

# **Louisiana Disability Law**

## **Social Security Disability**

### **The Sequential Evaluation Process**

A Special Report by

Loyd J. Bourgeois, Jr.

Long-Term Disability Benefits Attorney

Loyd J. Bourgeois, LLC

**[www.LouisianaDisabilityLaw.com](http://www.LouisianaDisabilityLaw.com)**

[loyd@louisianadisabilitylaw.com](mailto:loyd@louisianadisabilitylaw.com)

Toll Free: (888) LJB - 4 - SSDI

New Orleans: (504) 272 - SSDI

River Parishes: (985) 240 - 9SSDI

## **Louisiana Disability Law**

*The information provided here is for educational purposes only and is not intended as legal advice. Please consult an attorney for specific legal advice.*

© 2010 by Loyd J. Bourgeois, LLC and Loyd J. Bourgeois, Jr. All rights reserved.

# Louisiana Disability Law

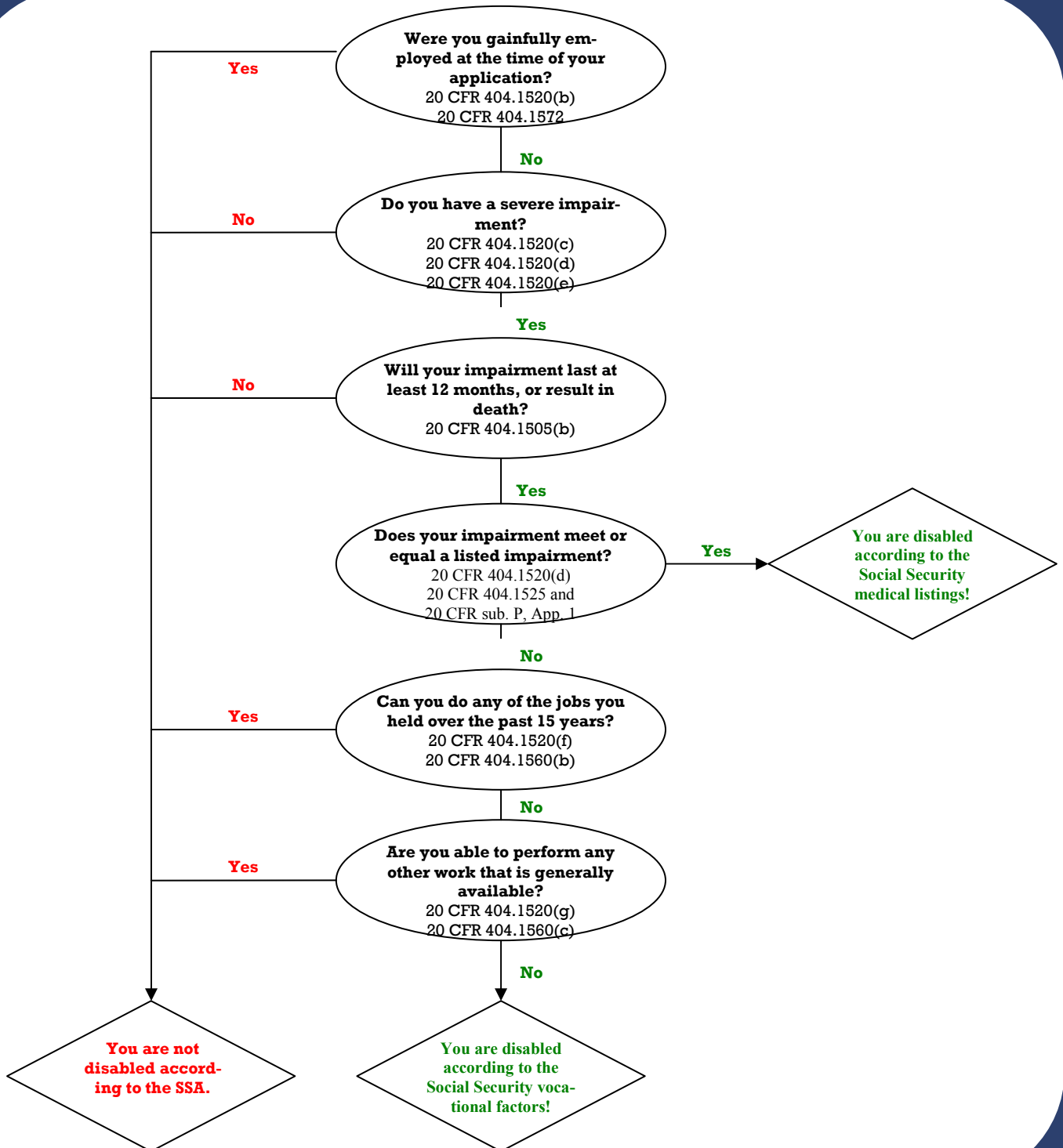
So you have applied for Social Security Disability benefits. Do you know how the Social Security Administration (“SSA”) reviews your claim to decide whether you are qualified for disability benefits?

The federal regulations governing the SSA set forth a sequential evaluation process to examine disability claims. Under the process, if SSA determines you are disabled or not disabled at any step, they do not go to the next step. If SSA cannot make the disabled or not disabled determination at a step, they move to the next step. The process is as follows:

1. You cannot be engaged in substantial gainful activity; **and**
2. You must have a severe impairment; **and**
3. Your severe impairment must meet or exceed one of the listed impairments in the regulations; **or**
4. Your residual functional capacity with your severe impairment must prevent you from doing past relevant work; **and**
5. You are not able to do other work that exists in the national economy in significant numbers when considering your residual functional capacity, age, education, and work experience.

The chart on the next page may help you understand the process.

# Louisiana Disability Law



# Louisiana Disability Law



I was first drawn into the fight for long-term disability benefits when I fought for the reinstatement of benefits for a good client. While the battle there was against a disability company, I learned that the same battles are fought to gain Social Security Disability benefits. The disability company made their determination although my client had a significantly deteriorated condition after having brain cancer, brain surgery, radiation and chemotherapy.

I learned that whether you are seeking SSDI or long-term disability benefits under an insurance plan, you face an uphill battle. What I learned along the way about how disability determinations were made really made me cringe. People were doing the right thing in life — working hard, raising good families, paying bills — but when they became sick or were injured, the protection they needed was not there. I decided that I needed to focus my abilities on helping you fight for the benefits you desperately need.

I am a bayou boy from Bayou Gauche, Louisiana. I have an environmental engineering degree from LSU and a law degree from Tulane. I love Louisiana despite its faults and am proud to be a part of New Orleans' recovery. I am a Christian family man with two beautiful children and a loving wife. I want to help you.

I welcome the opportunity to help you in your fight. Please give me a call or write me at [loyd@louisianadisabilitylaw.com](mailto:loyd@louisianadisabilitylaw.com).

Loyd J. Bourgeois, Jr.  
Long-Term Disability Benefits Attorney