

# **Disability Determination Services and Their Workload**

**John E. Owen, III**

Acting Deputy Director

Division of Disability Determination Services

Operation Support

# What is the SSA's overall disability process?

- Begins with claims intake at the field office.
- Includes four levels of administrative review:
  - Initial, Reconsideration, ALJ Hearing, and Appeals Council;
  - Reconsideration, ALJ Hearing and Appeals Council must be requested by claimant at the field office; and,
  - Once these levels are exhausted, claimant may opt to file a lawsuit in Federal Court.



# How does SSA make the disability decision?

- SSA reviews applications to make sure basic requirements are met:
  - ✓ For SSDI, we check to see whether claimants worked enough years to qualify.
  - ✓ For SSI, we check to see if claimants meet certain income and resource limits.
  - ✓ For both SSDI and SSI, we will evaluate current work activities.
  - ✓ If met, we send the application to a state agency, the Disability Determination Services (DDS), in the claimant's state.
- DDS completes the disability determination for SSA.
- DDS doctors and disability specialists request and evaluate medical records from the claimant's treating sources (doctors, hospitals, etc).
- DDS may also need additional medical information and may ask that the applicant attend a consultative examination (paid for by the DDS).

# FEDERAL/STATE RELATIONSHIP

- SSA provides funding and guidance to the DDSs to adjudicate disability claims.
- Relationship is governed by regulations.
- Regulations set DDS performance targets and provide DDSs with performance support.
- Regulations spell out State/Federal responsibilities.
- SSA has the authority to reverse DDS denials.

# DDSs and Their Workloads

- Currently, there are 52 State/territory DDSs, including Washington DC and Puerto Rico. There are also Federal disability processing components in the Virgin Islands and Guam.
- DDSs major workloads are comprised of the following areas:

Workload		FY 09 Estimated Receipts	FY08 Receipts	FY08- Clearances	
Initial Claims		2,900,000	2,592,863	2,594,783	
Reconsiderations		598,446	572,631	560,365	

- DDSs process other workloads including continuing disability reviews (CDRs).

\*FY '08 Initial Claims and Reconsiderations data based on State Agency Operations Report (SAOR) <sup>1</sup>

\*FY '09 Estimated receipts are 2,600,000<sup>2</sup> in the President's budget, but we now estimate 2,900,000<sup>3</sup>

# CDR Workload

- Required by statute to perform reviews from time to time to determine if an individual continues to be disabled.
- DDSs processed 259,748 CDRs in FY 08.
- The medical improvement review standard is used to evaluate continuing disability, i.e., has there been medical improvement since the last medical determination.
- If there has been medical improvement or work activity, the ability to perform past work or other work is considered, using the DOT as a reference in much the same manner as in steps 4 and 5 of sequential evaluation for initial and reconsideration claims.

\*FY '08 CDRs processed data based on State Agency Operations Report (SAOR)1

# National DDS Staffing

- Disability Examiners---43.6%
- Examiner trainees---3.7%
- Vocational Specialists---0.2%
- Medical Consultants—8.1%
- Remainder of DDS staff includes administrative, clerical, and quality review.

\*Based on FY 08 State Agency Operations Personnel Report (SAOR) data4

# DDS Attrition

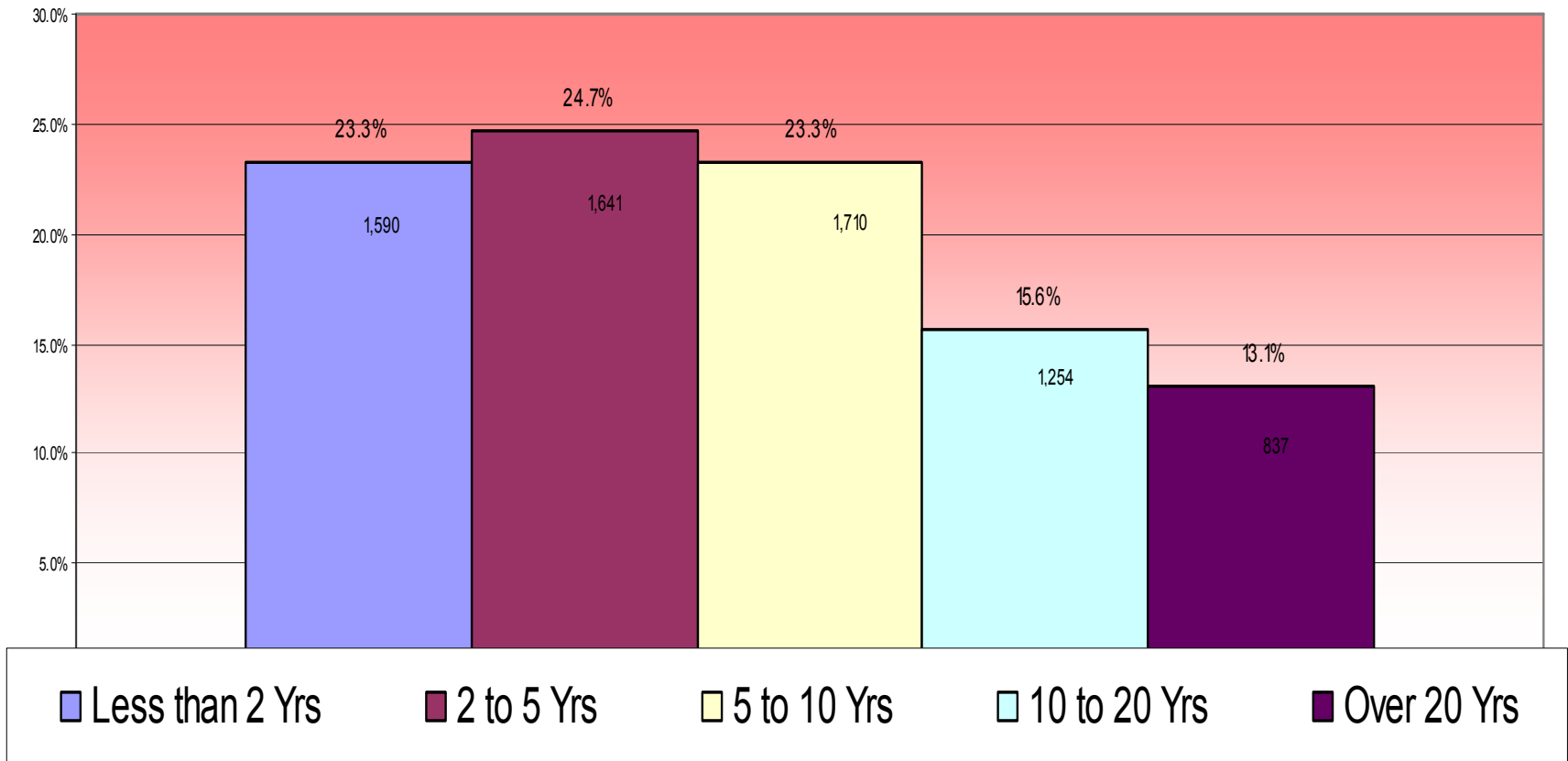
- Historically, attrition rates in the DDS run between 10% and 11.5% per year.
- The attrition rates vary greatly by State and disability examiner (DE) attrition rates are higher than the overall DDS rate.
- Over the past 2 years, DE attrition rates have averaged about 13% nationally.
- It is even more of a hardship when examiners with special vocational training retire or leave the DDS.



# Examiner Experience

- Education level of examiners varies from state to state.
- On average, it takes approximately 2 years of training, mentoring and case experience before an examiner would be considered fully-trained.
- Moreover, it can take more than 2 years to gain the knowledge and skills to assess claims with complex vocational issues.
- Examiner caseloads are usually based on experience level.
- In some states, top tier examiners can be expected to receive 9.8 to 20 cases per week.

# Experience Level of DDS Examiners National Level-April 2007



# Examiner Qualifications Include:

- In-depth knowledge of medical conditions, vocational factors, medical terminology and SSA policies.
- Ability to analyze and review diverse and highly complex claims.
- Skill in preparing written analysis of medical, vocational and functional evidence to make a legally defensible disability determination.

# How is the Dictionary of Occupational Titles (DOT) used in the DDS?

- The DOT is the primary tool used by adjudicators in the DDS to identify the demands of an occupation as it is generally performed in the national economy.
- DOT is used at steps 4 and 5 of the sequential evaluation process.
- DOT provides measurable ratings for physical demands of work for each of the 12,000 occupations.
- Ratings are crucial to SSA's evaluation of how much an individual can do despite his impairment and if this level of functioning enables the individual to do his past work or any other work.
- Used to determine the time necessary to learn an occupation and to identify skills acquired in an occupation (Specific Vocational Preparation (SVP)).

# DDS Perspective

- DDSs face many challenges including increased workloads and attrition rates.
- The DOT is the primary tool used by the DDS examiners to evaluate disability claims at steps 4 and 5 of sequential evaluation.
- For years, the DDSs have voiced their concern for an alternative to the outdated DOT.
- DDSs rely on antiquated information that does not reflect the current job market.
- DOT does not address mental or cognitive demands of work needed to assess a considerable portion of the DDS caseload.
- Other options such as O\*NET are not suitable for disability evaluation.
- DDSs need a tool that
  - reflects the demands of work related to areas of physical and mental and cognitive functioning most frequently affected by the types of impairments SSA assess,
  - is updated on an ongoing basis, and
  - is user friendly