ASSOCIATION OF DISABILITY EXAMINERS 39 NUMBER 7 EDITION 2024 NATIONAL VOLUME SPRING THE PUBLICATION OF ⋖

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PRESIDENT'S MESSAGE NADE PRESIDENT, AYANA CONLEY

Greetings NADE Family,

Spring is in the air and there are a lot of great things happening with NADE! Spring provides us with many opportunities to come together including National Donate Life Month (April) and National Donate Life Blue & Green Day (Friday April 12). I encourage all Chapters to use this month to promote the importance of registering as an organ, eye, and tissue donor.

Many Chapters participated in our annual January Membership Drive. I am happy to report that these efforts resulted in a 9.6% increase in membership.

Welcome to all the new members and those that are returning to NADE! Your membership allows NADE to continue to work hard to support you and all those impacted by the Social Security Disability program.

One of the important ways that NADE advocates for you is with NADE's Top Issues. For 2024, our Top Issues continue to emphasize that DDS recruitment and retention should be a top priority. We were excited to see that Commissioner O'Malley in his testimony before Congress in March stressed that we cannot keep doing more with less. NADE also continues to support improvements to both policies and procedures that will simplify the way we process disability claims. One of our longstanding Top Issues, reducing the relevant work period, is as close as it has ever been to becoming a reality. Let's continue to make our voices heard on these important issues.

The NADE Board held our Mid-Year Board Meeting in March. This gave us a chance to conduct NADE business and receive updates from our SSA partners. Details regarding these updates can be found in this edition of the Advocate. One of the items discussed was this year's National Disability Professionals Week (June 17-21) theme – NADE: One Team, One Goal. I am so excited about this theme, and I cannot wait to see the activities that you plan to celebrate! The Board also discussed our 2024 National Training Conference (NTC) which will be held in Oklahoma City. The planning committee is working hard to make sure there are plenty of great speakers and things to do. NTC is always an awesome opportunity to get some face time with your favorite colleagues and to learn some new stuff. I hope to see many of you in August. Keep your eyes peeled for updates on the NADE website (www.nade.org).

In closing, I would like to encourage everyone to continue to be active on the local, regional, and national level. If you are not active, this is a great time to join in the fun. Whether that is joining a committee, writing a nomination for a NADE Award, participating in a Chapter community service event, joining in for a National Disability Forum, recruiting or mentoring a new member, writing an article for the NADE Advocate, participating in a training conference, planning a Chapter activity, donating something for a fundraiser, or nominating yourself for a position on your Chapter or NADE Board.

Your passion and commitment to NADE is what makes NADE great!

Ayanna Conley,

NADE President

Steve Rollins Associate Commissioner, Office of Disability Policy

The NADE Board was honored to hear a presentation from Steve Rollins, Associate Commissioner of the Office of Disability Policy (ODP). Mr. Rollins was joined by several members of his team: Michael Goldstein, Mary Quatroche, Stephanie Schmidt, Dr. Marquita Sullivan, Debby Harkin, Steven Buse, Elaine Tocco, Heather Murr, Jeff Visakowitz, Chuck Wansor, and Joshua Silverman. Mr. Rollins and team addressed several policy updates including the Cardiovascular Listings, Telehealth Consultative Examination Policy, Vocational Policy Changes, and Vocational Special training.

Mr. Rollins discussed that one of the new Commissioner's, The Honorable Martin O'Malley's, main priorities is to address the backlog of cases. He explained that ODP will be looking at policies and considering the impact they make on how quickly a decision can be made.

Mr. Rollins introduced Michael Goldstein, Director, Office of Medical Policy, to discuss upcoming changes to the Cardiovascular Listings. Mr. Goldstein said that the Cardiovascular Listings are in an active update, but he said it has been pushed back a bit. The changes are expected to touch on revising the introduction texts, revising the listings for congestive heart failure, ischemic heart disease, and peripheral arterial listing. Additionally, some other listings may have changes, and some will change listing numbers. The office is actively working on responses that will lead to the final listing changes. They are consulting with the internal doctors, and the office did receive comments from other organizations including NADE.

Mary Quatroche, Director, Office of Vocational, Evaluation, and Process Policy (OVEPP), addressed the group regarding the telehealth consultative examination (THCE) policy. After reviewing the timeline of the development of THCEs, Ms. Quatroche discussed that two new POMS are being created which will formalize the EM guidance that offices are using. Once the POMS are updated, DCPS will be updated with new forms and a new script which is expected to be more user friendly. However, the telehealth script is a legal requirement which will need to continue being documented in the case file. The new POMS was published on March 28th, and a Video on Demand (VOD) for the new POMS is available. The next steps for THCE are: 1) DCPS will have the new THCE agreement forms available for use on 5/18/24; 2) ODD will develop more specific POMS instructions governing information security requirements; 3) OMP will add selected physical impairments to the list of impairments we can evaluate via telehealth as their workloads permit.

Ms. Quatroche provided an update on changes proposed with the Past Relevant Work (PRW) Rule. The target publication date is in April with implementation to follow. PRW changes will require rescinding two Social Security Rulings (SSRs) and replacing them with updated SSR guidance. The changes will also require 32 sections of POMs to be updated, as well as updates to the SSA-3368, SSA-3369, Uniforms, DCPS, EDCS, and eView. In addition to the changes regarding PRW, there are 11 POMs being updated and published in FY 2024 which include areas such as Disability Case Development for Evidence, Collateral Estoppel Policy, Developing Supplemental Evidence and Evidence Evaluation.

The National Council of Disability Determination Directors (NCDDD) presented ODP with items they wished to be clarified which stemmed from returns that had been received from the Office of Quality Review (OQR). They requested clarification of policies, so their instructions are clearer. For example, the developing supplemental evidence POMS will clarify examiners do not have to obtain evidence from future appointments. The desire is to make policy clearer and avoid disagreements on errors being received. There are additional updates coming to the National Case Processing System (NCPS) in May for TSA which may help with some issues. Ms. Quatroche also advised that the anticipated Earley acquiescence ruling (6th Circuit: Kentucky, Michigan, Ohio, and Tennessee) would supersede the current Drummond and Dennard rulings, but it would not affect the Chavez (9th Circuit) ruling.

OVEPP is working to update Vocational Specialist training. The training for TSA has been completed, and trainings for special medical profiles, work history, and PRW are in process for the FY2024. Trainings are being converted to the Learning Management System catalogue, and the VOD catalogue will be retired.

It was noted that there has been interest in the Sickle Cell listing externally, and ODP is looking at it and obtaining research. They are also recently assessed the need for the COVID-19 flag being used on cases. This was intended to obtain information on how many COVID-19 cases were received, and with the pandemic ending, it was determined that this no longer needed being used.

The Commissioner has a significant interest in IMAGEN. As of November 2023, all state DDSs have access to IMAGEN, and as of the February 17, 2024, update, it can process all of the major DDS workloads. In July 2024, IMAGEN will be available to support hearings level claims, and a schedule for quality review and appeal council clams is being finalized. With the July 2024 update it is expected that new Smart Searches will be available including mobility/assistive device smart search and DA&A search. The update will also include an alert for the Special Medical-Vocational Profile Rule and an ability to open individual documents directly in IMAGEN instead of the legacy viewer.

After concluding the updates, Mr. Rollins and his team accepted questions from the Board members and feedback on some issues observed while use the new IMAGEN system. The board thanked them all for meeting NADE and providing useful updates on items coming in FY2024.

Kasey Torres Director Division of Disability Quality (DDQ)

NADE welcomed Director Kasey Torres of the Division of Disability Quality (DDQ) to the Mid-Year Board Meeting to discuss the latest from his division. Many of their ongoing projects are focused on quality management and DDS support including training, special studies, deficiency trend analysis, and review of current policies and procedures.

DDQ has numerous training initiatives ongoing to assist the DDS community. They currently train and support the assistance cadres that are tasked with processing disability claims on behalf of DDS. They offer Quality Visits and Collaborations (QVC's) which provides targeted quality data analysis and policy training to DDS and FO staff. They provide the DDS community access to the training materials used for quality reviewer training. DDQ also offers Immersion Training with their staff which provides DDS an opportunity to see in real time how quality reviews are conducted.

DDQ continues to work on a special study of quality returns with deficiency code 30 (<u>SGA</u> - allowed a disability claim despite insufficient evidence as to whether the claimant is performing ongoing SGA) and deficiency code 85 (<u>unresolved work activity that has potential to affect the period of disability</u> - disability claim allowed, but evidence is insufficient to determine either the correct onset or ending date because of unresolved work activity). In the past, these deficiencies would be sent directly to FO for work development. However, after DDQ's transition to QRCPS, returns could no longer be routed to FO and are now sent directly to DDS for correction. This provided DDQ with a unique opportunity to study these types of deficiencies. Based on their review, 70% of all states improved their accuracy rates for the 30/85 deficiency codes from August 2023 to November 2023, representing a net improvement of 24.4% nationally. ODD solicited feedback from the states with the most improvement and provided the information gathered on how they improved to assist other DDSs. DDQ and ODD are working collaboratively by exploring avenues that would allow them to be able to return these deficiencies directly to the FO.

DDQ is participating in workgroups reviewing probability of reversal (POR), substitution of judgement (SOJ), complete medical history policy, and technical corrective action (TCA) policies to determine if changes are need to these policies and how these policies are documented. A particular focus is substitution of judgment regarding DDS vocational documentation. It is expected that the work of these groups will conclude later this fiscal year.

Director Torres emphasized the value of positive feedback in the quality review process and the impact that it can have on DDS staff morale. DDQ is exploring ways to integrate positive feedback into QRCPS. They are also exploring ways use QRCPS to improve Informal Resolution Request (IRR) and quality review consistency across field sites.

We appreciate all the new initiatives and continuing efforts by DDQ.

NADE Calling for Executive Board Candidates

By: Jennifer Pounds, NC THADE

Are you a NADE Member who is wanting to be a bigger part of the organization and dive deeper into the growth of our professional organization? Are you ready to use your creativity, strategic planning and resourcefulness to promote the mission of NADE? If so, please consider running for one of the positions on the NADE Executive Board. The Elections and Credentials Committee will accept nominations from all eligible members for the offices of President-Elect, Pacific Regional Director, Midwest Regional Director and Council of the Chapter Presidents Chair.

If you intend to announce your candidacy for one of these officer positions, please submit a brief summary of your NADE experience, DDS experience and a recent photo. Nominations will also be accepted from the floor during the NADE General Membership meeting at the 2024 National Training Conference this summer. By providing advanced notice of your intent to run affords you the opportunity to have the CCP Chair and Regional Directors notify chapters in advance of your intent to run for office. Please review NADE's website (www.NADE.org) for further information about the duties and responsibilities for all Executive Board Officer Positions.

Submit intent to run summaries to Jennifer Pounds, Elections and Credentials Chair by June 28,2024 at Jennifer.pounds@ssa.gov.



National Disability Professionals Week 2024

By: Marcia Golden

The NDPW committee is excited to announce this year's theme for National Disability Professionals Week. The 2024 theme is: **NADE: One Team, One Goal.** NDPW will be celebrated June 17 to June 21, 2024. Due to office needs, some Chapters may need to celebrate NDPW on a different week during June.

NDPW is a time for NADE Chapters to celebrate their members with games and activities based on the theme. Some chapters plan after hours activities, other will host virtual events and games, as well as activities that take place at their offices. The NDPW committee looks forward to what each Chapter decides to do to honor their membership. Remember, each chapter can submit a summary of the week's events to compete for the NDPW Award that is announced at the Annual Training Conference this summer. Award submission should be emailed to Marcia Golden, marcia.golden@ssa.gov be the close of business Friday, July 19, 2024. There will be a \$25 prize for the first place chapter, and a \$15 prize for the second place chapter.

NADE is also excited to announce that the Non-Dues and Revenue Committee will be planning a fundraiser to run in conjunction with each Chapters NDPW festivities. Be on the look out for more information regarding this in the near future.



NADE Awards Deadline Moved to April!!

You read that correctly! NADE Awards deadline has been moved up to April 19th! This is due to production delays that require additional time to ensure that the awards are available at the National Training Conference Awards Luncheon August 6th in Oklahoma City. Please, have all award nominations submitted no later than April 19, 2024, by 5:00 p.m. EST, to awards@nade.org. The criteria and nomination form can be found on the NADE website, www.nade.org under Member Resources, NADE Awards Criteria.

Remember, each Chapter is allowed only one submission per award. Awards nominations must be submitted electronically. The nomination form should be typed and should explain in detail how the nominee exemplified the specific criteria of each award. It is preferred that only the nominee's identifying information be listed on the nomination form while an additional page(s) is submitted to include the narrative for the nomination. Please avoid referring to the member or chapter by name or any geographical identifying information in the nomination narrative. This could result in disqualification of the nomination. If anyone has any questions, please contact Melvin Carr, NADE Awards Committee Chair, by email at awards@nade.org.





NADE's Top Issues for 2024

- 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.
 - o Supporting DDSs to have competitive salaries will help retain experienced personnel.
- 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: Continue to explore ways to permit email and text messaging to claimants to aid in communication while considering privacy and security concerns. Expanding the emailer pilot. En-hancement of technology use to allow for form completion, document uploading, and secure messaging by claimants and appointed representatives.
- Evaluation of Vocational Regulations and Processes:

While work has been done to update vocational policy and processes, NADE continues to advo-cate for additional streamlining, taking into consideration the overall impact on the disability work-load and decisional outcomes.

- o Involve DDS directly in the process to update and simplify the vocational regulations.
- Business processes need to be consistent between the DDS, the Office of Quality Review (OQR), and ALJs.
- Continued focus on modernizing the occupational database and software used for vocational analysis
- 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.

- IT Modernization: Investment in technology to make reviewing and obtaining evidence more efficient. Continued expansion and development of IMAGEN. Explore programs that can efficiently identify duplicate records. Increase recruitment of Health IT networks. Provide technical support for Electronic Records Express (ERE) systems, with focus on eventual replacement of the system.
- 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 continued 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.
- National Case Processing System: To meet the needs of the DDSs, NADE advocates for adequate funding for enhancement requests in NCPS and continuous open communication with the DDSs front line users.

I'm Retired, Why Belong to NADE?

By Terri Klubertanz, NADE Retiree Chair

Hi, All Retirees –

Some of you might remember me – you may have seen communications from me in the past as the NADE President, the Great Lakes regional director, the SSA/DDS Administrators Liaison or the Strategic Plan chair. I have been proud to serve NADE in these various capacities, including positions in NADE at the state and regional level, throughout my disability career.

I am thrilled to continue to serve NADE in retirement as the Retiree chair. I have been retired for the past eleven years. I'm often asked, "I'm Retired. Why should I still belong to NADE?" For each of us, that would probably be a different answer. But for me, the main reason is that I want to do everything possible to maintain NADE's visibility, credibility and viability. I still believe in the good things that NADE is trying to accomplish and support the mission and goals of the organization.

My husband once said to me, "When someone retires, they should not be retiring FROM something - they should be retiring TO something". For me, one of those TO somethings has been NADE. By continuing my membership in NADE at the retiree level, attending NADE national training conferences and serving as chair or committee member of one of the NADE committees, I believe I am doing what I can to continue to support NADE's endeavors.

As a retiree, other ways you can support NADE is by including NADE in your charitable contributions each year or naming NADE in your estate plan. NADE is a qualified nonprofit 501c3 organization so contributions are tax-deductible as allowed by law. Every little bit that we as NADE retirees can do to support NADE goes a long way to support NADE's mission and vision and helps continue the legacy of NADE into the future.

If you would like to join the NADE retirees group, please send me an email at NADEretirees@gmail.com. Membership is a bargain, at \$25 per year, less than \$2.10 per month. I look forward to hearing from all you retirees.



NADE Is always looking for volunteers to serve on the board or committees. We are looking for candidates for President Elect. Please contact Deshong, Rich-ard Richard.Deshong@ssa.gov

NADE Committee Duties:

Awards:

When serving on this committee, the committee members will assist in reviewing the award nominees and voting for the most deserving nominee for each award category via email and send back to the award chair.

CDIU:

These committee members should be someone who works within the CDI. The committee chair will ask about input regarding issues and concerns related to the CDIU. This information will then be shared with the NADE Board.

Constitution & Bylaws:

These committee members will help the committee chair in reviewing regional and state chapter constitutions & bylaws to ensure compliance with the national constitution & bylaws.

Elections & Credentials:

These committee members help the committee chair with election of officers for the national conference.

Hearing Officer:

These committee members should be a hearing officer. The committee chair with ask about input regarding issues and concerns related to hearing officers. This information will then be shared with the NADE Board.

Medical Consultant:

This committee member should be a MC or PC. The committee chair with ask about input regarding issues and concerns related to being a MC/PC. This information will then be shared with the NADE Board.

National Disability Professionals Week (NDPW):

The committee chair with ask for votes for the chapter who has best idea for NDPW theme. They are also responsible for voting on which chapter hosts the best theme week for NDPW.

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Non-Dues Revenue:

These committee members work with the chair for any new ideas for non-dues revenue items to sell to the membership.

Organ Donation/Transplant:

These committee members vote on the chapter who host the best organ donation/transplant presentation for their chapter in the month of April.

Professional Development:

These committee members help assist the committee chair with reviewing any applications (as needed) for certification and re-certification to ensure that all requirements have been met.

Professional Relations Officer:

These committee members should be a Professional Relations Officer. The committee chair will ask about input regarding issues and concerns related to the PRO position. This information will then be shared with the NADE Board/SSA.

Retirees:

These committee members should be retired NADE members. The committee chair will ask for any input from the retired members about any issues they would like to see addressed related to NADE. The committee chair will then bring this to the NADE Board.

Strategic Plan:

These committee members work with the committee chair in keeping NADE's Strategic Plan updated and within the scope of what the Association can realistically achieve (the Strategic Plan can be found on the NADE's website under the About NADE tab).

Support Staff:

These committee members should be support staff members. The committee chair will ask for any input from the support staff members about any issues they would like to see addressed related their positions as support staff. The committee chair will then bring this to the NADE Board.

Systems:

These committee members assist the committee chair in addressing any issues regarding systems.

After the conference, each region will be looking to find members to serve on the committees. Your regional director will reach out for volunteers in the fall. If you are looking for an opportunity to get more involved in NADE, consider joining one of NADE's committees.

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A Note From the Editor:

Thank you for submitting articles to spotlight the wonderful happenings at NADE chapters across the nation. Special thanks to Rhea Novak who assists with editing articles. Please feel free to submit articles throughout the year! If you are interested in being mentored for Communications Director, please contact me.

Submit your articles to:

sara.b.winn@ssa.gov



