that the county canine enforcement officers intervened, confiscated and quarantined the dog, and took photographs of the scene and of our client's injuries.

The law requires dog owners, and apartment communities that allow dogs, to control dogs and take preventative steps so that others are not attacked and injured. If you or a loved one is injured by an uncontrolled dog, our injury litigation team can help you.

NEW CASE ADMINISTRATORS

By Hankey Law Firm Staff

Due to some staff changes, your case administrator may have changed. Find yours by the last two digits of your Social Security Number.

SS# ends in	Case Administrator Name	Extension
00-07	Ashley D.	232
08-20	Sharon	226
21-30	Stephanie	236
31-41	Shannon	234
42-61	Anna	222
62-81	Martha	229
82-99	Kristi	249

Your case administrator is the person assigned to handle your case. They can answer questions about your case, and you can give them any information you need to give our office. If your old administrator was handling a specific issue, continue to work with them on that issue, but bring any new issues to the attention of your new case administrator.

SOCIAL SECURITY CREDITS

By Attorney Sondra Burger



Social Security uses a system of credits to determine eligibility for SSD and retirement benefits. Supplemental Security Income (SSI) does not require credits because it is need-based.

The credits are based on your earnings history. When you work and pay Social Security Taxes you earn credits. In 2010, for example, you earn one credit for each \$1,120 of earnings. You cannot earn more than four credits a year.

How many credits you need to get SSD depends on how old you are when you became disabled. Generally speaking, the older you are the more credits you need. The credits must have been earned in the 10 years before you became disabled.

If you become disabled when you are younger than 24, you need six credits (1 1/2 years of work) to qualify for SSD. Between 24 and 30 you need to have worked at least half the time between age 21 and when you became disabled. Generally, after age 30, you need to have at least 20 credits (5 years worth of work) in the 10 years before becoming disabled. The chart below gives some more specific examples.

Age of onset of disability	Credits needed	Years of work in 10 years preceding disability onset
31-42	20	5
44	22	5.5
46	24	6
48	26	6.5
50	28	7
52	30	7.5
54	32	8
56	34	8.5
58	36	9
60	38	9.5
62 or older	40	10

Please make sure your earnings records are accurate by ensuring that your name and social security number on your W2 and employer's payroll records match your social security card. Also, double check your Social Security Statement each time Social Security sends it to you. If your Social Security Card or Social Security Statement are incorrect, please notify Social Security right away. If your employer's information is incorrect, notify your employer immediately.

SECRETS (continued from page 1)

The amount you get is reduced if you receive any sort of support from people outside the home. For example, if you live alone, but a family member helps pay your rent or buys your groceries on a regular basis, your SSI is reduced by the amount of assistance you receive. Any SSD checks you get are considered income which reduce your SSI or, if high enough, prevents you from getting an SSI check.

You can change your living arrangement by paying your full share of household expenses. Make sure whatever arrangement you have is in writing.

Make sure you immediately report any changes in your living arrangements to Social Security. Otherwise, you may find yourself with an overpayment and your check may be taken away altogether for a time. Report changes such as:

- Changes in status, address, income, resources, etc.
- Eligibility for other benefits
- Death of household members, changes in marital status, living arrangements, etc.
- Medical improvement
- Extended stay in hospital
- Work activity

As always, feel free to contact our office with any questions you have about how your living arrangements can affect your benefits.

REPORTING (continued from page 1)

3. If your supervisor does not show you their written report or refuses to report the incident, it is time to go above their head and talk to their boss. Whether that is a higher manager or a corporate office, this protects your claim by ensuring the proper people know about the incident.

Failing to have written documentation of your injury can be fatal to some worker's compensation claims. Without this report there is no proof that your injury actually occurred at work. Then, the case becomes your word against the employers. Don't put yourself in this position. If you are ever injured at work, make sure you report your injury immediately.

RECIPE:

STUFFED PEPPERS WITH TURKEY

By: Megan Cotton

Ingredients:

- 4 green bell peppers, tops removed, seeded
- 1 pound ground turkey
- 2 tablespoons olive oil
- 1/2 onion, chopped
- 1 cup sliced mushrooms
- 1 zucchini, chopped
- 1/2 red bell pepper, chopped
- 1/2 yellow bell pepper, chopped
- 1 cup fresh spinach
- 1 (14.5 ounce) can diced tomatoes, drained
- 1 tablespoon tomato paste
- Italian seasoning to taste
- Garlic powder to taste
- Salt and pepper to taste

Instructions:

Preheat oven to 350 degrees. Wrap the green bell peppers in aluminum foil, and place in a baking dish. Bake 15 minutes in the preheated oven. Remove from heat. In a skillet over medium heat, cook the turkey until evenly brown. Set aside. Heat oil in the skillet, and cook onion, mushrooms, zucchini, red bell pepper, yellow bell pepper, and spinach until tender. Return turkey to the skillet. Mix in the tomatoes and tomato paste, and season with Italian seasoning, garlic powder, salt, and pepper. Stuff the green peppers with the skillet mixture. Return peppers to the oven, and continue cooking 15 minutes.

CLIP & SAVE: Helpful Contacts

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Contact us if:

- 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
- Your doctor has diagnosed you with a new medical condition
- You had a new test/MRI/X-ray

Additional Resources

Information Referral Network – 317-926-HELP

Crisis Line – 317-251-7575

Center Township Trustees (can assist with rent, utilities, takes applications for Food Stamps, TANF, and Medicaid)

863 Massachusetts Avenue – 317-633-3610

Healthy Indiana Plan: low cost insurance for Indiana Families – 877-438-4479 | www.hip.in.gov

RX for Indiana: assistance with prescription drug cost – 877-793-0765 | www.rxforIndiana.org

Advantage Program: health care program for uninsured, low-income Marion County residents – 317-221-2000 | www.hhcorp.org/adv.htm

Voc. Rehab. Services: 317-254-6707 | www.in.gov/fssa/ddrs/4938.htm

Damien Center: help for those afflicted by HIV/AIDS – 317-632-0123 | 800-213-1163 | www.damien.org

Housing Help:

Indianapolis Resource Center for Independent Living – 317-926-1660

Colonial Park (chronic homeless program) – 317-353-6784

Indianapolis Public Housing Agency (section 8) – 317-261-7200

Barton Center (sleeping rooms - \$278, 2 bedrooms \$500-613) – 317-423-2575

You can apply for Social Security disability benefits by calling 1-800-772-1213, online at www.ssa.gov, or in person at your local office

Indianapolis Area Local Social Security Office Addresses*:

West Side: 4279 N. Lafayette Rd. – 317-290-3233

Downtown: 575 N. Pennsylvania, Suite 685 – 866-931-7057

East Side: 5515 N. Post Rd. – 317-541-3642

*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.

“ I am only one, But still I am one.
I cannot do everything,
But still I can do something;
And because I cannot do everything
I will not refuse to do the something that I can do. ”
– Edward Everett Hale

With heartfelt thanks for your referrals!

Please feel free to pass this newsletter on to relatives, friends, and neighbors. Thank you!