

# NADE ADVOCATE

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## PRESIDENT'S MESSAGE

### NADE PRESIDENT, JENNIFER NOTTINGHAM



Greetings NADE Members,

I hope everyone is doing well and that spring is bringing warm weather. In January we kicked off our recruitment drive. I appreciate all the work members did to recruit new members. Membership dues are our primary revenue and allows NADE to advocate for those who work in the Social Security Disability program.

April is national Donate Life month. NADE has long supported organ and tissue donation. Many chapters engage in activities to help raise awareness about donation and encourage people to register as an organ and tissue donor. Chapters that participated can submit a summary of their activities and be eligible for a cash prize.

The NADE Board recently held our mid-year board meeting. This year it was held virtually, which helped to save expenses. We found that we were able to successfully conduct business and something that we will consider for future board meetings. During the board meetings we discuss issues brought forward by the membership. Agenda items can be given to your regional director or the chair of the council of presidents. The NADE board also determines the top issues each year, you can find a copy in this edition of the Advocate and it will also be on our website. A major topic this year was the vocational policies. There are varying opinions about what should be changed with the vocational policies but there is wide agreement that the current policies are too complex. Additionally, making a vocational determination can be very time consuming. Be on the lookout for requests for input from members on this critical topic.

During our midyear meeting, the NADE Board heard from several SSA leaders. You will find articles in this edition summarizing their presentations. NADE greatly appreciates their time and the valuable information that they share.

I know we have all experienced a great number of challenges. DDSs have experienced high levels of attrition, particularly in the disability examiner position. This has led to growing processing times and workloads. Those who work in the disability determination field have a tremendously difficult job but the work that you do is vital to so many people. The work you do is greatly appreciated.

Sincerely,

*Jennifer Nottingham*



## NADE's Top Issues for 2023

**Recruitment and Retention:** Continued funding to achieve and maintain adequate staffing levels at the Disability Determination Services (DDS). Provide the DDSs more flexibility in hiring authority.

- Continued support of telework opportunities for the DDS as an employment tool for retention.
- Continued partnership between the DDS and SSA Field Offices to provide remote work opportunities where telework from home is not possible.
- Ensure the DDSs have equitable ancillary support, such as access to VOIP, mail machine software and state level intranet software.
- Supporting DDSs to have competitive salaries will help retain experienced personnel.
- Expedite federal background checks to ensure a timely onboarding process.

**Training:** Resources are needed to train new staff as well as ongoing training for experienced staff. Ensuring adequate funding for quality training and nationally uniform materials is critical for decisional accuracy and reducing processing time. Provide cooperative training between the DDS and SSA Field Offices (FO) to improve understanding of the shared disability processes.

**Claimant Communication:** Explore ways to permit email and text messaging to claimants to aid in communication while considering privacy and security concerns. Expanding the emailer pilot. Enhancement of the mySSA accounts to allow for form completion and secure messaging center.

**Evaluation of Vocational Regulations and Processes:** Involve DDS directly in the process to update and simplify the vocational regulations.

- Business processes need to be consistent between the DDS, Office of Quality Review (OQR) and ALJs.
- Complex and subjective policies such as transferable skills analysis (TSA) need to be simplified.
- [Update policy leveraging the use of available technology to allow the creation of a policy compliant and objective TSA.](#)
- NADE continues to advocate for the reduction in the 15-year work history to no more than 10 years.

**Customer Service Improvements:** NADE encourages efforts to build upon customer service improvements. Maintain hiring authority to keep up with attrition. Providing adequate funding for overtime to help with improving customer service. Fully staff national teleservice center to decrease customer wait times. Increase recruitment of Health IT networks. Provide technical support for Electronic Records Express (ERE) systems.

## NADE's Top Issues for 2023

- **IT Modernization:** Investment in technology to make reviewing and obtaining evidence more efficient. Continued expansion and development of IMAGEN and Duplicate Identification Process (DIP) software. Increase recruitment of Health IT networks. Provide technical support for Electronic Records Express (ERE) systems.
- **CDI:** Continued support for Cooperative Disability Investigation (CDI) units and expansion efforts to decrease fraud and abuse. Develop a training program for new CDI sites and new team members. Revisit CDI model to address challenges in recruiting local law enforcement partners and expand the law enforcement partners possibilities, such as use of retired annuitants.
- **Medical Improvement Review Standard (MIRS):** NADE supports a careful re-examination of the Medical Improvement Review Standard (MIRS) and its impact on the disability program. Revise the policy to address Comparison Point Decisions (CPD) that were poorly documented or supported.
- **CDRs:** Continued program integrity funding as an investment for timely Continuing Disability Reviews (CDRs). Ensure that FOs are properly identifying the Comparison Point Decision (CPD).
- **Timely Revision of the Listings:** NADE supports SSA's ongoing efforts to make timely revisions to the Listings of Impairments to reflect technological advancements and current medical research. Consider the impact of listing changes on Res Judicata and Collateral Estoppel.
- **Disability Case Processing System:** To meet the needs of the DDSs, NADE advocates for adequate funding for enhancement requests in DCPs and continuous open communication with the DDSs front line users.

## Oregon Association of Disability Employees



### **Organ Donation Awareness, April 2023**

In observation of National Donate Life Month, the Oregon Association of Disability Employees (OrADE) prepared a variety of communications that were shared with all DDS staff during the month of April.

Since the OR DDS is primarily a remote workforce now, there were no in-person events scheduled this year. In lieu of meeting with staff, we opted to provide information and online links to education and services. Our efforts to spread awareness included:

**A link to *Donate Life* on the OrADE SharePoint page**

**Distribution and use of the official Donate Life video conference background**

**A newsletter highlighting facts, statistics, events in the local area, along with group/volunteer activities.**

Most information was gathered directly from the NDLM website with an expectation that this would increase site access and motivate others to get involved in their local community year long.

Respectfully submitted by,

OrADE

## Mid-Year Meeting With ODP

by Kate Miller

We met with the Office Disability Policy (ODP), Associate Commissioner Steve Rollins, Division Acting Deputy Associate Commissioner Ben Gurga, and Director of the Office of Vocational, Evaluation and Process Policy Mary Quatroche. The NADE Board visited with ODP to discuss several hot disability policy topics.

The first issue discussed was the expiration of EM-21703 SEN pertaining to telehealth Consultative Examinations (CE). Mary Quatroche said this is a fluid situation since the public health emergency is ending. They are working on policy guidance, which relates to privacy and CE oversight for telehealth CEs. Quatroche said if a telehealth provider is not using HIPAA compliant technology, they will not be able to do CEs after the EM expires. They have no plans to extend the EM regarding telehealth CEs. However, things are moving forward with plans for telehealth CEs to continue along with updated telehealth CE scripts. The notices are on track to be available in DCPS in July. The Board asked about the possibility of utilizing VSD equipment in partnership with SSA field offices for video CEs. Quatroche said the policy allows for certain consultative examinations to be held via video but the DDS will need to work with the Field Offices. They also mentioned wanting to continue to explore potential expansion of telehealth opportunities in the future. In the meantime, DDSs will be able to continue to offer video consultative exams if they comply with the current policy in POMS (DI 22510.012).

ODP provided an update after the board meeting. In response to the administration's announcement of a May 11, 2023 end to the COVID-19 Public Health Emergency, SSA issued guidance for telehealth consultative examinations scheduled to be held after May 11, 2023 in EM 23027.

ODP mentioned they are also working on the temporary final rule on the musculoskeletal listings, which is set to expire in six months. In addition, they are working on the policy pertaining to good cause for stat blind benefit continuation. Rollins said, "We know where we want to go, and we think we'll get there, but we have a lot of work to do."

We also discussed Appointed Representatives. Quatroche said that the DDS must contact the Appointed Representative when there is one on file, unless given permission to contact the claimant directly. If a claimant calls in to the DDS and they have a Representative, you can answer the client's questions although you might encourage them to discuss with the Representative as well. Follow guidance in DI 31001.010B and GN 03910.050. NADE Board members explained to ODP that DDSs receive occasional inquiries about appointed representative concerns. They suggested that claimants need access to instructions for reporting these concerns to SSA and recommended the agency post them to the agency website. ODP provided an update on the topic after the meeting. Information about reporting allegations of representative misconduct is currently posted on the SSA.gov website at [https://www.ssa.gov/representation/conduct\\_standards.htm](https://www.ssa.gov/representation/conduct_standards.htm). Claimants may self-report issues or concerns about appointed representatives to SSA by contacting a Field Office or writing to SSA at the posted address. We understand this information may not be easy to find on our website and are considering alternative options for communicating this information to those who might need it. ODP thanked the Board for sharing their concerns.

The NADE Board asked about policy requirements related to notices and follow-ups, as DCPS follow-up settings are very rigid and inflexible with respect to current USPS mail delivery delays. ODP said that policy requires we give 10 days for the party to respond to a mailed request. DDSs can give additional time if desired based on local needs. ODP discussed that DCPS currently does not allow flexibility for DDS sites to customize the follow-up settings because of systems limitations and higher-priority enhancements needing attention. One possible solution is to make an across-the-board change for a longer time, but that could be equally challenging to get all DDS sites to agree on a different date.

The NADE board and ODP also discussed how Listing changes have an impact on collateral estoppel and res judicata. ODP said they understand these impacts on the DDS workload and will take this into consideration.

Lastly, NADE explained how the work history requirements have a significant impact on quality and processing time. NADE recommended a more simplified work history form so clients can better understand what is needed. NADE also recommended reducing the number of years of work history that is required. ODP said they are aware of the issue and they are looking at it.

The NADE Board thanked ODP for their time and answers to our questions about these topics. We are all looking forward to visiting again at the National Training Conference in August.

## **NADE Midyear Meeting with the Office of the Inspector General**

**By Jennifer Nottingham**

At the NADE Midyear Board meeting, the board met with Kevin Huse who is the new Deputy Assistant Inspector General for Investigations. Recently the Office of the Inspector General (OIG) reorganized and created specific leadership dedicated to the Cooperative Disability Investigations (CDI) program. In this role he oversees CDI operations. There are currently 50 CDI units across the country, which is almost double what it used to be. Expansion was mandated by Congress. When OIG looked into new locations, they reviewed the best sites for the program and looked for law enforcement partnerships.

A question was about how OIG is addressing challenges in creating and retaining law enforcement partnerships. This has been a challenge. The team leads are often too busy doing work to dedicate time to recruit law enforcement partners. OIG hopes that the new leadership structure will allow more resources to recruit new law enforcement partnerships. Mr. Huse indicated that the CDI program leadership will be able to help sell the benefits of a CDI program. They will also be able to travel and meet with people to help improve the relationships for more dedicated engagement. When there is now law enforcement partner, investigations can still be completed by the OIG agent, but it drastically limits their capacity in that unit.

OIG has some Hub units that cover multiple states. New England has a CDI unit that covers multiple small states that has been successful. They are looking at this model for some other areas. In some states, the CDI unit works with a state agency that has investigators but not law enforcement. This is higher risk as they may not be able to do certain activities, such as serve subpoenas but there are workarounds that they use. It is always better to have a law enforcement partner but it is better to have that investigative ability rather than none.

A NADE board member asked if CDIs prefer to receive referrals on initial or Continuing Disability Review (CDR) claims. There are no targets for Initial or CDR claims. They have instructed the units to do what works for each unit and to find the right mix of initials and CDRs. There is interest by Congress for both claim types in regards to fraud or similar fault. It is important to keep the door open to work both types of cases.

Training for new CDI examiners was asked about. It seems there is not a standardized training available. Mr. Huse mentioned that each state has their own processes which would make standardized training difficult. While OIG was focusing on expansion, that took up a lot of resources, which limited their ability to provide training for OIG agents and CDI staff. OIG has also had higher than normal attrition and have a need to train more agents. They will be recording their training sessions to have available for future training needs. In addition, they will also be looking at performance measures and quality assurance processes.

CDIs have a new case management system. They are still working with the system to work out the kinks, which takes time. OIG is looking forward to the new system providing more management information to help analyze trends. A question was asked about situations where a DDS assisting another site suspects fraud or similar fault, which DDS would make the referral. Mr. Huse noted that either site can make a referral for fraud or similar fault. The system will route the claim to where it needs to go.

The NADE Board was grateful for the opportunity to meet with Mr. Huse and looks forward to working with him in the future.

## NADE Nomination & Elections Committee - 2023 Nomination Quest



Hello fellow NADE members, once again it is time to consider your commitment to the organization. We are looking for members, in good standing, that have the drive and ambition to help lead this organization into the future. For those of you who have been members and have thought that you could do good work on the Board; please, read carefully. If you are energetic, friendly, and hard-working, you should consider the following.

The positions of President-elect, Secretary, Treasurer, and North and South Regional Directors will all be available for the coming year. For those interested in the duties of these positions; please, see the “Committee/Officer Charges” [<https://www.nade.org/about-nade/board-of-directors/nade-charges>] found within the NADE website.

After you have read about the duties of these positions, and you are still eager to fill one of those positions, there are few additional things we need from you. We will need a resume and photograph to be published in the *Advocate*. You also have a chance to speak to the current holders of these offices. You will also be able to speak to other members of the Board, as well as others who have held these offices in the past.

If after doing your research, and speaking with family, friends, and DDS bosses, you are still interested in these positions; please, step forward. You must be available for a “Meet the Candidates” event during or prior to the next General Membership meeting. The 2023 NADE Training Conference will be held in Helena, MT, August 13-16, 2023. Please do keep in consideration the dates of conference if you are considering a run and plan to stay through the 16th.

Please send your inquires and nominations to: Todd DeShong, [Richard.deshong@ssa.gov](mailto:Richard.deshong@ssa.gov), and Jennifer Nottingham

# National Disability Professionals Week

Marcia Golden

The NDPW committee is excited to announce this year's theme for National Disability Professionals Week. The 2023 theme is: **Staying in the Game to Win One for the DDS**. NDPW will be celebrated June 19 to June 23, however the committee understands that some chapters may need to celebrate a different week in the month of June.

National Disability Professionals Week is a time for NADE Chapters to celebrate their members with games and various activities based on this year's theme. Over the years, chapters have found exciting and inventive ways to celebrate. Chapters have had Scavenger Hunts, hosted potluck lunches, provided photo booths, and some chapters planned after hours activities together.

After the celebrations, chapters can submit a summary of events to compete for the NDPW Award that is announced at the Annual Training Conference being held in Montana later this summer. The committee looks forward to seeing how chapters celebrate this year. Award submissions should be emailed to Marcia Golden, [marcia.golden@ssa.gov](mailto:marcia.golden@ssa.gov). Entries will need to be received by close of business Friday July 7, 2023.



**KEEP LEARNING, EVERY DAY**

## NADE BOARD OF TRUSTEES

### Executive Board

Name	Office	Email	State
Jennifer Nottingham	President	<a href="mailto:Jennifer.nottingham@ssa.gov">Jennifer.nottingham@ssa.gov</a>	NV
Kate Miller	President Elect	<a href="mailto:Kate.Miller@ssa.gov">Kate.Miller@ssa.gov</a>	MT
Marjorie Garcia	Past President	<a href="mailto:Marjorie.e.Garcia@ssa.gov">Marjorie.e.Garcia@ssa.gov</a>	OR
Molly Turnbull	Secretary	<a href="mailto:Molly.Turnbull@ssa.gov">Molly.Turnbull@ssa.gov</a>	IL
Julie Kujath	Treasurer	<a href="mailto:Julie.Kujath@ssa.gov">Julie.Kujath@ssa.gov</a>	NV

### Regional Directors

Name	Region	Email	State
Melissa Williamson	South	<a href="mailto:Melissa.Williamson@ssa.gov">Melissa.Williamson@ssa.gov</a>	AL
Amber Barnes	Pacific	<a href="mailto:Amber.Barnes@ssa.gov">Amber.Barnes@ssa.gov</a>	AZ
Michelle Wade	North	<a href="mailto:Michelle.Wade@ssa.gov">Michelle.Wade@ssa.gov</a>	MI
Trish Chaplin	Midwest	<a href="mailto:Patricia.Chaplin@ssa.gov">Patricia.Chaplin@ssa.gov</a>	MO

### Council of Chapter Presidents

Name	Email	State
Ayanna Conley	<a href="mailto:Ayanna.Conley@ssa.gov">Ayanna.Conley@ssa.gov</a>	GA

### Appointed Directors

Name	Position	Email
Reagan Lederman	Legislative Director	<a href="mailto:Reagan.Lederman@ssa.gov">Reagan.Lederman@ssa.gov</a>
Melissa Williamson	Membership Director	<a href="mailto:Membership.Director@nade.org">Membership.Director@nade.org</a>
Sara Winn	Communications Director	<a href="mailto:Sara.B.Winn@ssa.gov">Sara.B.Winn@ssa.gov</a>

# A Note From the Editor:

**Thank you for submitting articles to spotlight the wonderful happenings at NADE chapters across the nation. Please feel free to submit articles throughout the year! Let me know what your chapters did for Jan recruitment. I look forward to serving NADE as Communication Director for 2023!**

**Submit your articles to:**

[sara.b.winn@ssa.gov](mailto:sara.b.winn@ssa.gov)

