

# SOCIAL SECURITY CONTINUING DISABILITY REVIEWS (CDRs)

By Jacques Chambers

Whether you are collecting Social Security Disability (SSDI) or Supplemental Security Income (SSI), your medical records will be reviewed periodically to see if you are still disabled enough for the disability benefits to continue.

Social Security calls these medical reviews “Continuing Disability Reviews,” or CDRs. They should not be confused with the financial reviews that SSI recipients receive every year to confirm their ongoing financial eligibility for SSI through low income and limited resources.

Each time Social Security reviews your medical file, they set the schedule for the next medical review. Your initial Notice of Award of benefits will tell you approximately when they next plan to review your medical record to determine if you remain disabled.

For claims in which they expect to see some medical improvement, they schedule the next review for three years. For claims in which they do not expect to see improvement, they schedule the next review in five to seven years. Claimants disabled due to hepatitis C are usually scheduled for review in five to seven years, however, in some cases, they will schedule it sooner.

**Important Note:** Do not be concerned if you do not get your CDR request at the time you expect it. Social Security is very understaffed and their workload increases regularly without additional staff to handle it. Due to this crush of work, CDRs are often not on schedule or are just not performed at all. If you are expecting a CDR and don't get one, it is not recommended that you call and ask about it. Your benefits are going to continue anyway.

To be prepared for these reviews whenever they occur, it is important that you continue to report all your symptoms to your physician and make sure they are entered into the record. Also any testing which will help provide objective evidence of your disability should continue to be done.

When it's time for a CDR, Social Security will send you one of two forms:

- Short Form CDR (SSA-455-OCR-SM)
- Long Form CDR (SSA-454-BK)

The “right” way to fill them out depends on which form of CDR you are sent.

**The short form (SSA-455-OCR-SM)** is the “easy” one. It is only two pages long and is read by computer (OCR stands for Optical Character Reader). Since it is sent primarily to beneficiaries who have a low probability of medical improvement, this is probably the form you will receive. However, there is no way to know which form you will be sent,

and the form you have been sent has no bearing on any possible outcome or prejudice to your claim.

The short form assumes you are still disabled unless you give them reason to question that. A human only looks at the short form if the computer kicks it out for one reason or another. If it isn't sent to a human for further review, then your benefits continue uninterrupted.

Assuming you are still disabled and your condition has not measurably improved, there are some things you can do to see that the computer accepts the form without sending it for further review:

- **Fill out the form exactly as instructed.** Use a box for each letter or number. If the boxes run out, stop, even if it's mid-word.
- **No new information.** The goal of this form is to simply confirm the information they already have, so you don't want to include any changes, not even administrative changes such as an address change on this form. New information will cause the form to be kicked out for human review.
- **Use original diagnosis.** Under "Reason for Last Visit," use the same diagnosis for which you were approved.

**The long form (SSA-454-BK)** is 10 pages and is very similar to the original forms that you filled out when you first applied for Social Security Disability. It primarily asks for the names and addresses of all your providers. They will obtain your medical records directly from them.

This form not only goes to persons whose condition is expected to improve, it is also sent to persons whose short form was "kicked" by the computer, and is randomly sent to persons as part of a trial or study that Social Security may be conducting.

The long form should be filled out just as thoroughly and completely as when you initially applied for disability benefits. On this form, it is important to note any changes in your medical condition, especially new infections, symptoms or diagnoses. Make sure your doctors are alerted to the review and that they submit new medical records since your last review promptly.

**Be sure to make copies of the completed CDR,** including the short form, before sending it in. This will facilitate the next review when it comes.

The CDR performed by Social Security is entirely different from the periodic reviews conducted by disability insurance carriers. Social Security does not necessarily "try" to find reasons to terminate benefits. Current medical records that show you are still under a doctor's care and that you still have the condition and the symptoms that prevented you from working initially are usually all that is needed to continue your Social Security benefits without interruption.

It is not common for Social Security to terminate benefits just on the basis of a CDR, although it does happen. Most terminations occur due to the claimant returning to work.

If Social Security conducts a CDR and determines you are no longer disabled, you will have the right to appeal that decision. You will also have the option to continue benefits while you are appealing although Social Security, however, does reserve the right to collect that money back if your appeal is not successful.