

Regas & Haag ^L_T^D

Attorneys at Law Never Give Up.

- In Your Corner -

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Cases through the Social Security disability process, 2002. For every 100 cases:

- Initial claims: 38 approved, 21 appeal.
- Reconsiderations: 3 approved, 19 appeal.
- Hearings: 12 approved, 5 appeal.
- Appeals Council: 1 approved, 1 appeal to Federal Court.

Courtesy of Social Security Administration.

How you can help win your Disability claim

As many are aware, the wait for a Social Security hearing is at least one year. So when your hearing date is scheduled, we want to make sure that we present the strongest possible case. The following are a few things that a client can do to help assist us in building your case:

1) Keep Regas & Haag informed of any new doctors, tests, psychological care, new diagnoses, or any other significant changes in medical treatment (not necessarily changes in medications). This information should be

given to one of our Social Security paralegals: Kelly or Christina.

2) Immediately inform Regas & Haag if you return to work, even if it is on a part-time basis.

3) If you are a "younger person" (under 50 years old, according to Social Security), you may want to consider enrolling in the Bureau of Vocational Rehabilitation. The BVR often can work with disabled individuals in order to provide training and vocational testing. Some are able to successfully return to work.

4) Inform your doctors that you have applied for disability, and stress the importance of their cooperating with Regas & Haag in providing medical support for your claim, where appropriate.

5) Continue to see your doctors and therapists on a regular basis

and cooperate with recommended treatment. Otherwise, we cannot obtain the needed evidence to support your claim. The more evidence, the better your chances of winning disability benefits.



Medicare misprint could cause problems for thousands

Medicare's handbook, "Medicare & You 2006," contains an error that could lead to low-income Ohioans subscribing for prescription drug plans that they cannot afford. If you received this handbook by mail in October, you will find the error in the comparison charts beginning on page 97-A. The last column, titled "If I Qualify for Extra Help, will My Full Premium be Covered?" should show "no" for about 60 percent of the plans

listed. Instead, the column shows "yes" for all plans.

What does this mean to you? If you qualify for a low-income subsidy, you should ask your local Medicare counselor or call (800) MEDICARE for correct comparisons of the different plans, to make sure that you choose a plan that you can afford. If you have auto-enrollment, you will not be affected by the error.

What the new prescription-drug plan means to you

The new Medicare prescription drug program (“Plan D”) begins January 1, 2006. The program provides some nice benefits, but they don’t come for free – you’ll pay premiums and co-payments.

There is some good news: The government will help provide “substantial extra help” paying the premiums and co-pays for people with relatively low income and resources.

Medicare has created three categories of eligibility for extra help:

- **Category 1:** You receive Medicaid, your annual income (2005) is below \$9,570 (\$12,830 for a couple), and your “countable assets” are below the Medicaid minimum (for people living at home generally \$1,500 single and \$2,250 married). In this category you pay no premiums or deductibles and your co-pay is \$1 for generic drug and \$3 for brand names (but no co-pays are required for medication costs exceeding \$5,100 in a year). If your income is above the level described above, you may “spend down” your income each month on medical bills and still qualify. In that case, your co-pays will be slightly higher: \$2 for generic, \$5 for brand name.
- **Category 2:** You receive Medicare, your annual income is below \$12,920 (\$17,321 for couples), and your “countable assets” are below \$7,500 (\$12,000 married), again, you will pay no premiums or deductibles and your co-pays will be \$2 for generic, \$5 for brand name drugs if you receive Medicare.
- **Category 3:** You receive Medicare, your income is over the Category 2 amounts listed above but below \$14,356 (\$19,246 for couples), and your “countable assets” are below \$11,500 (\$23,009 for couples). You will pay from 25% to 75% of your

regular monthly Plan D premiums, depending on where your income falls, and \$50 of the \$250 deductible. You will also pay 15% of your medication costs up to \$5,100, \$2 for generic and \$5 for brand name

medications after that.

Under the federal formula, you don’t have to count \$240 per year of any unearned income (your Social Security check). You also don’t have to count \$780 per year of any earned income

(wages from working) AND half of your remaining earned income. When figuring your “countable assets,” you can exclude your home, car, and furniture.

If you are currently on Medicaid or SSI you will not have to apply for these extra benefits but you will still need to choose and sign up for one of the many (30 or more) drug plans that will be offered. Otherwise you will be randomly assigned to a plan, and that plan may not cover the medications you need.

For Medicaid recipients beginning January 1st, Medicare, (not Medicaid) will begin covering your drug bills but Medicaid will continue to pay for other medical costs.

While regular non-Medicaid participants in the Medicare prescription drug program are only allowed to change plans at the end of the year, Medicaid-covered individuals are luckier – they can change plans once a month.

If you don’t get Medicaid, you will have to apply for the “extra help” through the Social Security Administration. Contact your local office or call the Social Security Administration’s toll free number ((800) 772-1213). Whether or not you qualify for additional help, you can still sign up for the Medicare prescription drug plan of your choice by calling (800) 633-4227.



There is some good news: The government will help provide “substantial extra help” for people with low incomes.

Our Declaration of Commitment to Our Clients

- *To treat you with respect and courtesy.*
- *To handle your legal matters competently and diligently, in accordance with the highest standards of the profession.*
- *To provide you with frank, open and honest professional judgment regarding your case.*
- *To return telephone calls promptly.*
- *To preserve the client confidences learned during our lawyer-client relationship.*
- *To exhibit the highest degree of ethical conduct at all times.*

Firm in Focus:

Brad becomes Associate; Christina joins staff as paralegal

For the past two-and-a-half years, Brad Davis has been learning the Social Security and Workers' Compensation fields of law under the guidance of John Regas and Andy Haag. Now, he is welcomed as an Associate at Regas & Haag. The firm now comprises four attorneys: Brad, Andy, John, and John's wife, Sharon Regas.

Brad graduated from the University of Akron School of Law in May, passed the Ohio Bar exam, and was admitted to the Ohio Bar on November 7.

"I'm glad to be part of a group of such good attorneys," said Brad. "They've taught me well, and I'm eager to continue to help our clients win the benefits they deserve."

Brad and his wife, Susanne, live in Canton.

Also new to Regas & Haag is Christina Pryor. She is the firm's third paralegal, joining Kelly Gabel and Robin Phillips on the

staff.

Christina has an Associates degree in paralegal studies, and she earned degrees in History and Political Science from Ashland University in May. She plans to start law school next year.

"I've wanted to be an attorney since I was little," she said. "I want to help people." Christina and her husband, Eric, a musician, live near Wooster.



Brad Davis



Christina Pryor

Workers' Compensation notes:

Don't let your employer unfairly retaliate against you



Sharon Regas

Have you been treated unfairly at work following an injury or illness? Did your assignments get more difficult? Did your hours get unfairly reduced or increased? Are you teased about your medical condition, or

is your private medical information being discussed by people who shouldn't know about it? Are you being denied your right to light duty or some other reasonable accommodation for your condition? Is your boss trying to get you in trouble more now, or did you get fired while you were off work or right after your return to work?

We can help our clients who experience illegal retaliation after they have filed a workers' compensation claim or after experienc-

ing a non-work-related disability. The laws of Ohio and federal laws that govern employers throughout the nation protect employees in many circumstances when an employer treats them unfairly for these sorts of reasons. Which laws protect you depends upon the size of your employer, the type of employer you have and the circumstances that led to the unfair decisions. You can file this sort of claim even if you are fired, but time can run out. Don't wait too long to talk to an attorney and learn about your rights. Regas & Haag wants to help you get your job back the way it used to be and-or get you money that you have lost because of the unfair treatment. A short consultation is free. We'll also do everything possible to use the laws to have your employer pay our fees for the time we spend working for you. If you think you might have a claim like this, please contact us soon!

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We're on the Web!
example.
microsoft.com


Never Give Up

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Meet the staff: We're here to help you

Kelly Gabel: Social Security paralegal. If you are a current client and John or Andy is working to win you Social Security benefits, Kelly should be your first call. If she can't answer your question immediately, she probably can get you the information you need and call you back. If we've asked you to call and update us on medical treatment, or if you need to report any changes in your status, Kelly needs this information. She's at extension 13, or you can e-mail her at kelly@regashaag.com.

Robin Phillips: Workers' Compensation paralegal. If we represent you in a Workers' Comp claim, Robin is managing your case. Call her at extension 14, or e-mail her at robin@regashaag.com if you have questions or to update her on your case. Robin also handles civil litigation responsibilities for all four attorneys. If you have a civil case with

us, Robin's familiar with it and can help or can point you in the right direction.

Christina Pryor: Social Security paralegal. Christina assists Kelly and primarily handles Brad's cases. If you have updates or questions about your case, and Brad is not available, Christina can help. She's at extension 15, or christina@regashaag.com.

Norma Haag: Receptionist. Norma takes your calls until noon every day. She makes sure your call or message gets to the right person as soon as possible.

Visit us online at <http://www.regashaag.com>, under "About Us". We're in the office Monday through Thursday, 9 a.m. to 5 p.m., and Friday until 1 p.m. Call us at (330) 649-9102, or toll-free at (800) 520-2200. If you need to fax something to us, it's (330) 649-9103. We look forward to hearing from you.