

In Your Corner

A quarterly newsletter
brought to you
by the Law Offices of
Regas & Haag, LTD.

FALL 2009

Good News!

Zenni Optical Offers Very Affordable, High Quality Eyeglasses

Visit ZenniOptical.com for prescription eyeglasses or sunglasses. If you have your prescription, you may go to the website and order glasses or sunglasses, starting at just \$8.95. They are the "global price and volume leader in very affordable yet high quality and stylish prescription eyeglasses."

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Creditors Exploit Payment Loophole Social Security, Veterans' Benefits Legally Garnished

Bill collectors are exploiting a legal loophole to seize Social Security and veterans' benefits even though federal law is supposed to protect the payments from creditors. Lawmakers from both parties who have been pressing the Treasury Department for years to close the loophole with new regulations are growing impatient.

The Obama Administration is now promising action, but has offered no timetable for developing the new rules.

Federal law has long protected Social Security and veterans' benefits from most creditors, with a few exceptions for child support, alimony, unpaid federal taxes and debts to other federal agencies. But creditors have been seizing the payments anyway by getting court orders to freeze and garnish bank accounts that receive the benefits through direct deposit.

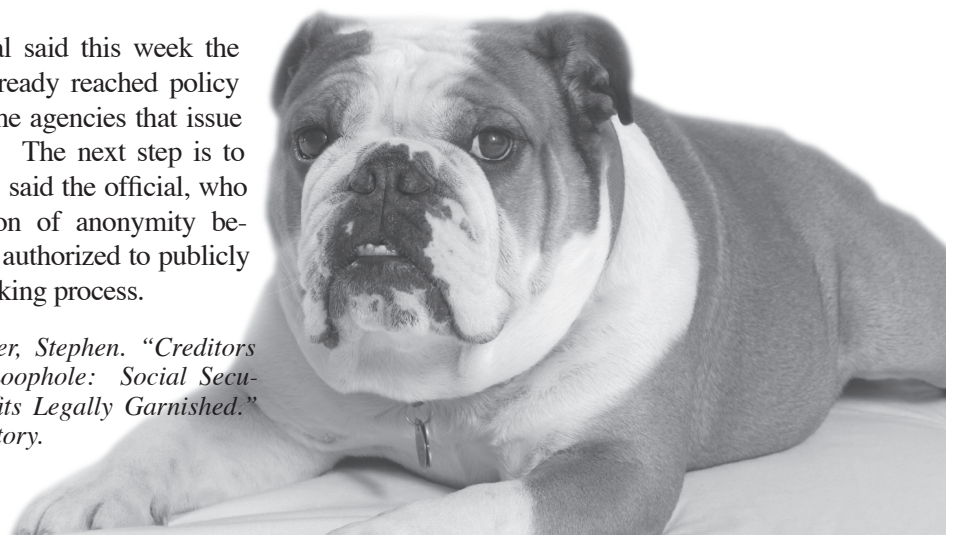
Activists say the issue has festered for years, but has intensified as more recipients get their benefits deposited directly into bank accounts.

Many people who receive Social Security or veterans' benefits can't afford to have their bank accounts frozen for even a short period of time, said Margot Saunders of the National Consumer Law Center. It's hard to hire a lawyer to get your money back when all your resources are frozen, she said. "They take all your money, and they take it illegally," Saunders said. "But when you live on \$700 or \$800 a month and have all that money garnished, there's very little recourse."

Over a 12-month period in 2006-2007, an estimated \$178 million was garnished from bank accounts that included a mixture of Social Security benefits and other deposits, according to the Social Security Administration's inspector general.

A Treasury official said this week the department has already reached policy agreements with the agencies that issue protected benefits. The next step is to write formal rules, said the official, who spoke on condition of anonymity because she was not authorized to publicly discuss the rulemaking process.

Source: Ohlemacher, Stephen. "Creditors Exploit Payment Loophole: Social Security, Veteran Benefits Legally Garnished." The Canton Repository.



Are You Experiencing Memory Loss?

Spikes in blood sugar can take a toll on memory by affecting the dentate gyrus, an area of the brain within the hippocampus that helps form memories, a new study reports.

Researchers said the effects can be seen even when levels of blood sugar, or glucose, are only moderately elevated, a finding that may help explain normal age-related cognitive decline, since glucose regulation worsens with age.

The study, by researchers at Columbia University Medical Center and funded in part by the National Institute on Aging, was published in the December issue of *Annals of Neurology*.

Since glucose regulation is improved with physical activity, Dr. Small said, "We have a behavioral recommendation – physical exercise."

To read more, visit our website at www.regashaag.com and click on Fall 2009 Newsletter.

Source: Rabin, Roni Caryn. "Blood Sugar Control Linked to Memory Decline, Study Says." *Annals of Neurology* Dec 2008. www.nytimes.com
http://www.nytimes.com/2009/01/01/health/31memory.html?_r=1&scp=1&sq=blood%20sugar%20control%20linked%20to%20memory%20decline&st=cse.



Ohio Rehabilitation Service website:

<http://www.rsc.state.oh.us>

RSC Referral Form:

<http://www.rsc.state.oh.us/layouts/images/rsc/Publications/VRRReferral.pdf>

RSC website-history:

<http://www.rsc.state.oh.us/history/default.aspx>

If it is more convenient for you, you may complete the referral form by visiting the link above. The referral forms may be hand delivered, faxed, or mailed to the closest RSC field office.

Did You Know...

You may qualify for assistance from the Ohio Rehabilitation Services Commission if you answer "YES" to any of the following questions...

- ▶ Do you have a disability?
- ▶ Are you having difficulty getting and/or keeping a job because of your disability?
- ▶ Do you want to work?
- ▶ Has your medical/mental health professional released you to work?
- ▶ Want more information about RSC services?

Anyone can refer a person to RSC and self-referrals are welcome.

The easiest way to refer yourself or another person to RSC is to call the closest RSC field office during regular business hours. In Cleveland, call 216-227-3250 or in Columbus, call 614-466-9364. The staff will ask you to provide information about the individual being referred, including their name, social security number, date of birth, address, and phone number, as well as information about their disability and how it interferes with working.

NOTE: If you return to work after you have applied for disability (either full or part-time), please contact us. There are rules about working that may affect your application. There are also rules about working while you are receiving disability. Please contact our office if you begin working while you are receiving disability benefits.

No Raise Next Year for Social Security Retirees (Recipients)?

AN ARTICLE POSTED ON THE SUN-SENTINEL.COM WEBSITE EARLIER IN THE YEAR BY WILLIAM GIBSON ADDRESSED THE POSSIBILITY OF SOCIAL SECURITY RECIPIENTS NOT SEEING ANY RAISES NEXT YEAR IF CURRENT TRENDS CONTINUE.

a January report from the Congressional Budget Office foresees a decline in consumer prices through the first three quarters of the year, “which implies that next year’s cost-of-living adjustment for Social Security and most other benefit programs will be zero.”

Social Security raises – or lack of them – can have a big impact on individual recipients living on the edge of poverty. It’s especially important to the economy of a place like South Florida, home to hundreds of thousands of retirees.

The millions of dollars that flow every month from federal coffers to South Florida help prop up a local economy that has been ravaged by the housing credit crisis.

Some might say senior citizens should not expect a raise when prices are flat or falling and millions of workers are out of work or facing reduced pay.

But the prospect of no raise in 2010 alarms some senior citizen advocates.

“If Social Security benefits don’t start catching up to the real rise in costs, we’re going to see a wave of seniors falling beneath the poverty line,” says Daniel O’Connell, chairman of the Senior Citizens League, an advocacy group. “It’s particularly outrageous that seniors may be forced to accept a zero raise next year, as our lawmakers have just accepted a \$4,700 raise for the year.”

He said the cost-of-living adjustment (COLA) is based on the spending habits of young urban workers and that the costs for senior citizens may go up even during periods of deflation. Older people tend to pay heavily for medicine and other health-related products.

Source: Gibson, William. “No Raise Next Year for Social Security Retirees?” 13 Jan 2009. http://weblogs.sun-sentinel.com/news/politics/dcblog/2009/01/no_raise_next_year_for_social_1.html.

Hearings Backlog Reduction Update Available on Social Security Website

The third quarter update on the progress towards reducing the disability hearings backlog is available online at www.socialsecurity.gov. This update provides the status of the Hearings Backlog Reduction activity through June 2009 at state and national levels. Go to <http://www.ssa.gov/appeals/congressional-booklets.html> to view this information.

The average processing time for Ohio cases once a Request for Hearing is filed is 621 days, compared to the national average 495 days. This means that it takes nearly two years from the time we file a Request for Hearing until we are in front of a judge. However, you also need to add the time from initial application to the Request for Hearing Appeal, which typically is six months to one year. In summary, it can take from 2 ½ to 3 years from start to finish for a Social Security claim.

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Social Security Claims for Disability Benefits Surging

According to an article in the Associated Press, Social Security officials say they expect an even larger spike in new disability claims than previously projected, as aging, injured baby boomers tumble out of the workforce and need income.

Officials estimate 3.3 million new disability claims over the next year, up from the previous estimate of 3 million just five months ago.

The wave of new applications comes just as officials were making progress in curbing a massive backlog of disability appeals cases, which has plagued the agency for years. Also adding to the problem are recent moves in at least 10 states to furlough hundreds of employees that process initial benefit claims.

To read more about this, go online at www.regashaag.com and click on Fall 2009 Newsletter.

Source: Associated Press. "Social Security: Claims for Disability Benefits Surging." The Times Reporter July 2009.