

Procedural Standard 00-6
July 6, 2000

TO: All Reviewers

FR: Susan West Levine, Associate Director, Disability Evaluation Services

BY: Cynthia Donges, Program Compliance Manager

RE: Disability determination on over 60 day cases

Purpose:

The purpose of this memorandum is to:

- clarify the determination process for cases that have been in open review status at DES for an extended period of time (over 60 days)
- determine what information should be used in making your determination
- clarify how to handle potential contradictory decisions depending on the date the case is reviewed.

Background:

Due to a high volume of cases many reviews were unable to be completed in a timely manner resulting in confusion in determining what medical information should be used in making a determination. At times CE's were ordered late in the review process to get the current status of an individual's impairment(s) or for the MADAISSI determination. If the case had been reviewed earlier, closer to the supplement date, there would have been sufficient information to make a determination of approval or denial; however reviewing current CE information meant the case may now result in a different decision. This confusion has resulted in many questions from reviewers. Therefore, this procedural standard is being written to clarify how and why DES should review late cases to provide a consistent and fair review to the client.

Process:

- 1) identify the date the supplement was signed
- 2) Review medical information relevant to the time the client signed the supplement
- 3) If there was sufficient information, then a decision should be made on that information.

A. If an approval:

Duration should be given appropriate to the impairment regardless of the fact that we received medical information later in the process that would otherwise contradict that decision.

Rationale:

At times CE's were ordered unnecessarily, or for the SSI review, to obtain current information; or additional medical information came in months later indicating little to no impairment (i.e. The improvement improved as the case was waiting for a DES review). In these cases we can not penalize the applicant, who would have been approved if we had been able to review the case in a timely manner. The client therefore should be approved.

B. If a denial:

All information in the case should be reviewed, regardless of the supplement date.

Rationale:

All medical information needs to be reviewed to clearly evaluate that the client did not meet/equal criteria or vocational standards at the time the supplement was signed or at any other point while the case was in open status with DES.

Summary: All medical information during the entire time a case is in open status at DES should be reviewed. If the client meets/equals a criteria or vocational standards at any point in that review period, then an approval decision needs to be made and appropriate duration assigned.