

Modernizing Evidence Collection in Social Security's Disability Determination Process

**David C. Stapleton
Tree House Economics LLC**

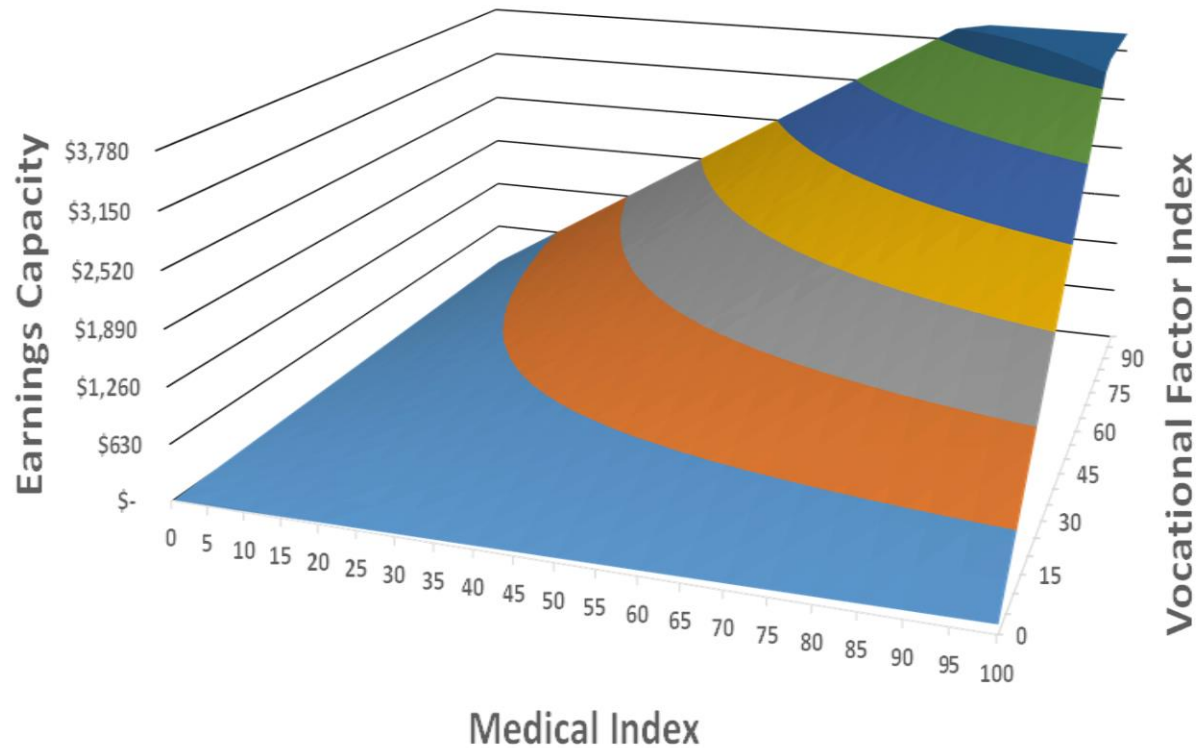
**Presentation for Social Security Advisory Board's Virtual
Roundtable on Disability Determinations**

May 28, 2020

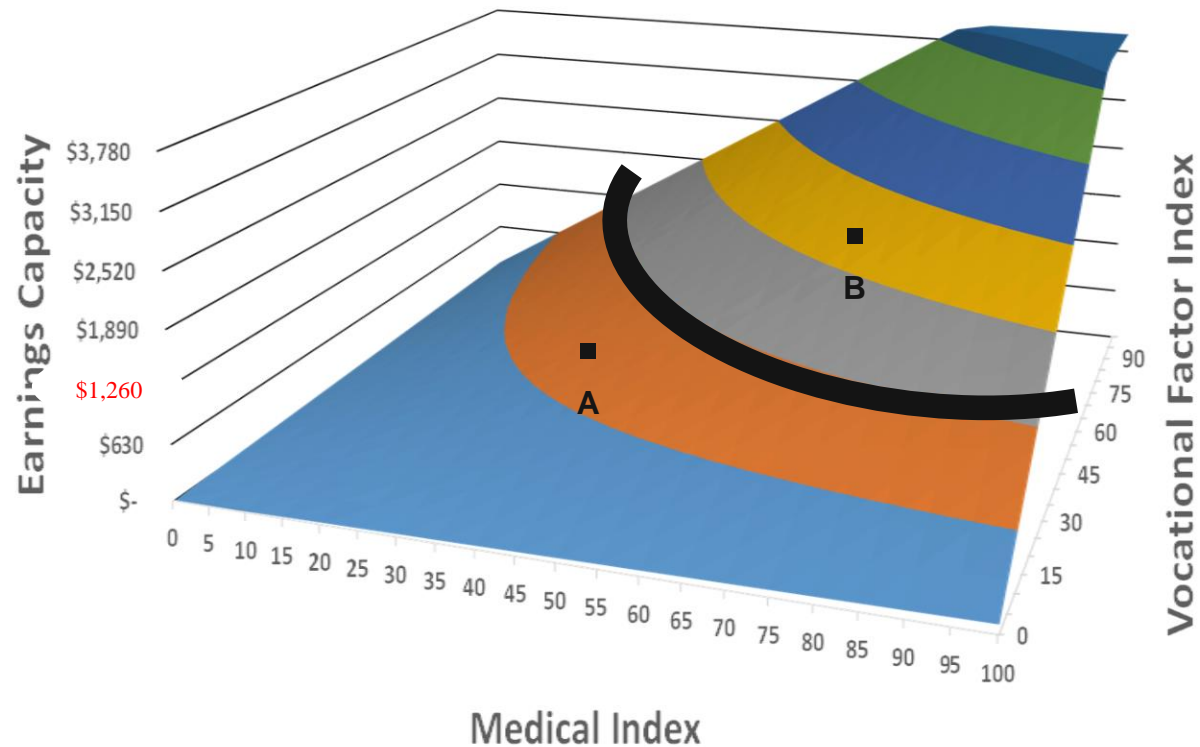
Outline

- **Determining ability to engage in SGA is inherently difficult**
- **Current approach is subjective and discourages work**
- **Proposal: Introduce a “field test” that is more objective and encourages work**

Ability to Engage in SGA in a Simple World



SGA = Earnings capacity of at least \$1,260 per month
(non-blind individuals in 2020)



Current approach in real world

- ***Match*** complex information about applicant to complex eligibility criteria

- Medical records
- Consultative examination
- Work history
- Residual functional capacity
- Age and education

???

- Listing of impairments
- The grid
 - Residual functional capacity
 - Past work
 - Age, education

SSA needs a better approach

- **Matching is inherently subjective**
 - **The criteria are not evidence based**
 - “Accuracy” = “Correctly followed complex rules”
 - “Accuracy” \neq “Correctly determined ability to engage in SGA”
 - **Matching process is subjective**
- **Process has negative impacts on work**
 - **Disincentive to work during application process**
 - **Loss of human capital**
 - **Permanent labor force exits during recessions**

Proposed approach

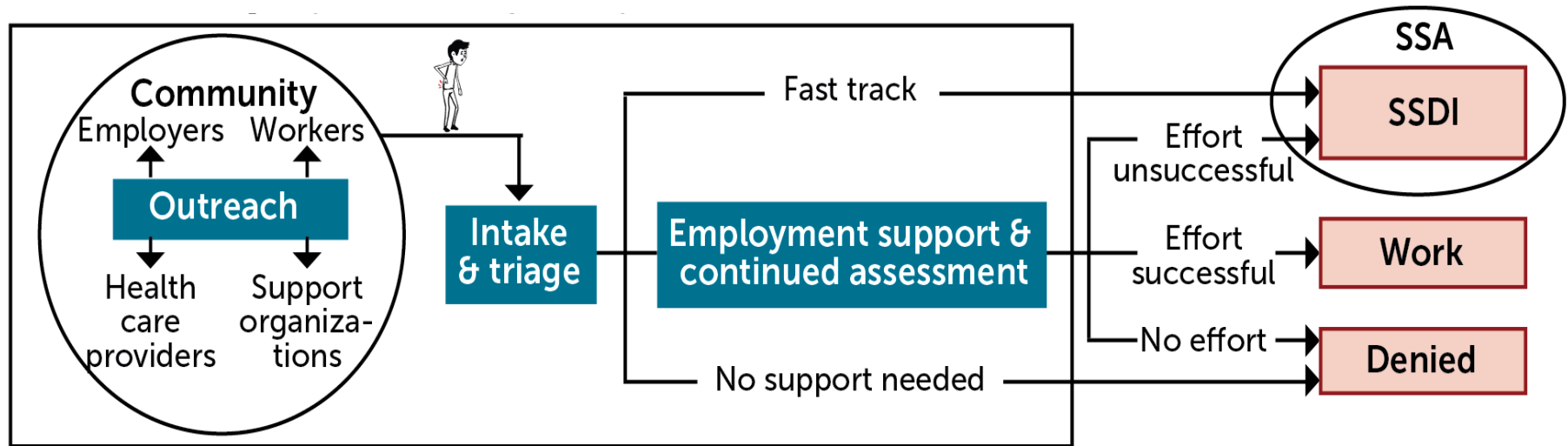
- ***Matching*** for severest medical conditions
- ***Field test*** for all other cases
- Integrated within supports for return to work, including time-limited benefits
- “Employment/eligibility services” (EES) system

Reference

Stapleton, David, Yonatan Ben-Shalom and David Mann. “The Employment/Eligibility Service System: A New Gateway for Employment Supports and Social Security Disability Benefits.” Chapter 3. In *SSDI Solutions: Ideas to Strengthen the Social Security Disability Insurance Program*, edited by Jim McCrery, and Earl Pomeroy. West Conshohocken, PA: Infinity Publishing, 2016.

Stapleton, David, Yonatan Ben-Shalom and David Mann. “Development of an Employment/Eligibility Services (EES) System.” SSDI Solutions Initiative. <http://www.crfb.org/project/ssdi/development-employmenteligibility-services-ees-system>. March 2019.

Proposal: Employment/ Eligibility Service (EES) System



- **Expedites allowances to workers with most severe conditions**
- **Provides time-limited return-to-work support for those with significant, but less severe conditions—including temporary benefits**
- **Introduces time-limited, practical *field test* of work capacity**

Intent of EES Proposal

INTENDED

- ✓ Better outcomes for workers
- ✓ Lower future costs for SSDI and Medicare
- ✓ Better outcomes for employers
- ✓ Build the evidence base

NOT INTENDED

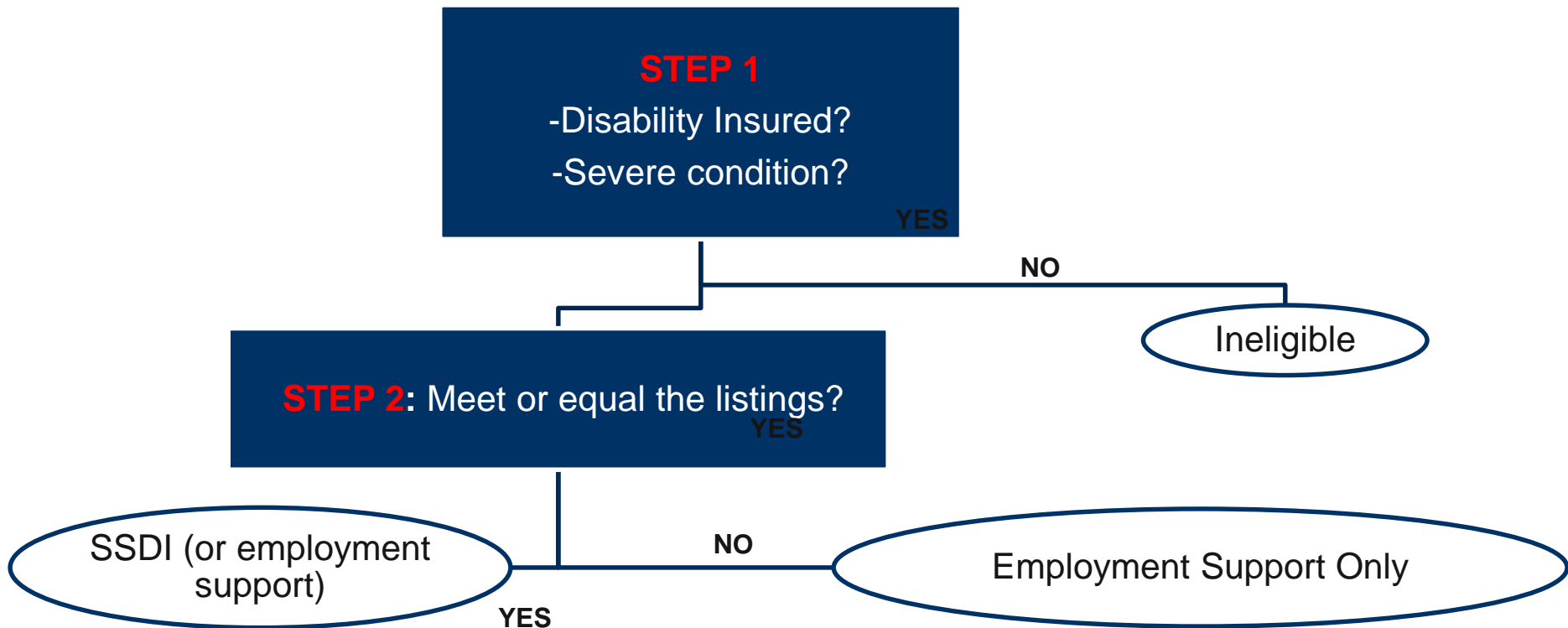
- ✗ Deny disabled workers the benefits to which they are entitled

EES development requires concerted, long-term effort

- **Protect applicants**
 - Revisions to appeals processes
- **Like current system, complicated—but in ways more in line with policy objectives**
- **Changes in administrative roles are required**
- **Can draw on existing capabilities where feasible**

Starting point for triage decision making

(Example of building on existing capabilities)



Phased approach needed to:

- **Develop many details**
- **Build evidence**
- **Establish trust**

Phase 1

- **Grant program under which states are invited to develop prototype system with federal technical assistance**
 - **Target workers documented chronic condition that has kept them out of work for 3 to 5 months**
 - **Targeting facilitated by**
 - Health care system
 - Workers compensation, private disability, or health insurer
 - **Make prototype system attractive to workers with significant medical conditions**
-

Contact information

David Stapleton
Tree House Economics, LLC
1425 Cobb Hill Road
Waterbury, VT 05676
M: (802)999-1478
L: (802)882-8178
d.stapleton@comcast.net