SOCIAL SECURITY ADMINISTRATION

FORM APPROVED
OMB NO. 0960-0657

DISABILITY HEARING OFFICER'S DECISION

Title XVI Disabled Child (DC) Continuing Disability Review

CODE NUMBERS		
DO	DDS	DHU

CHILD'S NAME

HEARING DATE

CHILD'S SSN
– –

The child and/or representative was earlier notified that the child's disability:

☐ Ceased _____
(Month/Year)

☐ Did not exist as previously established because: (Explain below)

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Present at the disability hearing: _____

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The basic issue to be determined by this disability hearing decision is whether the child is disabled/blind under the definition of disability/blindness in Section 1614(a)(3)(C) of the Social Security Act. This determination takes into account the standard of review for termination of disability benefits in Section 1614(a)(4)(B) of the Social Security Act.

Other issues are: _____

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The attached Summary of Evidence lists medical and other reports in the claims folder obtained prior to the disability hearing.

The following additional evidence was submitted at or after the hearing:

Summary of the child's testimony (if any):

Summary of relevant witness testimony (parent/guardian/other):

FINDINGS OF FACT AND ANALYSIS OF EVIDENCE

The disability hearing officer has reviewed the medical and other information in the child's claims folder pertaining to the issue(s) described above. The disability hearing officer has also reviewed the testimony and any additional evidence submitted at or following the disability hearing. After careful consideration of all evidence, the disability hearing officer makes the following findings:

DETERMINATION OF DISABILITY

In making a determination of disability, the disability hearing officer follows the evaluation steps required by SSA regulations: 20 CFR 416.994a(b). The steps are summarized below, but the disability hearing officer follows the complete rules in 20 CFR 416.994a and other relevant regulations.

1. HAS THERE BEEN MEDICAL IMPROVEMENT IN THE IMPAIRMENT(S) THE CHILD HAD AT THE TIME OF THE COMPARISON POINT DECISION (CPD)?

The disability hearing officer determines if there has been medical improvement in the impairment(s) the child had at the time of the CPD. The CPD is the most recent favorable medical determination that the child was disabled or continued to be disabled. Medical improvement is defined as any decrease in the medical severity (as shown by changes in the signs, symptoms and/or laboratory findings) of the impairment(s) which was present at the CPD. If the disability hearing officer finds that no medical improvement has occurred, he or she must also consider whether an exception to medical improvement applies.

☐ **NO, there is no medical improvement - disability continues unless an exception to medical improvement applies.**
If a Group I exception applies, the disability hearing officer goes on to step 3.
If a Group II exception applies, the disability hearing officer may find that disability ceases.

☐ **YES, there is medical improvement - go on to step 2.**

Explanation of this finding:

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2. DOES THE CHILD'S CPD IMPAIRMENT(S) STILL MEET OR MEDICALLY EQUAL THE SEVERITY OF THE CPD LISTING? IF NOT, DOES THE CPD IMPAIRMENT(S) FUNCTIONALLY EQUAL THE LISTINGS?

The disability hearing officer determines whether the current severity of the impairment(s) present and documented at the CPD continues to meet or medically equal the listing used to make the CPD decision, even if that listing has since been revised or removed from the Listing of Impairments in the Social Security Regulations at 20 CFR, Part 404, Subpart P, Appendix 1. If the CPD impairment(s) does not currently meet or medically equal the CPD listing, the disability hearing officer determines if the CPD impairment(s) functionally equals the CPD listings. If the disability hearing officer finds the CPD impairment(s) currently meets or medically equals the CPD listing or functionally equals the listings, he or she must also consider whether an exception to medical improvement applies.

☐ **YES, the CPD impairment(s) still meets or medically equals the CPD listing, or functionally equals the listings - disability continues unless an exception to medical improvement applies.**
If a Group I exception applies, the disability hearing officer goes on to step 3.
If a Group II exception applies, the disability hearing officer may find that disability ceases.

☐ **NO, the CPD impairment(s) no longer meets or medically equals the CPD listing, or functionally equals the listings - go on to step 3.**

Explanation of this finding:

3. IS THE CHILD CURRENTLY DISABLED? The disability hearing officer determines if the child is currently disabled by answering the questions in 3.A - 3.C.

3.A. DOES THE CHILD HAVE A MEDICALLY DETERMINABLE IMPAIRMENT OR COMBINATION OF IMPAIRMENTS THAT IS SEVERE?

If the child does not have a medically determinable impairment, or the child's current impairment or combination of impairments is a slight abnormality or a combination of slight abnormalities that results in no more than minimal functional limitations, the disability hearing officer determines that the child does not have a severe medically determinable impairment(s).

☐ **NO, there is no severe medically determinable impairment - disability ends.**

☐ **YES, there is a severe medically determinable impairment(s) - go on to step 3.B.**

Explanation of this finding:

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3.B. DOES THE CHILD'S CURRENT IMPAIRMENT OR COMBINATION OF IMPAIRMENTS MEET OR MEDICALLY EQUAL A LISTED IMPAIRMENT?

The disability hearing officer determines whether the current impairment(s) meets or medically equals an impairment in the current Listing of Impairments in the Social Security Regulations. If the disability hearing officer finds the child's impairment(s) meets or medically equals a current listing, he or she must also consider whether a Group II exception to medical improvement applies.

☐ **YES, the current impairment(s) meets or medically equals a listed impairment - disability continues unless a Group II exception applies.**

☐ **NO, the current impairment(s) does not meet or medically equal a listed impairment - go on to step 3.C.**

Explanation of this finding:

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3.C. DOES THE CHILD'S CURRENT IMPAIRMENT OR COMBINATION OF IMPAIRMENTS FUNCTIONALLY EQUAL THE LISTINGS?

The disability hearing officer determines if the child's impairment(s) functionally equals the listings as described in the regulations (20 CFR 416.926a). In determining functional equivalence, the disability hearing officer describes and evaluates the child's functioning in all functional domains (20 CFR 416.926a(f)-(l)), and discusses the factors that apply in the child's case and how evidence wa evaluated (20 CFR 416.924a).

To be disabling, the child's impairment(s) must result in "marked" limitations in two domains of functioning or an "extreme" limitation in one domain ("marked" and "extreme" are defined in 20 CFR 416.926a(e)). The domains are:

- Acquiring and using information
- Attending and completing tasks
- Interacting and relating with others
- Moving about and manipulating objects
- Caring for yourself, and
- Health and physical well-being.

If the disability hearing officer finds the child's impairment(s) functionally equals the listings, he or she must also consider whether a Group II exception to medical improvement applies.

☐ **YES, the current impairment(s) functionally equals the listings - disability continues unless a Group II exception applies.**

☐ **NO, the current impairment(s) does not functionally equal the listings - disability ends.**

Explanation of this finding:

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Are there other issues relating to this determination? ☐ YES ☐ NO

Explanation: _____

CONCLUSIONS

The child is found to be:

☐ **DISABLED**

☐ **DISABLED, BUT** with a new date of disability: The earlier determination that the child's disability has ceased is correct. Disability began again on _____

☐ **NOT DISABLED** - the prior cessation date is affirmed.

☐ **NOT DISABLED, BUT** with a later cessation date. The child's disability ceased as of _____

Other conclusion: _____

DISABILITY HEARING OFFICER'S SIGNATURE	DATE

PRIVACY ACT NOTICE: The Social Security Administration (SSA) is authorized to collect the information on this form under sections 205(a) and 1631(e)(1)(A) and (B) of the Social Security Act, as amended (42 U.S.C. 405 and 1383). Giving us this information is mandatory. SSA will use the information on this form as an official document of the disability hearing officer's determination.

Computer Matching Statement
We may also use the information you give us when we match records by computer. Matching programs compare our records with those of other Federal, State, or local government agencies. Many agencies may use matching programs to find or prove that a person qualified for benefits paid by the Federal government. The law allows us to do this even if you do not agree to it.

Explanations about these and other reasons why information you provide us may be used or given out are available in Social Security offices. If you want to learn more about this, contact any Social Security office.

PAPERWORK REDUCTION ACT STATEMENT: This information collection meets the requirements of 44 U.S.C. § 3507, as amended by Section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 1 hour and 15 minutes to read the instructions, gather the facts, and answer the questions. *Send **only** comments on our time estimate above to: SSA, 1338 Annex Building, Baltimore, MD 21235-6401.*