

YOUR MEDICAL HISTORY: THE CRUCIAL COMPONENT OF YOUR CLAIM

How does the Social Security Administration (SSA) decide whether your condition is disabling? Although a variety of factors are taken into account in processing your claim, the most critical component in your case lies in your medical records. It's crucial to provide SSA with all of the information necessary to understand your medical condition and how it relates to your inability to work.

That information includes: consultations with doctors; tests and evaluations such as x-rays, CAT scans, MRIs, blood tests; psychiatric examinations and consultations, if applicable; all hospitalizations and surgeries; physical rehabilitation, etc. The more medical documentation you have, the better. Be sure that you thoroughly discuss all of your symptoms and medical conditions with your doctor, including things you might consider trivial or embarrassing, like fatigue, pain and depression. Go regularly to your physician and make sure they document all of your symptoms each time, so that you have an accurate record to present to SSA when you file your claim.

If you can, get your doctor to write a letter supporting your claim. They will need to be specific about why they consider you unable to work, including such things as your ability to sit, bend, reach, lift, concentrate or follow directions. SSA has a form called an RFC (Residual Functional Capacity), which your doctor can fill out to document your disability in a variety of areas.

After your case is sent to a disability examiner at the Disability Determination Service, the examiner and a physician will review your documentation. They may request additional medical documentation from your physician or other health providers involved in your treatment. They might also ask that you see another physician, or have additional tests, at their expense.

Once all of the medical information is gathered, they will decide whether your condition (or combination of conditions) is severe enough to be disabling, based on the merits of your records. If not, they determine if your condition is included in their List of Impairments, which includes 14 categories of the major bodily systems. Within each system, there is a breakdown of the different ailments that they consider disabling. If your medical condition is listed, then you might qualify for disability benefits on that basis. If not, then they will consider

how your condition affects your ability to function in three areas: daily activities; social functioning; and ability to carry out tasks associated with working. They're looking for what they call a 'marked limitation' in your ability to function. If they find that you can't work in your previous job, they will determine if you could be employed doing something else.

If your case is denied (and most are, at this level) and you progress to the appeals process, the judge who hears your case will review all of the medical data collected in your case. They may request that your doctor or other medical professionals testify at your hearing. If all goes well, (50% of cases are approved on first appeal) your benefits will be approved at this point. If not, you will go on to another appeal and so on, until you either give up or win your claim.

Sharon Christie is a nurse and an attorney in Timonium, Maryland. She handles Social Security disability and serious personal injury cases. To receive a free copy of her *Unofficial Guide to Social Security Disability Claims* visit her website at www.SharonChristieLaw.com or call 410-823-8200.