**Procedural Standard 16-1**

 **July 18, 2016**

TO: DES Staff

**FR:** Frank Joyce, RN, Acting Senior Director, Disability Evaluation Services

**BY:** Sherry J. Campanelli, Program Compliance Manager,

 Disability Evaluation Services

RE: Scheduling Consultative Examinations (CEs): Client temporarily absent from the Commonwealth

Purpose: This instruction provides guidance for proceeding when a client notifies DES that they cannot attend a consultative examination because they are temporarily absent from the Commonwealth.

Policy: Consultative Examinations (CEs) are requested when there is insufficient

clinical information for the Disability Reviewer (DR) to make a decision or there is conflicting information and the reviewer is unable to resolve the discrepancy without further information about the client’s impairment(s).

At times, in the course of arranging for a CE, DES staff becomes aware, usually in response to a letter notifying the client of the date and time and need for a CE or during a CE reminder call, that the client is unable to attend due to being absent from the Commonwealth through the date of the examination. Sometimes absences are extended or even indefinite as reported by the client or their representative. Often these reports are accompanied by indication that the client intends to return to the Commonwealth and a request to reschedule after the projected date of return.

Procedure:

In such situations, the DES staff person who receives the information that the client is out of state/country will inquire as to the date of expected return to the Commonwealth. Then DES staff proceed as follows:

* For Emergency Aid to the Elderly, Disabled and Children (EAEDC), Transitional Aid for Families with Dependent Children (TAFDC) and MassHealth cases, if the predicted return to Massachusetts is *more than 60 days* in the future:
	+ Advises the client that DES will contact DTA or MassHealth regarding the delay in processing the case due to client’s absence and that the case may be returned to the agency without a disability determination.
	+ The DES staff person then calls the appropriate DTA Liaison[[1]](#footnote-1) to indicate DES will be returning the case or the MassHealth Liaison to indicate DES is closing the case due to the client’s absence. Only one call to the DTA or MassHealth Liaison is required.
	+ It is appropriate to leave a message explaining DES’s intended action if the liaison is not available; and to wait 48 hours for a response.
	+ Unless otherwise advised by (or if no response from) the DTA or MassHealth Liaison, the CE is cancelled, and the case is closed and coded as a “502-Recalled by agency.”
	+ If the DTA or MassHealth Liaison advises to retain the case, and it can be predicted to become older than 90 days, an ‘ND3’ code is entered into progress notes.
	+ The CE is then scheduled to occur as soon as possible following the client’s return to the Commonwealth.
* If the predicted return to the Commonwealth is *60 days or less* in the future for EAEDC, TAFDC and MassHealth, the case is retained in DES and the CE scheduled for a date and time that occurs as soon as possible following the client’s return to the Commonwealth.

Summary:

Consultative examinations are required when the reviewer is unable to make a decision with the available information. A client has an obligation to cooperate in obtaining sufficient information by attending a CE. However, if the client is temporarily absent from the state (60 days or less) and therefore unable to attend a scheduled examination, DES will schedule the necessary CE(s) on a date after the client returns to Massachusetts and is able to attend.

If the client is going to be absent from the Commonwealth for more than 60 days, the DR will contact designated MassHealth or DTA personnel to indicate the case will be returned to the agency (DTA) or closed without a decision (MassHealth) unless otherwise advised.

1. Current lists of these contacts are maintained by the DES Client Service Manager. [↑](#footnote-ref-1)