

7S

Social Security Disability Offsets

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III. Calculation of Offset

C. [7S.4A] Social Security Disability Benefit (New Section)

V. Minimizing the Offset

B. [7S.9] Excludable Expenses

III. CALCULATION OF OFFSET

C. [7S.4A] Social Security Disability Benefit

New section:

The social security offset is calculated by considering the total social security disability benefits received by the injured workers' family (total family benefit) not just the social security disability benefit received by the injured worker. An independently entitled divorced spouse is not included in the total family benefit since such a benefit is not subject to the workers' compensation/public disability benefit. See Social Security Administration, Program Operations Manual System §DI 52001.505, Total Family Benefits (TFB), available at <http://policy.ssa.gov/poms.nsf/lnx/0452001505!opendocument>.

V. MINIMIZING THE OFFSET

B. [7S.9] Excludable Expenses

Add at the end of the paragraph:

See Social Security Administration, Program Operations Manual System §DI 52001.535, Excludable Expenses, available at <http://policy.ssa.gov/poms.nsf/lnx/0452001535!opendocument>. In addition, verifiable future medical expenses may also be deducted from the lump sum. See Social Security Administration, Program Operations Manual System §DI 52001.216, Illinois Workers' Compensation (WC), available at <http://policy.ssa.gov/poms.nsf/lnx/0452001216!opendocument>.

