Total and Permanent Disability Discharge

HOW TO DISCHARGE YOUR FEDERAL STUDENT LOANS

Salus
Disability Law

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Who's Eligible?

- Veterans with Total Disability
- Social Security Disability Recipients
- Doctor-Approved Individuals

Veterans

- 100% Service-Connected Veterans
- Total Disability Individual Unemployability

Social Security Recipients

- Social Security Disability Benefits
- Supplemental Security Income Benefits
- Five to Seven Year Review Cycle

Doctor Certified

- Can be expected to result in death;
- Has lasted for at least 6o months; or
- Can be expected to last for at least 6o months.

Which Loans are Eligible?

- William D. Ford Direct Loans
- Federal Family Education Loan (FFEL)
- Federal Perkins Loan
- TEACH Grant Program

How to Apply?

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Representation

file:///C:/Users/maren/Downloads/TPD_Representative%20(4).pdf

Appeals and Post-Entitlement

- Loan payments cease for 120 days
- May receive a refund of garnished tax refunds or SSA Benefits
- One year to appeal a denial
- Most denials are based on technicalities
- Three-year review period

Why Now?

- As of August 2019, 50,000 Veterans are eligible.
- In June 2019, Social Security identified 365,000 recipients who are eligible.
- From January 1, 2018 through 2025, no taxes on disability discharges.

For Your Practice Area

- 1 in 8 divorces are caused by student loans.
- Generally speaking, student loans cannot be discharged in bankruptcy.
- By law, federal student loans must be discharged after death.

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