

## ○ Meeting or Matching a Listed Condition

### - Definition of disability:

The law defines disability as the inability to engage in any substantial gainful activity (SGA) by reason of any medically determinable physical or mental impairment (s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

### ○ How is the disability determination made?

SSA's regulations provide a procedure known as the "sequential evaluation process" for disability evaluation. For adults, this is a five step process that requires sequential review of:

1. The claimant's current work activity (if any),
2. The severity of his or her impairment(s),
3. A determination of whether his or her impairment(s) meets or medically equals a listing. See copy of Listing of Impairments - Adult Listings (Part A)
4. The claimant's ability to perform his or her past relevant work, and
5. His or her ability to do other work based on age, education, and work experience.

### ○ Approval Through an RFC Physical or Mental Residual Functional Capacity

If you cannot meet or closely match a listing, you can still be approved for benefits through a "Residual Functional Capacity" or RFC evaluation. The SSA looks at your physical and mental limitations to determine if they prevent you from working. If this evaluation shows you cannot work in any job, then you will be approved despite not meeting or matching one of the qualifying Listing for SSDI & SSI. If you are 50 years old or older when

applying for Social Security disability, it may be easier for you to get approved for disability benefits than it is for a younger person. This is because the Social Security Administration (SSA) believes it is harder for an older person to learn a new job skill or to make the transition into a new work place. This is based on age, education, and work experience.

- Younger individuals 18-49
- Closely approaching Advanced age (50-54)
- Advanced age (55 and over), and
- Closely approaching retirement age (60 and over)
- The older the applicant is, the easier it is to get approved using the grids.

## ○ Medical Evidence Requirements

Some acceptable medical sources:

- Licensed physician (medical or osteopathic doctor).
- Licensed psychologist.
- Nurse practitioner (NP)
- Licensed physician assistants
- Hospitals
- History of your medical problems and diagnoses from your physician(s)
- Results of Clinical exams
- Laboratory findings (such as x-rays)
- Current diagnoses of disabling conditions from physician
- Prescribed treatment, your response to the treatment, and your prognosis
- Work related mental ability
- Work-related physical ability

**Examples of different test(s) needed:** Stress test, imaging (such as an angiogram), and ECGs (electrocardiograph or electrocardiograms) results in cases of Heart disease, CT Scans, MMPI (Minnesota Multiphasic Personality Inventory) assess personality traits for Mental disabilities; Sedimentation Rate (Sed Rate) to determine if inflammation is present such as Rheumatoid Arthritis etc.