

## **SOCIAL SECURITY ADMINISTRATION PROGRAMS FOR EXPEDITING DISABILITY CLAIMS:**

SSA is committed to expediting claims and quickly issuing payments for the most serious conditions and for claimants that are in dire need, with the following SSA initiatives and practices.

### **Compassionate Allowances (CAL)**

The Compassionate Allowances (CAL) initiative is used to quickly identify and process claims for applicants with diseases and other medical conditions that invariably qualify under the Listing of Impairments based on minimal objective medical information. There are over 200 conditions that qualify under the CAL initiative. The current list of CAL conditions can be found on SSA's website:

<http://www.ssa.gov/compassionateallowances/conditions.htm>. According to the SSA, CAL conditions are developed as a result of information received from the public, outreach to advocacy groups, comments received from the Social Security and Disability Determination Service communities, counsel from medical and scientific experts, research with the National Institutes of Health (NIH), and information received from past public outreach hearings. The SSA considers which conditions are most likely to meet the definition of disability.

There is no special application or form that is unique to the CAL initiative and it is not a separate program from SSA's two disability programs, SSI and SSDI. Individuals with a CAL condition apply for benefits using the standard SSA process for filing claims for disability benefits and SSA will expedite the applications of those with a CAL condition.

### **Presumptive Disability (PD)**

Presumptive disability payments are designed to provide support for SSI applicants while SSA processes the disability claim for allegations that are "presumed" to be an allowance. An applicant can receive payments for up to 6 months while the Disability Determination Services (DDS) reviews the claim and makes the final decision. SSA's decision to grant PD payments is based on the severity of the applicant's conditions and the likelihood that the applicant will be approved. Financial need is not considered in presumptive decisions.

An applicant may be eligible for a presumptive decision and begin receiving SSI payments for conditions including (but not limited to) terminal illnesses with life expectancy of 6 months or less, amputation of legs at the hip, total blindness, severe mental deficiency (in cases where the claimant is unable to apply on their own and is requiring dialysis, and Down Syndrome. SSA will not require the applicant to repay PD payments, even if the application is denied at final decision and the applicant is found not to be disabled. Most PD decisions are made at the SSA field office, however, DDS has the ability to recommend presumptive payments in some circumstances.

## **Terminal Illness (TERI)**

Terminal illness cases (TERI) are those that are expected to result in the applicant's imminent death. An applicant doesn't have to state on the application that an illness is terminal for it to be expedited under the TERI program. A field office representative or a claims examiner at the DDS can send a claim into the TERI program when a doctor or collateral source states that the illness is expected to result in death or when the claimant is receiving inpatient hospice care or home hospice care. In addition, if the applicant has applied for disability on account of ALS, (i.e. Lou Gehrig's Disease), or AIDS, the case is brought into the TERI system.

The following are some medical conditions that are eligible for TERI treatment, but this list is not exhaustive; any terminal illness can qualify for TERI expedited processing.

- Cancer that is metastatic, Stage IV, recurrent following therapy, or inoperable
- Cancer of the esophagus, liver, pancreas, gallbladder, or brain
- Dependence on a cardiopulmonary life-sustaining device
- Chronic heart failure or pulmonary failure, requiring continuous oxygen and caregivers
- Comatose for 30 days or more
- Newborn with a fatal genetic or congenital defect
- Awaiting a liver, lung, heart or bone marrow transplant

The disability examiner at DDS must consult with a medical consultant before making a TERI determination, as with any regular disability case.

## **Military Service Personnel**

Veterans may qualify for special programs from SSA that expedite disability decisions including the 100% Permanent and Total Veterans Initiative and the Wounded Warriors initiative.

### *100% Permanent and Total Veterans Initiative*

In March 2014, SSA introduced a new initiative to expedite the processing of applications from Veterans who have a 100% Permanent and Total (P&T) disability rating from the Veterans Administration (VA). While these applications are given high priority, it does not guarantee approval for SSI or SSDI. To receive expedited processing, Veterans should identify themselves as a "Veteran rated 100% P&T" when initiating the SSI/SSDI application and should provide the VA rating notification letter to SSA.

### *Wounded Warriors*

Veterans who received disabling mental or physical health injuries while on active duty on or after October 1, 2001, are eligible for expedited SSI/SSDI application processing through the Wounded Warriors initiative. The injury does not need to have occurred during combat operations. When initiating the SSI/SSDI application, to receive the special processing, Veterans should inform SSA that their injury occurred while on active duty.

## **Dire Need**

If a disability claimant is waiting for a hearing to be scheduled with an Administrative Law Judge, and does not have the resources to get food, medicine, or shelter, the SSA will treat the claim as a critical case. These types of claims are referred to as “dire need” cases, and can be expedited by submitting what is known as a "dire need" letter. This letter advises SSA that these conditions exist and explains why waiting the normal amount of time for a hearing might have dire consequences for the claimant. The applicant does not need to provide specific evidence that supports the allegation of dire need. However, if the SSA discovers evidence that contradicts the claim, it may require that proof is provided. The SSA will not immediately label the file of every claimant who alleges financial hardship as a “dire need” case because it would prevent the SSA from being able to help the most serious cases.

When submitting a dire need letter, SOAR providers should include as much evidence as possible to support the request. The following are some examples of evidence that may be helpful in a dire need case:

- notification of immediate eviction from a landlord
- notification from a lender that foreclosure is imminent (not just threatened)
- a letter from a homeless shelter that states the claimant is no longer eligible for services
- copies of medical bills, and copies of estimated costs for any medical treatment needed

Be sure to let the SSA know when the applicant applies if they are without any of their basic needs. If their situation worsens after the application is submitted, you can notify your SSA local field office of the situation. If the applicant’s circumstances improve, the SSA may remove the dire need designation on their disability claim.

## **Personal or Public Safety**

If there is evidence that a claimant (applicant for disability) is suicidal or homicidal, the SSA will expedite the claim. Evidence of suicidal or homicidal ideations may come from any source, including the claimant, treating physicians, collateral sources, SSA employees or law enforcement officials. If it is determined that a claimant is a threat to either him or herself or to others, the SSA will contact the appropriate authorities immediately to ensure everyone’s safety. The SSA will also provide referral services to local physicians, community service centers, suicide prevention programs, or other appropriate medical facilities. It is important to advise the SSA immediately (along with the appropriate authorities) if the claimant expresses any suicidal or homicidal thoughts.

## **Emergency Advanced Payment**

SSA may be able to make an advance payment to new applicants who face a financial emergency and who are due SSI benefits that are delayed or not received, due to processing or mail delays, among other circumstances. However, SSA can only make one advance payment. The maximum emergency advance payment an applicant may receive is the smallest of:

- the SSI federal benefit rate (plus any federally administered State supplement);

- the total amount of the benefits due; or
- the amount requested for the financial emergency ("financial emergency" means that the applicant will need money right away due to a threat to health or safety, such as not enough money for food, clothing, shelter or medical care)

SSA will subtract the emergency advance payment from the payments that are due to the applicant and pay the difference. If the applicant is not due past payments, SSA will subtract the emergency advance payment from current monthly benefits in up to 6 monthly installments.

### **Immediate Payment**

The SSA may be able to make an immediate payment to new applicants or those already receiving SSI whose benefits are delayed or not received and who face a financial emergency. The immediate payment cannot be higher than \$999.00. The following individuals are considered for immediate payment:

- people who are initially applying for SSI benefits, or already receiving benefits; and
- are due SSI benefits (including PD or PB payments) that are delayed or not received; and
- are facing a "financial emergency"

SSA will subtract the immediate payment from the individual's first regular payment due. SSA makes the decision to issue immediate payment and the individual has no formal appeals rights if SSA decides that they are not eligible.