

FAQS - New Jersey TDB

1. Do I have to live in New Jersey to receive temporary disability benefits?

No. Benefits are based on where you physically work, not where you reside.

2. Is there a time limit for filing a disability claim?

Yes. You have 30 days from the first day of disability in which to file your claim. If your claim is received more than 30 days from the start of the disability, you must show good cause why the claim was not filed timely.

3. When do my benefits begin?

Benefits are payable on the eighth consecutive day of your disability. The first seven days of disability are called the waiting week. If your disability continues for three consecutive weeks, you will receive benefits for the waiting week.

4. Can I have more than one (1) disability claim during a year?

Yes. You can have multiple disability claims during the year but must meet the eligibility/medical requirements.

5. Can I collect temporary disability benefits if I was injured on the job?

Work-related injuries or illnesses are not compensable under the TDB Law. However, if you file a claim for workers' compensation benefits and it is contested by the workers' compensation insurance carrier, you may be eligible for temporary disability benefits while the workers' compensation issues are being resolved.

6. Can I collect disability benefits for alcoholism and alcohol-related disabilities? Drug problem?

Yes. You may collect disability benefits as long as you are under the care of a licensed medical practitioner and meet all other eligibility requirements. As concerns drugs, as long as you are no longer using illegal drugs and you are being treated for the substance abuse in a program with a licensed physician, you may collect disability benefits.

7. I exhausted my disability benefits under my employer's approved Private Plan, but I am still disabled. Can I now collect State Plan benefits?

No. Coverage under an approved Private Plan replaces State Plan coverage.

8. Can I file an appeal a claims decision?

Yes. You may file an appeal with the Private Plan Compliance Section, Claims Review Unit.

9. Are disability benefits taxable?

Yes. A portion of disability benefits is considered taxable income for both the Federal Income Tax and FICA (Social Security). The portion of the benefits that is taxable is that portion paid by the employer's contribution. The worker's share of FICA is deducted from benefit payments. The employer is liable for the employer's share of FICA. Federal income tax is withheld only if requested by the claimant.

10. Can I collect disability benefits due to pregnancy? If so, how long

Yes. Eligibility for benefits due to pregnancy is determined in the same manner as for any other disability. You must meet the wage requirements and your physician must certify that you are disabled. For a normal pregnancy benefits are usually payable for up to four (4) weeks before the expected delivery date and up to six (6) weeks after the actual delivery date. Benefits may be payable for a longer period if your doctor certifies that you have a specific complication related to the pregnancy; you have a Caesarean section; or you have another simultaneous disability.