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## *Social Security Newsletter*<sup>®</sup>

This is a newsletter of interest to professionals who provide services to potential Social Security disability and SSI claimants.

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### Standards for Medical Reports in Disability Claims

There are exacting standards for **"acceptable evidence" from treating physicians and nurse practitioners in Social Security cases.** Medical reports can often **make or break a disability case**, so it is helpful to understand what the Social Security Administration (SSA) is looking for when information is requested.

Perhaps most important, **SSA does not want a final conclusion about disability** from a medical provider. The agency prefers reports that include **diagnosis, clinical signs and symptoms, supporting lab reports, and a summary of functional limitations.** SSA wants to make the ultimate conclusion as to disability, applying **its own unique regulations**, which are precise in requirements for any particular medical condition.

To meet the **SSA definition of disability**, a claimant must be **incapable of full-time work.** Even if a patient can work a few hours a week, he or she might still be found to be disabled under SSA law.

The SSA can be careless about the way it gathers evidence. The agency may send a letter with a few questions to a treating source. Based on this information, **SSA's clerical reviewers prepare decision recommendations that make over 100 conclusions about physical and mental conditions.** These "recommendations" are sent along to SSA or contract physicians for review and signature.

**If a treating medical provider does not supply accurate and complete information,**

**judges may read between the lines to surmise answers.** The opinions of the agency's non-treating physicians can then become pivotal, especially if there is a **vacuum created by lack of response from the treating source.**

Since opinions of **treating doctors are given more legal weight**, it is **essential that full reports be supplied.** A physician's counter-signature on nurse practitioner records saves questions later, although the law finally caught up with the reality that many nurse practitioners are primary providers. Technically, NP's can submit reports on the **severity of a disability.**

Treating sources can feel beleaguered and become understandably resentful at the paperwork needed for a disability case. **Our office works closely to make sure only the necessary information is elicited.** We are happy to answer any question about reports, with a goal of **complete information the first time.**

#### Changes in Social Security Rules

We are available to conduct workshops or short training meetings, tailored to the needs of your office staff. There is **no charge** for this. **Please call our office to make arrangements for inservice training, or talks to groups and organizations** on any area of Social Security disability law.