***Frequently Asked Questions about Short-Term and Long-Term Disability Benefits***

Short and Long-Term Disability benefits are monetary benefits to which you may be entitled to receive if you are no longer able to continue working as a result of an illness or injury. In order to receive these benefits, among other requirements, you must have a short or long-term disability policy in effect AT THE TIME YOU ARE NO LONGER ABLE TO WORK.

*1) Can I receive short-term or long-term disability while I am seeking to recover workers’ compensation benefits?*

Yes. Your entitlement to short-term disability or long-term disability is based upon different factors than your entitlement to workers’ compensation benefits. As such, you can petition to receive short-term or long-term disability benefits even while you are attempting to secure workers’ compensation benefits.

*2) Will I be required to repay any benefits I receive for short or long-term disability?*

 Probably. Almost all short-term and long-term disability policies designate the disability company as a secondary payer. In other words, when you receive any past monetary benefits from workers’ compensation for periods of time for which you were already paid by your short-term or long-term disability company, you will have to pay the disability company back the money you receive from workers’ compensation.

*3) Does a denial of my workers’ compensation benefits mean I am not eligible to receive long-term disability benefits?*

Absolutely not. While the medical records from your workers’ compensation physicians can be used in your short-term or long-term disability claim, the criteria for receiving short or long-term disability benefits are entirely different than the criteria for receiving workers’ compensation benefits.

*4) What other factors can impact my receipt of short-term or long-term disability benefits?*

Just as your workers’ compensation benefits must be repaid for periods of time during which you receive short or long-term disability, the same logic applies to social security disability, in-line-of-duty disability, or any other supplemental disability policy you may have.

*5) If I have been denied short-term or long-term disability benefits or have additional questions, who can help me?*

The law firm of Smith, Feddeler & Smith, P.A. has attorneys who handle the prosecution of short-term and long-term disability claims. Therefore, if you should have any additional questions or have been denied benefits, we would be happy to discuss your short-term or long-term disability claim with you.

 Please be aware that you only have **180 days** from the date of your disability denial in which to file an appeal. Failure to do so could result in you forfeiting any additional short-term or long-term disability benefits.

**CALL US ANYWHERE IN THE UNITED STATES TOLL FREE**

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