

# Claim for State Disability Insurance (SDI) Benefits

Please read instruction and information pages A – D before completing the enclosed forms.

- Do not complete this form if you are insured by a Voluntary Plan maintained by your employer. (Ask your employer for information or proper forms.)
- Do not complete this form if you are filing for Non-Industrial Disability Insurance (NDI) benefits. (If you are a State government employee, you should refer to your personnel office for instructions on filing an NDI or SDI claim, or call us at 1-866-352-7675.)

The State Disability Insurance (SDI) program provides affordable, worker-funded benefits to eligible workers suffering a full or partial loss of wages due to disabilities which are not work related. The California Unemployment Insurance Code states that a disability is any illness or injury, either physical or mental, that prevents you from doing your regular or customary work. Disability also includes elective surgery and disabilities related to pregnancy or childbirth.

The California State Employment Development Department (EDD) is a recipient of federal and state funds, is an equal opportunity employer/program, and is in compliance with section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA).

If you need this form in an alternate format (e.g., Braille) or if you do not understand this form or any form provided by SDI, call us at **1-800-480-3287**. TTY access (for deaf, hearing-impaired, and speech-impaired persons only) to SDI is provided at 1-800-563-2441. You may also contact SDI on the Internet at [www.edd.ca.gov/mcaccs.htm](http://www.edd.ca.gov/mcaccs.htm).

Si usted necesita este formulario en otro formato (por ejemplo en Braille) o si Ud. no comprende la información en este formulario o en cualquier otro formulario proveído por las Oficinas del Seguro de Incapacidad, llame al **1-866-658-8846**. Las personas sordas o con problemas del oído, pueden comunicarse con nosotros por medio del sistema TTY al 1-800-563-2441. También se puede comunicar con el SDI en la Internet al [www.edd.ca.gov/mcaccs.htm](http://www.edd.ca.gov/mcaccs.htm).

您如果需要以其他格式（如盲文）使用本表，或者您不瞭解本表或SDI提供的任何表格，請電 1-800-480-3287。SDI亦提供TTY電話（只供聾人及有聽力或言語障礙的人士使用），號碼是 1-800-563-2441。

## HOW TO COMPLETE THIS FORM – USE BLACK INK

You may either type or hand write your responses on this form.

If you complete this form by hand, please do the following to assist SDI staff in processing your claim as quickly as possible.

- Use black ink.
- Print your answers.

**HOW TO APPLY.** SDI provides services primarily by telephone, by mail, and in person. You do not need to apply in person to receive benefits. You must:

1. Complete **ALL** items on the enclosed "Claim Statement of Employee" and sign it. Make certain that all information is complete and accurate, since errors or omissions may cause your claim to be returned and may delay payment. NOTE: The United States Postal Service (USPS) will not deliver mail (including benefit checks) to a private mail box (i.e., a mail box rented to you by a non-USPS commercial enterprise) unless it is preceded by the initials "PMB."
2. **You should carefully decide the date you want your claim to begin.** (See "Your Benefit Amounts" on page B for information.)
3. If your disability prevents you from completing the claim form, call 1-800-480-3287 so that appropriate forms can be provided to allow you to designate a representative to sign for you.
4. If you are an authorized agent filing for benefits on behalf of a physically incapacitated, mentally incapacitated, or deceased claimant, call 1-800-480-3287 for required forms and instructions.
5. Ask your doctor to complete and sign the "Doctor's Certificate" (page 3). Certification may be made by a licensed medical or osteopathic physician and surgeon, chiropractor, dentist, podiatrist, optometrist, designated psychologist, or an authorized medical officer of a United States Government facility. Certification may also be made by a licensed nurse-midwife, nurse practitioner, or licensed midwife for disabilities related to normal pregnancy or childbirth. If you are under the care of an accredited religious practitioner, obtain a "Practitioner's Certificate," DE 2502, by calling 1-800-480-3287 and ask your practitioner to complete and sign it. (Rubber stamped signature facsimiles are not accepted.) If you are receiving temporary Workers' Compensation benefits and are filing for reduced SDI benefits for the same days, the Doctor's Certificate is not required.
6. Place the completed, signed form(s) in the envelope provided. Mail your claim no earlier than 9 days after the first day you became disabled. However, be sure to mail your claim no later than 49 days after the first day you became disabled because you may lose benefits if your claim is late.
7. Keep the instruction and information pages (A through D) for future reference.

**BASIC ELIGIBILITY.** SDI benefits can be paid only after you meet all of the following requirements:

- You must be unable to do your regular or customary work for at least eight consecutive days.
- You must be employed or actively looking for work at the time you become disabled.
- You must have lost wages because of your disability or, if unemployed, have been actively looking for work.
- You must have earned at least \$300 from which SDI deductions were withheld during a previous period (see "YOUR BENEFIT AMOUNTS" in next column).
- You must be under the care and treatment of a licensed doctor or accredited religious practitioner during the first eight days of your disability. (The beginning date of a claim can be adjusted to meet this requirement.) You must remain under care and treatment to continue receiving benefits.
- You must complete and mail a claim form within 49 days of the date you became disabled or you may lose benefits.
- Your doctor must complete the medical certification of your disability. A licensed midwife, nurse-midwife, or nurse practitioner may complete the medical certification for disabilities related to normal pregnancy or childbirth. (If you are under the care of a religious practitioner, request a "Practitioner's Certificate," DE 2502, from the SDI office. Certification by a religious practitioner is acceptable only if the practitioner has been accredited by Employment Development Department.)

We may require an independent medical examination to determine your initial or continuing eligibility.

**INELIGIBILITY.** You may apply for benefits even if you are not sure you are eligible. If you are found to be ineligible for all or part of a period claimed, you will be notified of the ineligible period and the reason. You may not be eligible for SDI benefits if you:

- are claiming or receiving Unemployment Insurance or Paid Family Leave benefits.
- became disabled while committing a crime resulting in a felony conviction.
- are receiving Workers' Compensation benefits at a weekly rate equal to or greater than the SDI rate.
- are in jail, prison, or recovery home because you were convicted of a crime.
- fail to have an independent medical examination when requested to do so.

**FRAUD.** Under sections 2101, 2116, and 2122 of the California Unemployment Insurance Code, it is a violation to willfully make a false statement or knowingly conceal a material fact in order to obtain the payment of any benefits, such violation being punishable by imprisonment and/or by a fine not exceeding \$20,000 or both. To detect and discourage fraud, SDI continually monitors claim payments, vigorously investigates suspicious activity, and will seek restitution and conviction through prosecution.

#### **YOUR RESPONSIBILITIES.**

- File your claim and other forms completely, accurately, and in a timely manner. If a form is late, include with the form a written explanation of the reason(s).
- Read carefully the instructions on this and all other forms you receive from SDI. If you are not sure what is required, contact the SDI office.
- Report in writing to the SDI office any:
  - change of address or telephone number.
  - return to part-time or full-time work.
  - recovery from your disability.
  - income you receive.
- Keep an appointment for an independent medical examination, if requested.

#### **YOUR RESPONSIBILITIES – continued**

- **Include your name and Social Security number on all correspondence.**

**YOUR RIGHTS.** Information about your claim will be kept confidential, except for the purposes allowed by law. California Civil Code, section 1798.34, gives you the right to inspect any personal records maintained about you by the Employment Development Department. Section 1798.35 permits you to request that the record be corrected if you believe it is not accurate, relevant, timely, or complete. Certain types of information that would generally be considered personal are exempt from disclosure to you: medical or psychological records where knowledge of the contents might be harmful to the subject (Civil Code, section 1798.40); records of active criminal, civil, or administrative investigations (Civil Code, section 1798.40). If you are denied access to records which you believe you have a right to inspect or if your request to amend your records is refused, you may file an appeal with the SDI office. You may request a copy of your file by calling SDI at 1-800-480-3287.

You also have the right to appeal any disqualification, overpayment, or penalty. Specific instructions on how to appeal will be provided on any appealable document you receive. If you file an appeal and you remain disabled, you must continue to complete and return continued claim certifications.

**YOUR BENEFIT AMOUNTS.** Your claim begins on the date your disability began. SDI calculates your weekly benefit amount using your base period. The date your disability began determines your base period, unless the claim effective date is adjusted by SDI. If you want your claim to begin later so that you will have a different base period, please call SDI at 1-800-480-3287 before you file your claim.

This base period covers 12 months and is divided into four consecutive quarters. Your base period includes wages subject to SDI tax which you were paid approximately 5 to 17 months before your disability claim begins. Your base period does not include wages being paid at the time the disability begins. For a disability claim to be valid, you must have at least \$300 in wages in the base period. Using the following, you may determine the base period for your claim.

- If your claim begins in January, February, or March, your base period is the 12 months ending last September 30.
- If your claim begins in April, May, or June, your base period is the 12 months ending last December 31.
- If your claim begins in July, August, or September, your base period is the 12 months ending last March 31.
- If your claim begins in October, November, or December, your base period is the 12 months ending last June 30.

The quarter of your base period in which you were paid the highest wages determines your **weekly benefit amount**. **You may not change the beginning date of your claim or adjust your base period after you have established a valid claim.**

Your **daily benefit amount** is your weekly benefit amount divided by seven. Your **maximum benefit amount** is 52 times your weekly benefit amount or the total wages subject to SDI tax paid in your base period, whichever is less. Exceptions are as follows:

- For employers and self-employed individuals who elect SDI coverage, the maximum benefit amount is 39 times the weekly rate.
- For residents in a state-approved alcoholic recovery home or drug-free residential facility, the maximum payable period is 90 days. (However, disabilities related to or caused by acute or chronic alcoholism or drug abuse which are being medically treated do not have this limitation.)

Contact the SDI office to inquire and to provide additional information if your situation fits any of these circumstances: If you do not have sufficient base period wages and you remain disabled, you may be able to establish a valid claim by using a later beginning date. If you do not have enough base period

## YOUR BENEFIT AMOUNTS – continued

wages and you were actively seeking work for 60 days or more in any quarter of the base period, you may be able to substitute wages paid in prior quarters. Additionally, you may be entitled to substitute wages paid in prior quarters either to make your claim valid or to increase your benefit amount if during your base period you were in the military service, received Workers' Compensation benefits, or did not work because of a labor dispute.

**HOW BENEFITS ARE PAID.** When your claim is received, the SDI office will notify you of your weekly benefit amount and request any additional information needed to determine your eligibility. If you meet all requirements, a check will be mailed to you from a central payment center. The majority of claims are processed and payments issued within 14 days of receipt of both the claimant's and the doctor's portions of the claim. **The first seven days of your claim is a waiting period for which no benefits are paid.**

If you are eligible for further benefits, either additional payments will be sent automatically or a continued claim certification form for the next period will be enclosed. Usually the certification periods are for two weeks; however, the period will vary under certain circumstances. You will be paid 1/7 of your weekly benefit amount for each calendar day you are eligible and disabled unless benefits are reduced for some reason. (See "BENEFIT REDUCTIONS" below.) If you receive SDI benefits in place of Unemployment Insurance or Paid Family Leave benefits, the amounts paid will be reported to the Internal Revenue Service. Contact the Internal Revenue Service for more specific tax information.

**BENEFIT REDUCTIONS.** Under certain circumstances, you may not be eligible for a period of your claim or you may be entitled only to partial benefits. SDI will determine whether or not benefits must be reduced. The types of income shown in the following list should be reported to SDI even though they may not always affect your benefits. Failure to report your income could result in an overpayment, penalties, and a false statement disqualification.

- Sick leave pay
- Self-employment income
- Military pay
- Commissions
- Wages, including modified duty wages
- Residuals
- Part-time work income
- Bonuses
- Workers' Compensation benefits
- Insurance settlements
- Holiday pay

In addition, your benefits may be reduced because of a prior Unemployment Insurance, Paid Family Leave, or SDI overpayment or for delinquent court-ordered support payments.

**BENEFIT INTERRUPTION and TERMINATION.** A "Notice of Final Payment" will be issued when records show you have:

- been paid to your doctor's estimated date of recovery. If you are still disabled, ask your doctor to complete and mail the "Physician's Supplementary Certificate" (enclosed with the Notice of Final Payment).
- recovered or returned to your work. If you return to work and become disabled again, immediately submit a new claim form and report the dates you worked.

**OVERPAYMENT.** An overpayment results when you receive SDI benefits you were not entitled to receive. Once SDI determines that you were overpaid, the SDI office will contact you to explain the reason for your overpayment. It is important that you complete and return all information requests, as there are some instances when an overpayment can be waived. If it is determined that you were overpaid and the overpayment cannot be waived, you must repay this money. Benefit checks issued after an overpayment is established may be reduced by 25 to 100 percent to collect your overpayment. You will receive a "Notice of Overpayment Offset" if a reduction is taken for either an SDI, Paid Family Leave, or Unemployment Insurance overpayment.

**DISQUALIFICATION.** All available information will be considered before paying or disqualifying your claim. Benefits will be paid only for the days to which you are entitled. If payment of benefits is denied or reduced, you will receive a written "Notice of Determination" stating the reason for the disqualification.

If you deliberately report incorrect information or if you willfully omit or withhold information, false statement disqualifications of up to 92 days are assessed. This may apply if you cash a disability check you know includes days for which you should not be paid, such as days after you returned to work. In addition, any resulting overpayment will be increased by a 30 percent penalty assessment.

## SPECIAL CIRCUMSTANCES.

**Work-related Disability.** If you have suffered a work-related injury or illness, report it to your employer and have your doctor submit a report to your employer's Workers' Compensation insurance carrier. If the Workers' Compensation insurance carrier delays or refuses payments, SDI may pay you benefits while your case is pending. However, SDI will pay benefits only for the period you are disabled and will file a lien to recover benefits paid. NOTE: SDI and Workers' Compensation are two separate programs. You cannot legally be paid full benefits from both programs for the same period. However, if your Workers' Compensation benefit rate is less than your SDI rate, SDI may pay you the difference between the two rates. For Workers' Compensation information and assistance, call your local Workers' Compensation Appeals Board office. You will find their listing in the State government pages of your telephone book under California, State of; Industrial Relations Department; Workers' Compensation Appeals Board.

**Pregnancy.** As with any medical condition, the disability period begins with the first day you are unable to do your regular or customary work. SDI benefits will be paid for the period of time supported by your doctor's certification. Pregnancy-related disability claims should NOT be submitted until after the eighth day following the date your doctor certifies you are disabled.

**Bonding with a New Child.** Contact EDD's Paid Family Leave program at 1-877-238-4373. With the final SDI benefit check to new mothers, a transition bonding claim form will be sent automatically in a separate envelope.

**Child Support Questions.** Contact the Department of Child Support Services at 1-866-249-0773.

**Spousal or Parental Support Questions.** Contact the District Attorney's office administering the court order.

**Family Care.** If a family member must stop work to care for you – or if you stop work to care for a seriously ill family member – contact EDD's Paid Family Leave program at 1-877-238-4373.

**Long-term or Permanent Disability.** If you expect your disability to be long-term or permanent, contact Social Security Administration well before you exhaust your SDI benefits. For information, call Social Security Administration toll-free at 1-800-772-1213.

**Rehabilitation.** If you have a disability which prevents you from getting or keeping a job, the Department of Rehabilitation may be able to assist you with vocational training, education, career opportunities, independent living, and use of assistive technology.

**Job Training.** Contact a One-Stop Career Center (1-877-872-5627 or [www.servicelocator.org](http://www.servicelocator.org)) for services available in your area.

**Seeking Work.** Contact the Employment Development Department for information and assistance concerning employment opportunities and Unemployment Insurance benefits.

**Death of Claimant.** If a person receiving SDI benefits dies, an heir or legal representative should report the death to SDI. Benefits are payable through date of death.

**FEDERAL PRIVACY ACT.** EDD requires disclosure of Social Security account numbers on a mandatory basis to comply with California Unemployment Insurance Code, sections 1253 and 2627; with California Code of Regulations, title 22, sections 1085, 1088, and 1326; with Code of Federal Regulations, title 20, part 604; and with U.S. Code, title 8, sections 1621, 1641, and 1642.

**HEALTH INSURANCE PORTABILITY and ACCOUNTABILITY ACT.** Federal law requires that we obtain a separate authorization and signature that permits your doctor to provide medical information regarding your claim. EDD collects medical and health information in accordance with Code of Federal Regulations, title 45, part 164.

**INFORMATION COLLECTION AND ACCESS.** State law requires the following information to be provided when collecting information from individuals:

<b>Agency Name:</b> Employment Development Department (EDD)		<b>Title of Official Responsible for Information Maintenance:</b> Manager, EDD Disability Insurance Office	
<b>Local Contact Person:</b> Manager, EDD Disability Insurance Office		<b>Address and Telephone Number:</b> The address and phone number of State Disability Insurance will appear on the "Notice of Computation," DE 429D, issued at the time your benefit determination is made.	
<b>Maintenance of the Information is authorized by:</b> California Unemployment Insurance Code, sections 2601 through 3272. California Code of Regulations, title 22, sections 2706-1, 2706-3, 2708-1, 2710-1.			
<b>Consequences of not providing all or any part of the requested information:</b>			
<ul style="list-style-type: none"> <li>• Failure to supply any or all information may cause delay in issuing benefit checks or may cause you to be denied benefits to which you are entitled.</li> <li>• If you willfully make a false statement or representation or knowingly withhold a material fact to obtain or increase any benefit or payment, EDD will disqualify you from receiving benefits and/or services and may initiate criminal prosecution against you.</li> </ul>			
<b>Principal purpose(s) for which the information is to be used:</b>			
<ul style="list-style-type: none"> <li>• To determine eligibility for disability insurance benefits.</li> <li>• To be summarized and published in statistical form for the use and information of government agencies and the public. (Your name and identification will not appear in publications.)</li> <li>• To be used to locate persons who are being sought for failure to provide child, spousal, or other court-ordered support.</li> <li>• To be used by other governmental agencies to determine eligibility for public social services under the provisions of California Welfare and Institutions Code, division 9.</li> <li>• To be used by EDD to carry out its responsibilities under the California Unemployment Insurance Code.</li> <li>• To be exchanged pursuant to California Unemployment Insurance Code, section 322, and California Civil Code, section 1798.24, with other governmental departments and agencies, both federal and state, which are concerned with any of the following:             <ol style="list-style-type: none"> <li>(1) administration of an unemployment insurance program;</li> <li>(2) collection of taxes which may be used to finance Unemployment Insurance, State Disability Insurance, or Paid Family Leave;</li> <li>(3) relief of unemployed or destitute individuals;</li> <li>(4) investigation of labor law violations or allegations of unlawful employment discrimination;</li> <li>(5) the hearing of Workers' Compensation appeals;</li> <li>(6) whenever necessary to permit a state agency to carry out its mandated responsibilities where the use to which the information will be put is compatible with the purpose for which it was gathered; or</li> <li>(7) when mandated by state or federal law. Disclosures under California Unemployment Insurance Code, section 322, will be made only in those instances in which it furthers the administration of the programs mandated by that Code.</li> </ol> </li> <li>• Pursuant to California Unemployment Insurance Code, sections 1095 and 2714: (1) Information may be revealed to the extent necessary for the administration of public social services, to the Director of Social Services or his/her representatives, or to the Director of Child Support Services or his/her representatives; (2) Claimant identity may be released to the Department of Rehabilitation.</li> <li>• Information shall be disclosed to authorized agencies in accordance with California Unemployment Insurance Code, sections 1095 and 2714.</li> </ul>			