

CAP UPDATE

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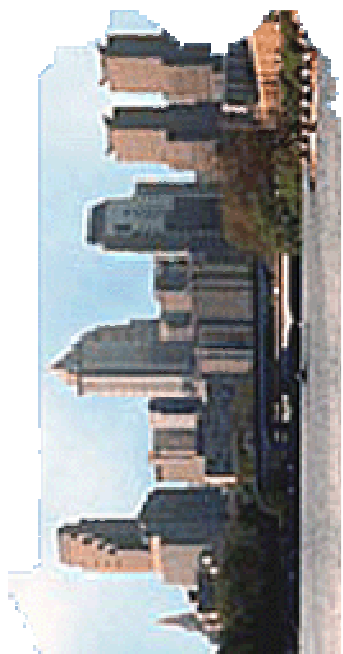
"Anne Chooses An IAR" By: Jamie C. Ray and Margaret McKenna

Anne still wondered what would happen once she sent in her appeal letter. Within about two weeks, just as her CAP advocate had said, she received a letter and a postcard from OVR. The letter explained to her that her request for an appeal had been received, and that she would now need to choose how she would like to have her appeal handled. She should make her decision and let OVR know what she would like to do by completing the questions on the postcard and sending that back to OVR. The postcard said that she needed to send it back within five (5) days.

The postcard had three choices. She could choose: 1. Have an impartial hearing; 2. Delay her impartial hearing until she has participated in an Informal Administrative Review (IAR), or; 3. Withdraw the appeal because her concern has been resolved. Anne knew that she still had a concern because her counselor still did not believe that she could succeed as a teacher. So, she was sure that choice 3 was not the right option for her. Even so, she had questions about the Impartial Hearing and the IAR so she decided to call her CAP advocate.

Anne called her CAP advocate and asked for some more information about her options. Her advocate explained that the Impartial Hearing was a little bit like a social security hearing. There would be an impartial hearing officer there who would act like a Judge. He or she would listen to what Anne had to say, and listen to what OVR had to say, and then make a decision in writing. This made Anne feel a little better because her sister had a social security hearing once and she had been there and saw it all happen. It did not seem so bad, but one thing that Anne's CAP advocate told her made her worry. He advocate told her that if she chose an Impartial Hearing, the hearing officer would have thirty (30) days to make his or her decision. On the other hand, if she went with the informal administrative review (IAR) she would get a written decision within five (5) business days. Anne also learned from her CAP advocate that if she did not like the decision from the IAR, she could still ask for an Impartial Hearing. Anne knew that the teacher training program she wanted to go to would have a new class starting soon. So, she decided that the IAR would be the best option for her. She checked off choice # 2, "delay the impartial hearing until the IAR" and got her postcard ready to mail.

Anne had a few more questions for CAP. She wondered who would make the decision in her IAR. CAP explained that the District Administrator or someone from OVR that the District Administrator selected would be the person who would hear both sides in the IAR and make the decision. Anne also wondered if she would have to take an Oath to tell the truth. Anne had seen people take oaths on TV, and even though she always told the truth, taking an Oath sounded a little scary because she was afraid she might make a mistake or not explain some-



thing right. Anne's advocate told her that she did not have to take an Oath at an IAR, but even so she should not worry because if she wanted to clarify something she said, or she made a mistake, she would have a chance to say so.

Anne felt a lot more comfortable as she walked to the mailbox to send in her postcard. She knew that she would talk to her CAP advocate again in a few days, and that they would schedule the IAR

Will Anne resolve her appeal with the IAR? Stay tuned. . . .

Tips for Dealing with Social Security Appeals

By Jamie C. Ray, Esquire

Many of our readers have been advised by OVR/BBVS to apply for Social Security Disability Benefits. Others of you may already be receiving Social Security when you apply for vocational rehabilitation services. If you are receiving Social Security Disability Benefits, the Rehabilitation Act gives you a presumption of eligibility for vocational rehabilitation services, as long as you need those services to get or keep a job. What you may not know, is what to do if you are denied social security disability benefits. This article is designed to help.

TIP ONE: Do not panic. Approximately 62% of Social Security disability claims filed nationwide are denied on the initial application. Many times this happens because Social Security did not receive enough medical information before it made its decision; one or more of your medical care providers submitted the wrong kind of information, or; the decision-maker was not able to see the overall impact of your impairments just by looking at the medical documents.

TIP TWO: Appeal within the time limit! If you receive an unfavorable decision, it is important that you send a written appeal within sixty (60) days of the decision. If you do not appeal within the time limit, you may lose your right to have Social Security's decision reconsidered. Call the Social Security Administration at 1-800-772-1213 to get the Office of Hearings and Appeals address nearest you. You can write your own appeal letter, or fill out the form "Request for Hearing Before an Administrative Law Judge". You can get this form by visiting Social Security's website, www.ssa.gov.

TIP THREE: Review your Social Security file. Make an appointment to review your Social Security file. You can do this by calling your local Social Security Office or the local Office of Hearings and Appeals. If it is too difficult for you to go to Social Security to review the file, you may designate in writing someone else who can do this for you. It can be a relative, friend or attorney. When you review the file, make sure that it contains medical records from all of the healthcare providers who treat you for your Multiple Sclerosis and any other disabilities you may have. If all of the records are not there, get them, or ask Social Security to get them.

TIP FOUR: Prepare for your hearing. Your hearing is your chance to explain to a real person why you need social security benefits. It is important to think about your disability and how it impacts you before the day of your hearing. It may be helpful to make a list of the activities that are more difficult, or that you can no longer do because of the challenges of your disability.

TIP FIVE: You are not alone. Even though you are not required to have an attorney to file a social security appeal, it is often helpful to have one. If you would like to talk with an attorney about filing a social security appeal, or if you have already filed one, you can contact Attorney Jamie Ray at 215 557-7112.

"Find your local vocational rehabilitation office" OVR District Office Locations

District Office	Location	Counties Served
Allentown	45 North 4th Street Allentown, PA 18102 (610) 821-6441 (610) 821-6144 TT 800-922-9536 - Toll Free	Carbon, Monroe, Northampton, Lehigh
Altoona	Altoona, PA 16601 (814) 946-7240 - Voice/TT 800-442-6343	Bedford, Blair, Centre, Fulton, Huntingdon
Altoona BVS	Altoona, PA 16601 (814) 946-7330 - Voice (814) 949-7955 TT 866-695-7673	Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset, Union
DuBois	199 Beaver Drive DuBois, PA 15801 (814) 371-7340 (814) 371-7505 TT 800-922-4017	Cameron, Clearfield, Elk, Jefferson, McKean
Erie	3200 Lovell Place Erie, PA 16503 (814) 871-4551 (814) 871-4535 TT 800-541-0721	Clarion, Crawford, Erie, Forest, Mercer, Venango, Warren
Erie BVS	3100 Lovell Place Erie, PA 16503 (814) 871-4401 (814) 871-4599 TT 800-541-5073	Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango, Warren
Harrisburg	(717) 787-7834 (717) 787-4013 TT 800-442-6352	Cumberland, Dauphin, Juniata, Lebanon, Mifflin, Perry
Harrisburg BVS	(717) 787-7500 (717) 787-1733 TT	Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York
Johnstown	Section 10 727 Goucher Street Johnstown, PA 15905 (814) 255-6771 (814) 255-5510 TT	Cambria, Indiana, Somerset, Westmoreland
New Castle	100 Margaret Street New Castle, PA 16101 (724) 656-3070 (412) 656-3252 TT 800-442-6379	Armstrong, Beaver, Butler, Lawrence

Norristown	1875 New Hope Street Norristown, PA 19401 (724) 656-3070 (412) 656-3252 TT 800-442-6379	Bucks, Chester, Delaware, Montgomery
Philadelphia	444 North Third Street 5th Floor Philadelphia, PA 19123 (215) 560-1900 (215) 560-6144 TT 800-442-6381	Philadelphia
Philadelphia BVS	444 North Third Street 5th Floor Philadelphia, PA 19130 (215) 560-5700 (215) 560-5725 TTY 866-631-3892	Bucks, Chester, Delaware, Montgomery, Philadelphia
Pittsburgh	217 State Office Building 300 Liberty Avenue Pittsburgh, PA 15222 (412) 392-4950 (412) 392-5936 TT 800-442-6371	Allegheny
Pittsburgh BVS	1075 Kossman Building 400 Stanwix Street Pittsburgh, PA 15222 (412) 565-5240 (412) 565-5509 TT 866-412-4072	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington, Westmoreland
Reading	1090 Commons Blvd. Reading, PA 19605 (610) 378-4370 (610) 378-4433 TT 800-442-0949	Berks, Schuylkill
Reading BVS	1090 Commons Blvd. Reading, PA 19605 (610) 378-4370 (610) 378-4433 TT 800-442-0949	Berks, Schuylkill
Washington	201 West Wheeling St. Washington, PA 15301 (724) 223-4430 - Voice/TT 800-442-6367	Fayette, Greene, Washington

Wilkes-Barre	300 G Laird Street Wilkes-Barre, PA 18702 (570) 826-2011 (570) 826-2023 TT 800-634-2060	Bradford, Columbia, Lackawanna, Luzerne, Pike, Sullivan, Susquehanna, Wayne, Wyoming
Wilkes-Barre BVS	300 G Laird Street Wilkes-Barre, PA 18702 (570) 826-2361 (570) 826-2023 - Voice/TT 866-227-4163	Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne, Wyoming
Williamsport	The Grit Building - Ste. 102 208 West Third Street Williamsport, PA 17701 (717) 327-3600 (717) 327-3620 TT 800-442-6359	Clinton, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga, Union
York	2550 Kingston Rd. Ste. 101 Kingston Center York, PA 17402 (717) 771-4407 (717) 771-4433 TT 800-762-6306	Adams, Franklin, Lancaster, York
Hiram G. Andrews Center	727 Goucher Street Johnstown, PA 15905 (814) 255-8200 - Voice/TT 800-762-4211	

**PENNSYLVANIA
CLIENT ASSISTANCE
PROGRAM**

Philadelphia Office
Suite 800
1617 JFK Blvd.
Philadelphia, PA. 19103

Voice/TDD: 215-557-7112
FAX: 215-557-7602
Toll Free: 888-745-CDLP

Harrisburg Office
Suite 100
2 North 2nd St.
Harrisburg, PA. 17101

Voice/TDD: 717-364-1733
FAX: 717-236-8800
Toll Free: 888-745-CDLP

E-mail: info@equalemployment.org

Upcoming Outreach Events

On **July 19, 2006**, CAP advocates Lee Lippi and Margaret McKenna will present at the 2006 Transition Conference to be held in State College PA. Margaret and Lee will focus their presentation on effective outreach to transition-age students with disabilities. For more information on this conference, please e-mail Margaret McKenna at PassioMcKenna@aol.com.

On **September 8, 2006** Attorney Steve Pennington and Attorney Jamie Ray will present at the annual SILC Conference in Harrisburg PA. They will discuss employment rights and responsibilities for people with disabilities. For more information on this conference, please visit www.pasilc.org.

On **Wednesday October 18, 2006**, CAP attorney Jamie Ray will speak to the Jefferson Hospital Brain Tumor Support Group in Philadelphia PA. The group meets at 7:30 pm. The location of this event is TBA, please check back here for updated information.

The above events are open to the public, please contact Jamie Ray at Jamiecray@aol.com if you would like more information.

Visit PA CAP on the WEB
<http://www.equalemployment.org>