



## Sleep Apnea and Social Security Disability

Written On December 14, 2009 By [Bob Kraft](#)

Many of our Social Security Disability clients suffer from sleep apnea. Individuals suffering from this disorder frequently experience:

- excessive daytime sleepiness (e.g., falling asleep easily and inappropriately),
- memory problems, and
- frequent awakenings during the night, often with snoring.

The course of prescribed treatment can include positional therapy (e.g., not sleeping on the back), oral or dental appliances that keep the airway open, weight loss, surgery, and use of a continuous positive airway pressure (CPAP) device. While not all individuals who have been diagnosed with sleep apnea will be found disabled under Social Security rules, one source of information for people with sleep apnea that we recommend is the [American Sleep Apnea Association](#). The American Sleep Apnea Association is a non-profit organization and should be considered a great information resource for those suffering from sleep apnea.

Recently we have assisted individuals with severe sleep apnea in getting Social Security Disability and Supplemental Security Income. Their cases were among the more severe of those suffering with the disease. The degree of frequency and severity of an individual's symptoms are unique in each case and will determine, to a large degree, whether an individual claim will be granted benefits.

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Some diseases are included in Social Security's Listing of impairments and some are not. In some instances, a disease, while not Listed, is addressed in a Social Security Ruling. The Rulings offer guidance but do not set out specific criteria for an award of benefits. Other diseases are not in the Listings or recognized in a Social Security Ruling.

Regardless of the disease, you or your lawyer should have the following:

- a good working list of your symptoms,
- a knowledge of the degree of certainty of your diagnosis,
- a general understanding of the consistency between your symptoms and your diagnosis,
- a good understanding of what evidence might best support your contention that your symptoms are disabling, and
- which legal theory will most likely be accepted by the Social Security Administration given the particular facts of the entire case.

If you, or someone you know, is suffering from severe sleep apnea consider contacting American Sleep Apnea Association for additional information or physician referrals. If you are considering a Social Security Disability claim, we advise you to speak with an attorney. We handle cases throughout the state of Texas, but we are always happy to give you a referral if we are unable to assist you.