

# Social Security National Disability Forum

Advocates Presentation

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# The Advocates Perspective

- We request, read and submit a lot of medical records for our clients
- We interpret those medical records to determine how they document disability
- We observe how SSA interprets and uses those records in the disability determination process

# The Vital Role of Medical Records in Disability Adjudication

- Many important decisions are driven by medical record content
- When medical records are incomplete, unavailable, inaccurate, or misinterpreted, inaccurate disability decisions can result
- The impact of inaccurate decisions can be severe

# What drives medical record content?

- Information needed for diagnosis and treatment
- Information necessary for billing and payment
- Loss and malpractice prevention
- Implications for disability determination

# Medical Record Content Issues

- Medical records typically don't capture all information about symptoms and functional limitation
- Yet adjudicators rely on medical records to record information about symptoms and functional limitation
- Implications for disability adjudication

# Redundant and Irrelevant Information

- Increasing with electronic medical records
- Examples
- Possible solutions

# Misinterpretation of Medical Information

- “Stable”
- “Doing Better” and “Improved”
- Some terms which have different meanings for medical professionals than they do for SSA
- Unaided lay speculation about medical data

# Copy & Paste and Auto-Population in EMR

- Advocates report cases in which EMR treatment notes contained entries obviously cut and pasted from prior notes, containing information that was no longer accurate.
- Some EMR record categories appeared to be rated as “normal” as the default, when other information in the same visit contradicted that information.



# Obtaining Treating Source Opinion Evidence

- Challenges for advocates and claimants
- Challenges for treating sources
- Possible solutions

# Improving Development of Evidence From Treating Sources

- SSA, advocates, and others should collaborate to determine best practices to obtain full production of medical records in disability claims
- Strategies which advocates employ (see our more detailed description)

# Challenges in Getting Full Production of Medical Records

- For practical purposes no enforceable compulsory process
- Cost
- Lack of a uniform process because each medical provider has different requirements
- Providers who delay in providing record copies
- Providers who refuse to provide record copies

# Ideas for Change

- Collaborating with SSA, advocates, medical practitioners and EMR developers
- Efficiency in obtaining full production of medical records
- Improvements in interpreting medical records
- Encouraging providers to document more useful information for disability adjudication purposes

# Other materials

- Advocates supplied SSA with a much more detailed document on the topics covered by this presentation
- Advocates also provided a document listing SSA rules and additional articles providing more information on these topics, with helpful links.

# Authors & Credit

- This presentation and the other articles submitted were the result of an extended collaboration with many advocates who serve people with disabilities who have limited means. Their contribution is gratefully acknowledged.