PSYCHOLOGICAL TESTING

A perspective from the National Association of Disability Examiners
DDS structure

• The Disability Determination Services (DDS) make the Social Security disability decisions
• The overall decision makers are the examiners, sometimes known as adjudicators
• There are medical and psychological consultants that review the medical assessments
Single Decision Makers

- From a prototype of a new disability process, some states have Single Decision Makers (SDMs).
- The SDM is the examiner and will prepare any medical assessments.
- The SDM can always have a medical or psychological consultant review the claim or help answer questions.
- For any denials with a mental impairment, a psychological consultant must review the claim.
The evaluation process

• The examiner seeks to obtain evidence from any treating sources that the individual has seen (doctor visits, hospital visits, clinics, mental health centers, prison records, etc.)

• If there is insufficient evidence to make a decision from the medical records or sources fail to respond a consultative examination (CE) is purchased by the DDS
MDI

• In order to make any medical assessments a Medically Determinable Impairment (MDI) must be established
• An MDI must be supported by appropriate signs, symptoms and laboratory testing
Acceptable Sources

• To establish an MDI there must be a diagnosis from a programmatically acceptable medical source.

• For a psychological condition the acceptable sources are psychologists, psychiatrists, and physicians. School psychologists can be used to establish a MDI for intellectual disorders only.
Using evidence

• Evidence from non-acceptable sources may be used to help evaluate the condition and determine the severity, it just cannot be used to establish the MDI

• Non-acceptable sources may include social workers, nurse practitioners, teachers

• Any opinion evidence is weighed considering how well the opinion is supported and explained, how long the source has been known, how frequently seen, how consistent the opinion is with other evidence and if the source has a specialty in the area of the impairment
Assessment of the impairment

- If the individual does not meet or equal the intent of the listing we complete a mental residual functional capacity (MRFC)
- The MRFC describes what limitations the individual has and what the individual is capable of doing vocationally given their limitations.
- The MRFC is used to determine if the individual is capable of performing their past work or any other work when considering their physical limitations, vocational experience, age and education.
Expedients

• Once we establish that someone is a fully favorable allowance we stop development of the claimant.
• An example of this is someone who is of advanced age, has significant physical limitations, limited work experience and education may be a grant with a MRFC for limited social interaction. We may not have enough to fully evaluate all the mental limitations but we have enough that would allow the individual. In this case we would not pursue additional evidence.
There are times that we don’t have all the pieces of the puzzle but enough to see the overall picture and make a decision.
Psychological Testing

- We always try to obtain evidence from sources before purchasing a CE
- Occasionally we are able to obtain psychological tests results from schools or vocational rehabilitation services
- Less frequently, we are able to get records from hospitals after a TBI, workers compensation records, prisons and mental health centers
Purchasing testing

- Sometimes we are able to get testing from a source but we still need to purchase additional testing. This may happen if the testing is not program acceptable, the testing is too old, or there are questions of the validity or a different type of testing is needed.
- Most of the time we are purchasing testing because it has not been done yet for the individual.
Types of impairments

- Most frequently we purchase testing for intellectual disabilities
- We occasionally purchase testing for reading comprehension and adaptive functioning. Generally, this is for children but there is variation in when this is used.
- We order testing for conditions causing memory impairments, such as dementia, TBIs, CVAs, other neurological disorders impacting memory.
Credibility

- We assess the credibility of the claimant’s statements not the individual.
- The examiner considers the overall evidence in assessing credibility: the consistency of evidence, opinions of the treating or examining source and other factors.
- If fraud or similar fault is suspected the claim may be refer the claim to a Cooperative Investigative Unit (CDIU) or the Office of the Inspector General (OIG).
Question of fraud

• If someone is suspected of malingering this can often be addressed by considering the other evidence or obtaining additional information from other sources.

• Most of the time the examiner and psychological consultant are able to address these issues without a referral for fraud.

• If the question of validity is material to the decision and cannot be resolved with additional evidence it may be referred to a CDIU or OIG.