


# A Deeper Look at the Continuing Disability Review Process




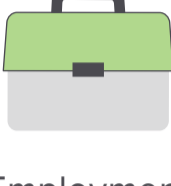
Once a claimant's Social Security disability insurance (SSDI) claim is approved, the Social Security Administration (SSA) assigns each claim a review schedule ranging from six months to seven years based upon the likelihood of medical improvement:

 <p><b>6-18 months</b></p> <p>If improvement is <b>expected</b>, the first review generally will be six to 18 months after the date the individual became disabled.</p>	 <p><b>3 years</b></p> <p>If improvement is <b>possible</b>, but can't be predicted, SSA will review the case about every three years.</p>	 <p><b>7 years</b></p> <p>If improvement is <b>not expected</b>, SSA will review the case every seven years.</p>
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SSA is required to conduct periodic Continuing Disability Reviews (CDRs) to determine if beneficiaries continue to meet SSA's definition of "disabled" in the years following their approval. If a CDR results in SSA declaring that an SSDI beneficiary's medical condition has improved enough for the individual to return to work, their Social Security benefits will end.

## How the CDR process works

When an individual's Social Security claim is up for review, SSA will send the beneficiary forms to complete. The forms may contain questions regarding:

 <p>Health status</p>	 <p>Medical treatments</p>	 <p>Daily living/ activities</p>	 <p>Employment</p>
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SSA is typically most interested in any changes to a beneficiary's disabling condition(s), work status, and daily activities in the year prior to a CDR, though they may choose to compile records from any time period since the SSDI award was issued. SSDI beneficiaries undergoing a CDR are encouraged to submit any updated medical evidence to Social Security for consideration. If SSA feels more evidence is needed for them to issue a decision, they may schedule a consultative exam, where an SSDI beneficiary is examined by a doctor assigned and paid for by SSA.

After reviewing all available evidence, SSA will make a determination; if an individual has not returned to work and SSA determines that there has not been any improvement in their medical condition, the CDR process will conclude and ongoing monthly benefits will not be impacted. If SSA does feel that an individual's medical condition(s) has improved enough for them to return to work, monthly SSDI benefits will end.

## How often do CDRs occur?

SSA is required by law to perform a medical CDR at least once every three years, unless they determine that a claimant has a medical condition that is not expected to improve—in which case a CDR will be conducted every five to seven years. Individuals with permanent disabilities are still subject to CDRs, as are those who are nearing age 65—though CDRs are conducted more frequently for beneficiaries under the age of 50. While this is SSA's policy, CDRs do not necessarily always occur within the scheduled timeframe due to the significant backlog of Social Security claims.

While SSA does follow pre-determined protocols for conducting CDRs on a regular basis, certain events can initiate a CDR at any time, including:

 <p>An SSDI beneficiary returns to work.</p>	 <p>Medical evidence indicates that an SSDI beneficiary's condition has improved and a beneficiary shares this information with SSA directly.</p>
 <p>A third-party informs SSA that an SSDI beneficiary is not following their treatment protocol.</p>	 <p>A new treatment has been introduced for an SSDI beneficiary's disabling condition.</p>




A beneficiary may not be subject to a CDR based solely on a return to work if he/she has received disability benefits for at least 24 months or is participating in the Ticket to Work program.

## What happens if an unfavorable CDR determination is made?

If SSA determines that an individual no longer meets their definition of disability and therefore does not qualify for SSDI, they will send a letter to the claimant—who then has 10 days to file an appeal and request benefits continue during the appeal process. SSDI benefits will continue at least until a hearing takes place, so long as an appeal is filed on time.

CDR appeals are sent to Disability Determination Services, and hearings are conducted by a Disability Hearing Officer. This hearing may be done in person or by video teleconferencing with the claimant, his or her representative (if applicable), and any witnesses.

If the initial appeal is denied, claimants can pursue additional levels to the CDR appeal process, which are:



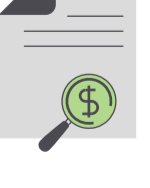
 <p>A hearing before an Administrative Law Judge</p>	 <p>An Appeals Council review</p>	 <p>A Federal Court review</p>
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### CDRs impact dependent benefits, too

Any dependents—including a spouse or child(ren)—receiving benefits on a beneficiary's SSDI record are also affected by the CDR process. If a beneficiary is denied ongoing SSDI benefits, dependent benefits will also terminate. Should an individual file an appeal, their benefits will continue until a final decision is made. If dependent benefits should end, a notification will be received from SSA.

## How CDRs may impact long-term disability (LTD) benefits

Because CDRs typically take place every three to seven years, it is likely that many claimants' LTD benefits will have already ended due to the length of time that has passed before a CDR is conducted. However, if SSDI benefits are ended due to a CDR and the claimant is still receiving LTD benefits, it is important for the claimant and their disability insurance carrier to note the following:

 <p>If SSDI benefits are ended, LTD benefit payment offsets will be impacted.</p>	 <p>If the claimant files the CDR appeal within 10 days, they can continue to receive their SSDI benefit until a hearing takes place, leaving the disability insurance carrier's payment obligation unchanged. Therefore, it is imperative that LTD examiners encourage claimants to file their appeal in a timely manner.</p>
 <p>If the claimant elected to receive benefits during appeal, there are no past due benefits involved in a CDR, as the favorable outcome is simply the continuation of the claimant's existing SSDI benefits. For this reason, professional SSDI representatives most likely have a unique fee structure specifically for CDR claims.</p>	

It is important for all individuals applying for SSDI to be aware that if they are awarded SSDI benefits, their claim will still be reviewed on a regular basis. Ultimately, SSDI beneficiaries should continue their medical treatments and see their doctors regularly so their records are updated when SSA conducts a CDR.

The CDR process should not be a source of anxiety for SSDI beneficiaries who remain unable to work due to their disabling condition(s). If claimants have questions or concerns about a CDR, they should speak with their representative or their disability insurance carrier.

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