

What Happens to Social Security Benefits When You Reach Retirement Age?

Q: Once you reach retirement age, do you get social security benefits from both the social security retirement program and the disability program?

A: You will not be entitled to collect disability and retirement benefits simultaneously. You will receive retirement benefits in lieu of disability benefits, when you reach the retirement age criterion. The amount you receive in social security benefits, however, will remain the same. Your benefits will automatically convert.

Q: Are you in jeopardy of losing your social security benefits, if a review of your case is currently being done?

A: All claimants that receive disability benefits will have their file periodically reviewed. Ideally, the agency is supposed to do that every 1, 3 and 7 years. Since there can be a backlog of cases, the reviews may not happen for a year or two after they are supposed to. That is why you hear of some cases that have not been reviewed for years after initial approval. Do not be concerned if your case is currently under review. A review is supposed to be done. Just because your file is being reviewed does not mean you are in jeopardy of losing your social security benefits. To assure that Social Security has the most recent information about your medical condition and its impact on your employment, a periodic review is done. Most cases that undergo a continuing disability review are approved for continued social security benefits. There needs to be medical data that demonstrates that the condition has resolved to a point that a person could take on employment, in order for payments to stop. If you do not have recent records of medical treatment, Social Security may request that you receive a medical exam as part of the review. Again, that is not a sign that you are in jeopardy of losing your social security benefits. It is done to simply make sure your file contains the most up to date information.

Q: Do you still have to pay your social security lawyer if your disability case is denied?

A: [Social security lawyers](#) receive payment after a claim receives approval. SSA sets the guidelines for attorney fees. Your lawyer will collect 25 percent of any retroactive benefits for which you are paid. A social security disability lawyer cannot collect more than \$5,300, regardless of how much your backpay benefits are. Your lawyer does not collect any fee if you are not awarded benefits.

About the Author

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