



# The Weekly Update

## Tennessee General Assembly

*House of Representatives*

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### **Social Security Disability**

I often receive calls regarding the social security disability process. I am listing a brief description of the process as I understand it. However, social security is a federal program and if you have specific questions you would need to contact your local social security office at 736-2248 or go to the Social Security website at [www.ssa.gov](http://www.ssa.gov).

- 1) The first step is to file with the local social security office, demonstrating that you cannot work. Most are denied at this level--basically only the worst of medical conditions get approval at this level.
- 2) If not approved with the first step, your claim then goes to the local DDS (Disability Determination Section) which is administered by the state. Their job is to determine in depth if you are entitled to federal social security disability. There is an intense medical evaluation; this process generally takes 90 to 120 days.
- 3) If approved at DDS level, your claim goes to social security to be set up for payment, plus back payment to date of claim filing.
- 4) If not approved at DDS level, you have 60 days to appeal it to the local ODAR (Office of Disability Adjudication Review). Currently the local ODAR is working cases filed with them November/December 2008. So, it is taking about a year to hear cases presented to local ODAR.

### **HB 3819-Veterans**

Of interest to Veterans is a bill to be heard on the House floor Monday night. Under present law, an honorably discharged veteran who served during certain wars would qualify for preference points in the civil service system if the veteran is a qualified voter in Tennessee.

House Bill 3819 removes references to specific wars and removes the requirement of being a registered voter in Tennessee.

### **HB 3280 - DUI/DWI**

In last Monday night's House session, we passed legislation expanding the scope of Tennessee's DUI/DWI laws to include any substances that directly impact the central nervous system.

This bill revises the list of substances that can be cited as causes for Driving Under the Influence or Driving While Intoxicated violations. Under the new measure, it would be unlawful to operate a car while under the influence of any intoxicant, marijuana, drug, substance or combination thereof affecting the central nervous system. This bill will be heard in the Senate Judiciary Committee next week.

### **NUCLEAR WASTE**

Next week a number of bills designed to stop outside nuclear waste from ending up on Tennessee soil will be making their way through the committee process.

Tennessee is one of a few states willing to take other state's nuclear waste. House bills 2826 and 3402 are written to prohibit the dumping of outside radioactive waste in Tennessee.

The bills are expected to be taken up in subcommittees in both the House and Senate this coming week. To view committee hearings or to review the legislation, please visit [www.capitol.tn.gov](http://www.capitol.tn.gov) and type in the bill number under FIND LEGISLATION.

I hope you get to enjoy the sunshine today and as always, please let me know if I may assist you in any way at all.



**Weekly Update Is For Informational Purposes Only**