

CLAIM FOR DISABILITY INSURANCE BENEFITS

DENIED LONG-TERM DISABILITY BENEFITS

By Attorney Ashley Marks



You may have heard about short and long-term disability (LTD) insurance policies. A question we commonly get asked is: "How are such policies different than Social Security Disability Insurance (SSDI)?" These are private insurance policies that you have purchased, typically through your employer or an insurance agent, to protect yourself and your family in the event you become unable to work for a period of time.

While SSDI and LTD claims are quite different, it is important to note that you can, and should, apply for all types of benefits that are available to you. Having LTD insurance can be beneficial because being approved for SSDI benefits can be a long process, and you can begin receiving your LTD benefits while your SSDI claim is still being processed. Once your SSDI claim is approved, you will likely still be able to collect some portion of your LTD benefit as well.

If your claim for LTD benefits has been denied by your insurance company, don't give up! LTD policies provide for at least one, and often more, appeals. It is through this appeal process that many individuals eventually receive their benefits, or get their benefits reinstated. Also, you are likely required to

exhaust your administrative appeals before you can file a lawsuit against the insurance company in federal court.

The vast majority of LTD policies are subject to a federal law known as ERISA, the Employee Retirement Income Security Act. Under this law, once you have exhausted all of your administrative appeals, the record in your case is considered "closed." This means that no additional evidence, no matter how important it may be, can be added to your case. Therefore, it is critical that you submit as much favorable evidence as possible during the administrative phase while your case is still open.

It is common that insurance companies will make it seem like a denied individual does not need to hire an attorney during the appeal phase. However, the general rule for obtaining an attorney in an LTD case is the earlier the better! Insurance companies will not hesitate to use your unfamiliarity with the appeals process and the complex laws against you. One missed deadline could stop your claim. Not properly submitting a piece of important evidence can mean that it will never be considered.

Having an experienced ERISA attorney on your side vastly improves your ultimate chances of success. Such attorneys

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Resources: Federal Cell Phone Assistance

Are you or someone you know in need of a cell phone but struggling to fit it into your budget? Good news! The Federal Lifeline Assistance program offers one free cell phone per household to low income families.

Two of the best wireless companies offering this program are Safelink Wireless and Assurance Wireless. Both offer 350 free voice minutes, unlimited texts, and 2GB of free data per month to qualifying individuals. Be sure to ask about promotions as well.

To get qualified and get connected, contact:

Safelink:

800-723-3546 | safelinkwireless.com

Assurance:

888-898-4888 | assurancewireless.com

Individuals can qualify automatically if they receive Supplemental Nutrition Assistance Program (Food Stamps or SNAP), Medicaid, Supplemental Security Income (SSI), Federal Public Housing Assistance (Section 8), Veterans Pension and Survivor's Benefit, Temporary Assistance for Needy Families (Tribal TANF), Free School Lunch Program, or Energy Assistance.

**If you do not participate in these programs, you may still qualify if your household income is below 135% of the Federal Poverty level.*

Cold Weather Car Safety Kit: Be Prepared and Stay Alive



Winter weather can create hazardous roads. Roughly 39% of weather-related accidents happen during the winter, including snowy or icy pavement or during snowfall or sleet.

According to the U.S. Department of Transportation's Federal Highway Administration, each year approximately 2,200 Americans die in these accidents, and nearly 193,000 are injured.

Below is a list of recommended items to keep in your car during these times to be prepared for emergencies. Whether your car breaks down or you are in an accident, these items will aid you until help arrives.

- Warm Hat and Gloves – Have a hat and gloves in your car for each member of your family.

- Warm Blanket – It's best to use an old blanket as it will most likely get dirty.
- First Aid Kit including:
 - Jumper Cables
 - Safety Absorbent or Kitty Litter – Both of these products help your car regain traction if you are stuck on an icy patch.
- Car Phone Charger
- Ice Scraper and Snow Brush – When snow and ice hit, these tools are crucial to keeping your windows clear to ensure you're able to see where you're going.
- Flares/Warning Triangle
- Flashlight

FREE Indy-Area Events in February and March

Fun doesn't need to cost a lot. Here are a few no-cost ideas to get you and your family out of the house.

February 18 – President's Day

(10 a.m.-5 p.m.)

Free admission to the Indiana State Museum



650 W Washington Street, Indianapolis, IN 46204

(317) 232-1637 | indianamuseum.org

March 7 – First Thursdays Series



Newfields offers free admission the first Thursday of every month from 4-8 p.m.

4000 N Michigan Road,

Indianapolis, IN 46208

317-923-1331 | discovernewfields.org

Mar 22-24 – Who's Yer Con

Free table top gaming convention at the Wyndham Indianapolis West



2544 Executive Drive, Indianapolis, IN 46241

whosyergamers.org



Valentine's Day Puzzler





For more than 600 years, writers, poets, and artists have used Valentine's Day as an opportunity to celebrate love. See if you can find the holiday-related words below.

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

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

Candy
Cards
Chocolates

Cupid
February
Flowers

Friends
Heart
Juliet

Love
Poetry
Romantic

Romeo
Sweet
Serenade

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understand how to draft persuasive appeal letters to the insurance company, and know what kind of medical evidence needs to be submitted and when to do so.

If your short or long-term disability benefits have been denied, get the backing of our Hankey team! Contact one of our attorneys today for a free case review!

February is American Heart Month



Heart disease is the leading cause of death for both men and women in the United States. Every

year, 1 in 4 deaths are caused by heart disease. In fact, heart disease causes more deaths in the United States than all types of cancer combined.

The good news? Heart disease can often be prevented when people make healthy choices and manage their health conditions. To prevent heart disease and increase awareness of its effects, The Hankey Law Office is proudly participating in American Heart Month.

You can make healthy changes to lower your risk of developing heart disease. Controlling and preventing risk factors is also important for people who already have heart disease. To lower your risk:

Aim for a healthy weight. If you are overweight or obese, losing just 10 pounds can lower your risk of heart disease.

Manage stress. Try noticing when you're stressed and taking time to relax or talking with a trusted friend or family member.

Quit smoking and stay away from secondhand smoke. If you need help quitting, you can call 1-800-QUIT-NOW (1-800-784-8669).

If you drink alcohol, **drink only in moderation.**

Eat healthy. Get plenty of fruits, vegetables, whole grains, and fat-free or low-fat dairy products. Limit saturated and trans fats, added sugars, and sodium (salt).

Visit the American Heart Association's website at heart.org for more information about heart health.

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 | 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

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

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

Housing Help:

[Access Ability](#) | abilityindiana.org | 317-926-1660

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

[Family and Social Services Administration](#) | 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, 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.

“Laughter is the sun that drives winter from the human face.”

-Victor Hugo





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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: Frida



Meet Frida, our first Spanish-speaking paralegal. Before joining the team at the Hankey Law Office, she worked for the Family and Social Services Administration (FSSA).

She attended IUPUI and studied Criminology and Early Childhood Education.

Frida moved to Indiana at 14 after living in California. Now she has her family here and although she doesn't think she'll ever get used to the cold weather, she calls the Hoosier State home.

One of her favorite quotes is, "let your smile change the world, but don't let the world change your smile."

Hable con nuestro abogado bilingüe!



Daniel M. Randolph
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Charles Hankey Law Office, PC

Necesita ayuda con...

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