

# Service Area Plan

## Department of Rehabilitation Services

### Social Security Disability Determination

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#### **Service Area Background Information**

##### **Service Area Description**

This service area, in partnership with the Social Security Administration, processes claims filed by citizens of the Commonwealth of Virginia who have applied for disability benefits under Title II (Disability Insurance), Title XVI (Supplemental Security Income), and Title XIX (Medicaid disability) of the Social Security Act. These evaluations result in the adjudication or "determination" of claims at the initial claims stage, at the continuing disability review stage, and at other appellate points in the disability adjudicative process.

##### **Service Area Alignment to Mission**

This service area aligns with DRS' mission of providing services to individuals with disabilities to help them live independently by ensuring accurate, timely, and efficient determinations of eligibility for disability benefits.

##### **Service Area Statutory Authority**

For the purposes of Title II (42 U.S.C. 421) and Title XVI (42 U.S.C. 1382) claims, the Code of Federal Regulations enumerates the responsibilities of the Social Security Administration and the agency within state government which performs the disability function.

Code of Federal Regulations (CFR) 404.1503 and 404.1603 for Title II recipients indicates that the states will make a determination of disability or blindness for the Social Security Administration Commissioner for persons living in each individual state. These rulings outline how the state will conduct its reviews based on the disabling condition of each individual and their insured status from previous work experience.

Code of Federal Regulations (CFR) 416.903 for Title XVI recipients indicates that the states will make a determination of disability or blindness for the Social Security Administration Commissioner for person living in each individual state. These rulings outline how the state will conduct its reviews based on the adult or child's disabling condition.

##### **Service Area Customer Base**

<b>Customer (s)</b>	<b>Served</b>	<b>Potential</b>
Title II Adult Disability Claims	30,326	30,326
Title XVI Adult and Childhood Disability Claims	31,618	31,618

Concurrent Adult Disability Claims	24,209	24,209
Medicaid-only Claims	24,209	5,000

**Anticipated Changes to Service Area Customer Base**

Pre-release prisoner population:

- Other state agencies currently have initiatives which will likely increase the number of Medicaid claims that are filed in the Commonwealth of Virginia. Outreach programs are underway within the prison system to urge prisoners who have disabling medical conditions and are pending release from prison to apply for Medicaid benefits. These initiatives are expected to increase the volume of incoming Medicaid claims.

Homeless Population:

- At the Governor’s request, other state agencies are working on initiatives which will increase the number of applications from disabled individuals that are homeless. Outreach programs are underway to assist in making Social Security Disability paperwork more readily available to homeless individuals and for third party advocacy groups to help assist them in their application process. These projects are expected to increase the volume of incoming Title XVI and Title XIX disability claims.

Additional Continuing Disability Review (CDR) Claims:

- According to the Social Security Administration Commissioner, the Commonwealth of Virginia should expect to receive 7,000 additional CDR claims in the next fiscal year due to an increase in workload for the Philadelphia Region. CDRs are case reviews that are conducted on individuals that are currently receiving Social Security disability benefits. Social Security Disability Determination conducts a medical review to ensure that the individual still remains disabled according to Social Security Guidelines.

**Service Area Partners**

**SOCIAL SECURITY ADMINISTRATION:** Numerous components of the Social Security Administration to include: 33 Field Offices, Office of Hearings and Appeals, Philadelphia Central Regional Office, Social Security Administration in Baltimore, Maryland.

**DEPARTMENTS OF MEDICAL ASSISTANCE SERVICES AND SOCIAL SERVICES:** Department of Medical Assistance Services (DMAS), Department of Social Services (DSS) and Department of Rehabilitative Services (DRS) have a Memorandum of Understanding (MOU) which requires that Disability Determination Services provide determinations on Medicaid eligibility claims in the disability category.

**MEDICAL AND PSYCHOLOGICAL SOURCES:** All medical and psychological sources which provide pertinent data which allows for the adjudication of disability claims. This includes local school systems, the healthcare community, Department of Corrections, and other sources which allow us to better service our customers needs.

**CLAIMANT REPRESENTATIVES:** Authorized claimant representatives which include patient advocacy groups and attorneys.

### **Service Area Products and Services**

**TITLE II AND TITLE XVI DISABILITY DETERMINATIONS:** Accurate disability decisions for residents of the Commonwealth of Virginia. Persons applying for Title II and Title XVI disability benefits under the Social Security Act should have accurate decisions made.

**TITLE XIX MEDICAID DISABILITY DETERMINATIONS:** Accurate disability decisions for Medicaid applicants in the Commonwealth of Virginia. Persons applying for Title XIX disability benefits under Medicaid should have accurate decisions made.

**TRAINING DEVELOPMENT:** Outreach efforts throughout the local communities to educate citizens and advocates about the disability program. Incorporate new training technology into the training program to use with staff and external customers.

**COMPUTER SYSTEM UPGRADES:** Implement the Social Security Administration's electronic case processing system which will allow DDS to more quickly and efficiently adjudicate disability claims in an electronic environment.

**CONSTITUENT CONCERNS:** Provide information and direction to individuals seeking assistance as it relates to the Social Security Disability Program.

Act as a liaison for constituents with various governmental agencies to assist them in getting answers to their inquiries.

Conduct outreach programs to inform and aid residents of Virginia of their rights as they relate to the Social Security Disability Program.

### **Anticipated Changes to and Factors Impacting Product and Services**

Disability claims are expected to increase due to unemployment rates in areas of Southwest Virginia with the closing of coal mines and various industrial plants, increased population in the Commonwealth of Virginia, and various outreach initiatives to reach the disabled population. This will increase staffing and training needs.

Expansion of Document Architecture Management (DMA) will improve the efficiency of obtaining medical evidence used to make disability decisions. Initiatives by the Professional Relations Officers will be ongoing and consume a great deal of time in travel.

Expansion of technology used in the training programs will allow DDS to reach more individuals in less time and require less traveling to accomplish this goal. Creating this new and improved training program will take considerable time and effort from a multitude of staff members.

Replace a significant number of DDS' workforce due to retirements and resignations, which has impacted the division greatly in the last several years. These losses eliminate a strong knowledge base that DDS agency relies on. DDS will be faced with increasing

difficulty finding and hiring individuals with strong analytical skills at state salary rates. An ability to hire new staff is crucial.

The disability workload is expected to increase as Virginia’s population ages and increases.

Hiring and training of new staff that is needed to address the increasing workload will be ongoing and labor intensive.

Increasing demands from the Social Security Administration to implement new computer system changes will cause numerous revisions of the business workflow process in DDS.

DDS anticipates losing more employees to retirement and resignation as the job market continues to be more and more competitive. Losing a strong knowledge base due to retirements is hard to replace in a short amount of time.

**Service Area Financial Summary**

Social Security Disability Determination's funding comes from federal funds (98%) and general funds (2%). The general funds are allocated to Medicaid eligibility determinations and comprise 50% of Medicaid’s funding.

	<b><u>Fiscal Year 2007</u></b>		<b><u>Fiscal Year 2008</u></b>	
	<b>General Funds</b>	<b>Nongeneral Funds</b>	<b>General Funds</b>	<b>Nongeneral Funds</b>
<b>Base Budget</b>	\$731,250	\$34,780,385	\$731,250	\$34,780,385
<b>Changes to Base</b>	(\$75,000)	0	(\$75,000)	0
<b>SERVICE AREA TOTAL</b>	<b>\$656,250</b>	<b>\$34,780,385</b>	<b>\$656,250</b>	<b>\$34,780,385</b>

**Service Area Human Resource Summary**

In July, 2003, the General Assembly exempted any position in Social Security Disability Determination from the Maximum Employment Level requirements because it is a 100% federally funded program and its staffing needs are driven by the number of claims filed.

The Social Security Disability Determination operation is decentralized, with an administrative office in Richmond where the Director and his staff oversee and coordinate the disability program statewide. The Director reports directly to the DRS Commissioner. There are four Regional Offices each headed by a Regional Director, who report directly to the Director.

In Virginia, the Department of Medical Assistance Services has an interagency agreement with DRS for Social Security Disability Determination to manage the Medicaid Disability decision-making process and the medical review team, which is called the Medicaid Disability Unit (MDU). This unit is 50% federally funded and 50% state funded. MDU uses the same disability criteria as the Social Security Administration to determine disability for Medicaid benefits.

The four Social Security Disability Determination Regional Directors have the responsibility for managing the daily operations within their respective offices as well as hiring staff. Each Regional Director is assisted by an Office Manager who has several responsibilities, which include systems. Each office has a Professional Relations Officer, who has several responsibilities including working with the medical community to educate them about the Social Security Disability Program. In addition, the Professional Relations Officer recruits physicians and psychologists to work as in-house medical consultants in Social Security Disability Determination.

In addition, each Regional Office consists of the following types of personnel:

Quality Assurance (QA) Unit reviews a sample of claims after a decision has been made and before the claim is returned to the Social Security Administration. QA consists of a Special Program Supervisor and QA Specialists.

Line Unit Supervisors who have the responsibility of direct supervision of the analysts assigned to their units. Among other duties, Supervisors review casework to collect data for performance evaluations.

Case Consultants who assist Unit Supervisors as well as maintaining a caseload of their own.

Analysts who perform the majority of casework duties and decision-making on disability claims.

Medical Consultants provide analysts with medical advice in the development of medical evidence and in the decision-making process.

Support Staff who perform a variety of duties such as receipting disability claims into our case processing system, scheduling special medical examinations and paying bills for medical evidence provided by medical sources.

**Service Area Work Force Breakdown**

Effective Date:	5/1/2005
Total Authorized Position Level .....	276.75
Vacant Positions .....	42
Non-Classified (Filled) .....	0
Full-Time Classified (Filled) .....	276.75
Part-Time Classified (Filled) .....	0
Faculty (Filled) .....	0
Wage .....	17
Contract Employees .....	87
Total Human Resource Level .....	380.75

**Factors Impacting Human Resources**

The primary issue affecting human resources is the availability of federal funds from the Social Security Administration to enable Social Security Disability Determination to hire sufficient staff. Due to federal budget constraints over the past three years, the unit has operated under federal hiring freezes for most of each fiscal year. This causes problems with recruiting, training, and retaining staff because large numbers of staff are hired at the same time.

Another serious issue is the pay disparity between Social Security Disability Determination jobs and Social Security federal jobs. Numerous staff have moved to the federal government over the past three years, creating vacant caseloads which then have to be worked by remaining staff until the Social Security Administration allows us to hire again. Pay equity across the federal and state agencies involved in disability determination would assist in the retention of trained employees.

Impending employee retirements will also affect the availability of trained staff, particularly when this issue is combined with the issue of the federal hiring freezes.

#### **Anticipated Human Resource Changes**

There are no anticipated initiatives at the federal or state level to address any of the factors listed above.

### **Service Area Objectives, Measures, and Strategies**

#### **Objective 46102.01**

**Provide accurate disability decisions for Title II, Title XVI and Title XIX disability claims.**

Ensuring a high accuracy rate of disability decisions is paramount to providing effective customer services for Virginians with disabilities who apply for disability benefits under Title II (Disability Insurance), Title XVI (Supplemental Security Income), and Title XIX (Medicaid disability) of the Social Security Act.

#### **This Objective Supports the Following Agency Goals:**

Maximize the independence and self-sufficiency of Virginians with disabilities.

By accurately making determinations about Social Security claims, DDS can assist Virginians with disabilities in receiving the benefits for which they are entitled.

#### **This Objective Has The Following Measure(s):**

##### **Measure 46102.01.01**

Maintain accurate disability decisions for Virginians with disabilities who apply for disability benefits.

**Measure Type:** Output

**Measure Frequency:** Quarterly

**Measure Baseline:** 97.3% average accuracy for the last three Federal Fiscal Years

**Measure Target:** 97.3% average accuracy for the last three Federal Fiscal Years

**Measure Data Source and Calculation**

This measure is calculated using information from DDS' Quality Assurance Branch and is calculated on the Federal Fiscal Year.

**Objective 46102.01 Has The Following Strategies:**

- Plan and implement new automated systems which support a more efficient and effective decision making process.
- Implement new methodologies and criteria for performing Supervisory Case Reviews through the Virginia Claims Processing System in order to ensure the accuracy of actions taken on disability claims.
- Ensure quality decision making through effective program evaluation and by developing innovative approaches to Quality Assurance assessment to achieve an accuracy rate of 97.3%.
- Conduct annual office reviews to assess uniformity and consistency in case processing among the four regional offices in the Commonwealth of Virginia.
- Quality Assurance Units will provide feedback for areas of quality issues that are of concern on a regular basis.
- Conduct internal case reviews on one in four disability claim denials to ensure an acceptable denial accuracy rate across the Commonwealth of Virginia.
- Ensure that Unit Supervisors will evaluate 10 disability claims per month for each individual analyst to aid in accurate disability decision making