

National Academies HMD – Evaluating Hearing Loss for Individuals with Cochlear Implants

July 30, 2020



National Academies Task Order – Alternatives to the Hearing in Noise Test (HINT)

Background and basis for task order

- SSA evaluates adult disability claims in a 5-step sequential evaluation and childhood disability claims in a 3-step sequential evaluation
- Once the presence of a severe medically determinable impairment is established, we evaluate whether the impairment **meets** or **medically equals** the criteria in the Listing of Impairments, generally using listing 2.00 for adult special senses disorders and listing 102.00 for childhood special senses disorders.
- SSA seeks the most current information on hearing loss treated with cochlear implantation to inform our policy for evaluating cases involving this treatment.

Social Security Disability Program Overview

The Social Security Act: Two Disability Programs

Social Security Disability Insurance (SSDI)	Supplemental Security Income (SSI)
Title II (Est. 1954)	Title XVI (Est. 1972)
Funded through FICA (Social Security) taxes	Funded through the General Fund
Benefits based on work	Benefits based on need
People who qualify are automatically enrolled in Medicare after being entitled to disability benefits for 24 months	People who qualify also qualify for Medicaid

Statutory Definition of Disability for Adults

The Social Security Act defines disability for adults as:

- The inability to engage in any **substantial gainful activity** (2020 amount is **\$1260** per month)
- By reason of any medically determinable impairment(s) (MDI) (physical or mental or combination)
- 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**

Social Security Disability Program Overview

Sequential Evaluation for Adults

The disability determination for adults follows a sequential evaluation:

1. **Substantial Gainful Activity (SGA)** – The 2020 SGA amount is **\$1260**.
2. **Severe Impairment(s)** – The medically determinable impairment(s) (MDI) must significantly limit the ability to do basic work activities (for example, walking, sitting, standing, lifting, or remembering). The MDI must last or be expected to last for a continuous period of at least 12 months, or be expected to result in death.
3. **Meets or medically equals a listing** – The listings describe impairments for 14 body systems for adults, including hearing (listing 2.00, special senses and speech).
4. **Prevents past relevant work** – We determine the claimant's residual functional capacity (RFC) based on the combination of work-related impairments resulting from the physical and mental work as the claimant actually performed it and how it is generally performed in the national economy.
5. **Prevents other work** – We compare the claimant's RFC and vocational factors (age, education, and past work experience) to work in the national economy.

Statutory Definition of Disability for Children

The Social Security Act defines disability for children as:

- A medically determinable physical or mental impairment (or combination of impairments); which
- Results in marked and severe functional limitations; and
- 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**

Sequential Evaluation for Children

The disability determination for adults follows a sequential evaluation:

1. **Substantial Gainful Activity (SGA)** – The 2020 SGA amount is **\$1260**.
2. **Severe Impairment(s)** – The medically determinable impairment(s) (MDI) must significantly limit the ability to do basic work activities (for example, walking, sitting, standing, lifting, or remembering). The MDI must last or be expected to last for a continuous period of at least 12 months, or be expected to result in death.
3. **Meets, medically equals, or functionally equals a listing** – The listings describe impairments for 15 body systems for children, including hearing (listing 102.00, special senses and speech).

Social Security Disability Program Overview

Importance of the Listing of Impairments

- The Listing of Impairments describes, for each major body system, impairments considered severe enough to prevent an individual from doing any gainful activity. Or, in the case of children under age 18 applying for SSI, severe enough to cause marked and severe functional limitations. Most of the listed impairments are permanent or expected to result in death, or the listing includes a specific statement of duration.
- The criteria in the Listing of Impairments apply only to one step (the third step) of the multi-step sequential evaluation process. At that step, the presence of an impairment that meets the criteria in the Listing of Impairments (or that is of equal severity) is usually sufficient to establish that an individual who is not working is disabled. However, the absence of a listing-level impairment does not mean the individual is not disabled. Rather, it merely requires the adjudicator to move on to the next step of the process and apply other rules in order to resolve the issue of disability.

Current Listing 2.11 Language for Adult Claimants

2.00B3. What audiometric testing do we need when you have a cochlear implant?

- a. If you have a cochlear implant, we will consider you to be disabled until 1 year after initial implantation.
- b. After that period, we need word recognition testing performed with any version of the Hearing in Noise Test (HINT) to determine whether your impairment meets 2.11B. This testing must be conducted in quiet in a sound field. Your implant must be functioning properly and adjusted to your normal settings. The sentences should be presented at 60 dB HL (Hearing Level) and without any visual cues.

2.11 Hearing loss treated with cochlear implantation.

A. Consider under a disability for 1 year after initial implantation.

OR

B. If more than 1 year after initial implantation, a word recognition score of 60 percent or less determined using the HINT (see 2.00B3b).

Current Listing 102.11 Language for Child Claimants

102.B3. What audiometric testing do we need when you have a cochlear implant?

a. If you have a cochlear implant, we will consider you to be disabled **until age 5, or for 1 year** after initial implantation, whichever is later.

b. After that period, we need word recognition testing performed with **any age-appropriate** version of the Hearing in Noise Test (HINT) **or the Hearing in Noise Test for Children (HINT-C)** to determine whether your impairment meets 102.11B. This testing must be conducted in quiet in a sound field. Your implant must be functioning properly and adjusted to your normal settings. The sentences should be presented at 60 dB HL (Hearing Level) and without any visual cues.

102.11 Hearing loss treated with cochlear implantation.

A. Consider under a disability until the attainment of age 5 or for 1 year after initial implantation, whichever is later.

OR

B. Upon the attainment of age 5 or 1 year after initial implantation, whichever is later, a word recognition score of 60 percent or less determined using the HINT or the HINT-C (see 102.00B3b).

Issues with Our Current Criteria and What We'd Like to Solve

- Availability of the HINT test
 - Our Regulations require one specific test. If this test becomes less available or unavailable, then the listing criteria becomes outdated and our adjudicators are unable to find that individuals **meet** the listing criteria. They must now rely on **medically equals**, which can lead to more inconsistent application of our policies.
 - To help address this issue, we have asked the committee to identify the salient characteristics of the HINT and other hearing tests used for cochlear implantation patients.
 - We are asking for recommendations how to generalize these characteristics into criteria that can be applied to other hearing tests, and will allow for us to accurately identify the same functional hearing loss as our current listing requirements.
 - We are also interested in whether word recognition scores can be expressed in a form comparable between hearing tests such as percentile or standard deviation from the norm.

Issues with Our Current Criteria and What We'd Like to Solve (cont.)

- Unilateral hearing loss/single-sided deafness
 - Our current regulations allow for a one-year period of disability after the initial cochlear implantation (or up to age 5 for children). However, for individuals with single-sided hearing loss, we are concerned that this would result in allowances for people with normal (or only slightly reduced) hearing in the non-implanted ear, which does not rise to the level of functional limitation contemplated by our listings.
 - To help address this issue, we have asked the committee to identify if there is a correlation between the level of hearing ability in the un-affected or less-affected/non-implanted ear and recovery time, particularly such that significant functional deficits would not last for at least twelve months.
 - Is there a level of residual hearing in the less-affected/non-implanted ear where the criteria for word recognition testing for more-severe/profound bilateral hearing loss with cochlear implantation is not appropriate or accurate in determining the claimant's functional capacity?
 - If so, should different testing be implemented, such as the criteria we use for claimants with hearing loss who have not received a cochlear implant?

Current Listing (2.10) Language for Adult Claimants*

2.10 Hearing loss not treated with cochlear implantation.

A. An average air conduction hearing threshold of 90 decibels or greater in the better ear and an average bone conduction hearing threshold of 60 decibels or greater in the better ear (see 2.00B2c).

OR

B. A word recognition score of 40 percent or less in the better ear determined using a standardized list of phonetically balanced monosyllabic words (see 2.00B2e).

* The criteria for child claimant's is very similar to adults. We are not looking to make any changes to this listing criteria at this time, and are only curious if this criteria would be more appropriate for certain cochlear implant patients.

Q & A Session

July 30, 2020

