

**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**

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**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 MADA/SSI 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.

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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.