

A young woman with long dark hair tied back, wearing a red and white striped shirt, is sitting on a couch. Her right hand is in a white cast. She is looking down at a laptop computer. In the background, there are several green indoor plants.

# Disability Insurance Provisions





## What is disability?

Disability is an illness or injury, either physical or mental, which prevents you from doing your regular work. Disability includes elective surgery, pregnancy, childbirth, or related medical conditions.

## What is Disability Insurance (DI)?

Disability Insurance is a part of the State Disability Insurance (SDI) program, designed to help replace your income when you can't work as a result of a non-work-related disability. SDI contributions are paid by California workers covered by the SDI program.

## What types of DI Plans exist?

- State Plan: This plan is covered in this brochure.
- Voluntary Plan (VP): A private plan, which may be used instead of the State Plan. Voluntary Plans are offered through your employer. If you are covered by a VP, this brochure may not apply to you. Ask your employer for more information about your VP.
- Elective Coverage (EC): Employers and the self-employed, including general partners, may elect coverage under SDI. The major differences between EC plans and State Plans are benefits are calculated differently (the cost of participating, which is set annually, can be obtained from your local EDD Employment Tax Customer Service Office) and there are different requirements for eligibility.

# How do I apply for State Plan benefits?

1. You can use [SDI Online](http://edd.ca.gov/disability) ([edd.ca.gov/disability](http://edd.ca.gov/disability)) to securely file for benefits or request a paper claim form online.

- By phone: 1-800-480-3287.
- By mail: EDD, Disability Insurance, PO Box 989777, West Sacramento, CA 95798-9777.
- California state government employees covered by SDI should call 1-866-352-7675.

2. After you fully complete Part A, have your physician or practitioner complete Part B - Physician/Practitioner's Certificate online or use the paper claim form. If filing online, your physician or practitioner will need your receipt number to complete Part B. Usually a claim cannot begin more than seven days before you were examined by or under the care of a physician or practitioner. Certification may be made by a:

- Licensed medical or osteopathic physician and surgeon.
- Nurse practitioner.
- Physician assistant.
- Chiropractor.
- Dentist.
- Podiatrist.
- Optometrist.
- Designated psychologist.
- Authorized medical officer of a United States governmental facility.

3. File online or submit your paper claim form within 49 days from the date your disability begins. If your claim is late, you may lose benefits unless you also file an explanation of the delay and your explanation is accepted as reasonable.

## How are my benefits sent to me?

- You will receive your benefits by the payment method you choose when filing a claim.
- Most completed claims are processed within 14 days.
- The first seven days of your DI claim are a non-payable waiting period. If a claim is filed for the same or related cause or condition within 60 days of the initial claim, it will be added on as a continuation of the claim and there will be no additional waiting period.
- Benefits are paid as quickly as possible after all information is received and you are approved (allow 10 days for processing). Also note that usually benefit periods are for two weeks at a time. If you are eligible for more benefits, you will be sent the additional forms to be filled out. If your benefits end mid-week, that week will be paid at the daily rate.



## How are my benefits calculated?

Your benefit amounts are based on your paychecks during a specific 12-month period, which counts back from the date your claim begins.

Only pay that contributed to SDI can be used in calculating your benefits. To qualify, you must have earned at least \$300 during your base period. The month your claim begins determines which four, uninterrupted quarters will be used.

We've now made it easier to estimate your benefit amount. Visit [Disability Insurance and Paid Family Leave Calculator](https://edd.ca.gov/en/disability/PFL_Calculator/) (edd.ca.gov/en/disability/PFL\_Calculator/) for more information.

## Are there exceptions?

If your claim is denied but you were unemployed and seeking work for 60 or more days in any quarter of your base period, you may be able to use wages earned to either validate your claim or increase your benefit amount, if during your base period you:

- Were in the military service.
- Received workers' compensation benefits.
- Did not work because of a labor dispute.

If your situation fits any of the above, include a letter and supporting documentation with your claim form.

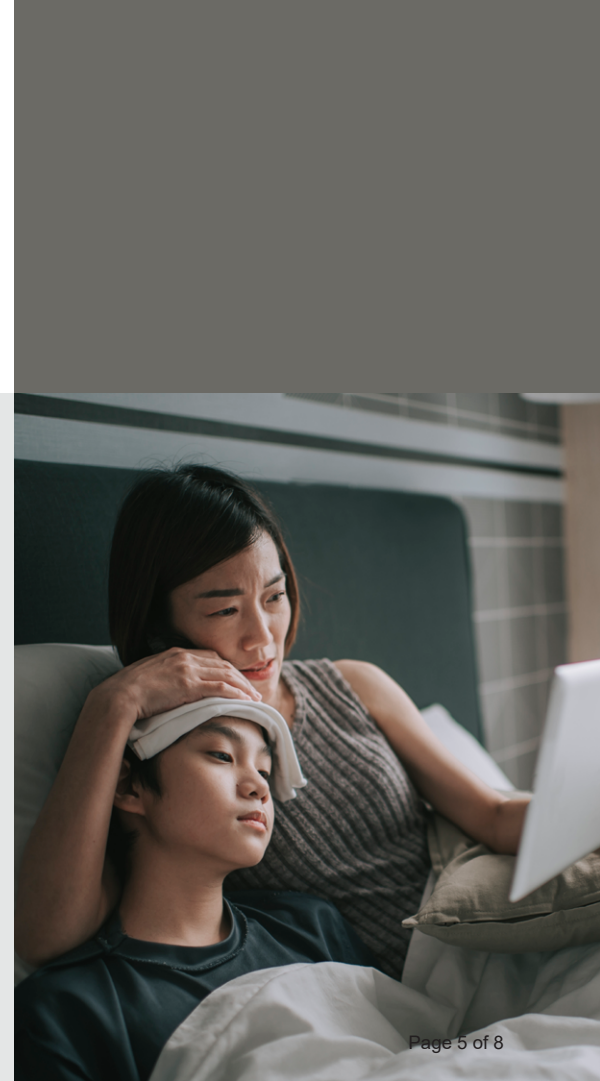
## What does and doesn't affect my ongoing benefits?

Your DI benefits may be affected if your employer continues to pay you during your DI claim. DI benefits plus wages cannot exceed your regular weekly income. DI benefits are not affected by vacation pay you may receive.

## Is there a maximum amount to my benefits?

The maximum amount is 52 times the weekly rate of your benefits, but not more than your total base period payment when you were employed. Exception: For employers and self-employed individuals who elect SDI coverage, the maximum benefit amount is 39 times the weekly rate.

Please keep in mind that benefits are payable only for a limited period to a resident in an alcoholic recovery home or drug-free residential facility that is both licensed and certified by the state in which the facility is located. However, disabilities related to acute or chronic alcoholism or drug abuse, being medically treated, do not have this limitation.



# What are my benefits during pregnancy?

As with any medical condition, your disability period begins the first day you are unable to do your regular work. DI benefits are based on the period of time your physician or practitioner certifies you are unable to do your regular work and supporting documentation with your claim form.



# When am I not eligible for benefits?

- If you are receiving Unemployment Insurance (UI) or PFL benefits.
- If you are not working or looking for work at the time your disability begins.
- If you are in custody due to conviction of a crime.
- If your full wages are paid.
- If you are receiving workers' compensation at a weekly rate equal to or greater than the DI rate. If workers' compensation benefits are paid at a lower rate than your DI rate, you may be paid the difference.
- For the amount of time a claim is late (without good cause).
- If you make a false statement or fail to report a material fact. (A 30 percent penalty may be added if benefits are overpaid because you willfully withheld a material fact or made a false statement.)
- If you fail to attend an independent medical examination when requested. (Fees for such examinations are paid by the EDD.)

The California Unemployment Insurance Code provides for penalties consisting of fines, imprisonment, and loss of benefit rights for fraud against the SDI program.



## What are my rights?

- **You can** know the reason and basis for any decision that affects your benefits.
- **You can** appeal any decision about your eligibility for benefits. Appeals must be sent to the DI office in writing.
- **You can** request an appeal hearing before an Administrative Law Judge (ALJ). You may further appeal the ALJ's decision to the California Unemployment Insurance Appeals Board and the courts.
- **Your privacy** – all claim information will be kept confidential except for the purposes allowed by law.

## What are my responsibilities?

- Complete your claim and other forms correctly and truthfully.
- Submit your claim and other forms according to time limits on forms. If your claim is submitted late and you believe you have a good reason for being late, you should include a written explanation of the reasons with the form.
- Contact DI if you do not understand a question or how to answer it.
- Include your name and claim identification number on letters to DI.

# Contact DI.

By phone at:

- English 1-800-480-3287
- Spanish 1-866-658-8846
- By U.S. mail addressed to: PO Box 13140, Sacramento, CA 95813-3140. If you do not have a current claim, you may write to any DI office. Note: Do not mail claim forms to this PO Box.
- By TTY (for TTY users only) at 1-800-563-2441.
- In person by visiting any of the DI offices listed under “DI Office Locations.”

If your disability is permanent or is expected to continue for a year or more, contact the US Social Security Administration ([ssa.gov](http://ssa.gov)) or by phone at 1-800-772-1213 (TTY 1-800-325-0778).

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Requests for services, aids, and/or alternate formats need to be made by calling 1-866-490-8879 (voice). TTY users, please call the California Relay Service at 711.

