

Revision # 112

CATEGORY: DISABILITY DETERMINATION – REVIEW OF DISABILITY

http://www.dshs.wa.gov/manuals/socialservices/sections/Disability_det_review.shtml

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Revision Author: Shane Riddle

Division: CSD

Phone (360) 725-4352

Email riddlms@dshs.wa.gov

Summary: Updated for clarify and readability.

DISABILITY DETERMINATION - REVIEW OF DISABILITY

Revised November 1, 2011

[WAC 388-449-0150](#) When does my eligibility for the Aged, Blind, or Disabled (ABD) cash benefits end?

WAC 388-449-0150

WAC 388-449-0150 When does my eligibility for the Aged, Blind, or Disabled (ABD) cash benefits end?

1. The maximum period of eligibility for ABD cash is twenty four-months before we must review additional medical evidence. If you remain on ABD cash at the end of the twenty-four month period, we determine your eligibility using current medical evidence.
2. If your application for SSI is denied:
 - a. We review your eligibility for the ABD cash program;
 - b. We stop your benefits if you do not provide proof you have filed an appeal with SSA within sixty days of a SSI denial for not being disabled.
3. We stop your benefits after the final decision on your application for SSI/SSA benefits or if you fail to follow through with any part of the SSI/SSA application or appeals process.

Review and Termination of ABD Cash

1. The Disability Specialist must review current medical evidence and determine whether the individual meets the ABD disability criteria detailed in WAC 388-449-0001 (3) at least every 24 months.
2. The Disability Specialist may initiate an early Disability Review at any time, if the Department receives information indicating that the individual is no longer likely to meet SSI disability criteria.
4. Eligibility for ABD cash ends when a final disability determination has been ~~made by~~ made at the SSA Post-Appeal stage, or when the individual no longer meets the ABD disability criteria detailed in WAC 388-449-0001. ~~an unfavorable disability determination is made at the initial, reconsideration, or hearing stage and the person fails to file a timely appeal.~~
2. A final SSA disability determination includes an SSI or SSDI denial at the SSA Post-Appeal stage or an unfavorable determination at the initial, reconsideration, or hearing stage for which the individual fails to file a timely appeal. ~~The client may also no longer be likely to be eligible for SSI when:~~
 - a. ~~There is a change in the person's resources or income.~~
 - b. ~~The person becomes employed.~~
 - c. ~~The person's medical condition improves.~~
3. When SSI is denied for any reason, the SSI Facilitator reviews the case record and SSA denial notice to determine if the individual continues to meet ABD financial criteria outlined in WAC 388-400-0060 and the ABD disability criteria outlined in WAC 388-449-0001 (3). ~~Terminate cash assistance and facilitation services when the person no longer meets ABD cash program financial or disability criteria per WAC 388-400-0060, 388-449-0001.~~
 - a) If it appears the individual no longer meets ABD financial eligibility criteria per WAC 388-400-0060, the SSI Facilitator notifies the Financial Service Specialist that a review of financial eligibility is needed.
 - b) If it appears the individual no longer meets the ABD disability criteria outlined in WAC 388-449-0001 (3), the SSI Facilitator notifies the Disability Specialist that an early Disability Review is needed.
3. Authorize MCS medical if the person meets MCS eligibility criteria detailed in WAC 182-508-0005 and the MCS incapacity criteria ~~defined~~ in WAC 182-508-0010 through 182-508-011020.

NOTE: An ABD Disability Review is not required for recipients age 65 or older.

NOTE: If a client is approved for ABD cash assistance based on a NGMA approval, and SSA denies their application for SSI, the SSI denial stands and the NGMA decision is no longer valid. The person must **BOTH** file a timely SSI and be approved through the 5 step disability determination process in ICMS to remain eligible for ABD.