

Revision # 115

**CATEGORY:** DISABILITY DETERMINATION – STEP 4

[http://www.dshs.wa.gov/manuals/socialservices/sections/Disability\\_Step4.shtml](http://www.dshs.wa.gov/manuals/socialservices/sections/Disability_Step4.shtml)

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**Summary:** Updated for clarify and readability.

## DISABILITY DETERMINATION - STEP 4

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[WAC 388-449-0080](#) Sequential Evaluation Process step IV — How does the department evaluate if I am able to perform relevant past work?

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WAC 388-449-0080

### **WAC 388-449-0080 Sequential Evaluation Process step IV — How does the department evaluate if I am able to perform relevant past work?**

1. If we neither deny disability at Step 1 or 2 nor approve it at Step 3, we consider our assessment of your physical and/or mental functional capacity, per [WAC 388-449-0020](#), [WAC 388-449-0030](#), to determine if you can do work you have done in the past.
2. We evaluate your work experience to determine if you have relevant past work and transferable skills. "Relevant past work" means work:
  - a. Defined as substantial gainful activity per [WAC 388-449-0005](#);
  - b. You have performed in the past fifteen years; and
  - c. You performed long enough to acquire the knowledge and skills necessary to continue

performing the job. You must meet the specific vocational preparation level as defined in [Appendix C of the Dictionary of Occupational Titles](#).

3. For each relevant past work situation, we compare:
  - a. The exertional, non-exertional, and skill requirements of the job based on the [Appendix C of the Dictionary of Occupational Titles](#).
  - b. Current cognitive, social, exertional and non-exertional factors that significantly limit your ability to perform past work.
4. We deny disability when we determine you are able to perform any of your relevant past work.
5. We approve disability when you are fifty-five years of age or older and don't have the physical, cognitive, or social ability to perform past work.

This is a reprint of the official rule as published by the [Office of the Code Reviser](#). If there are previous versions of this rule, they can be found using the [Legislative Search page](#).

## CLARIFYING INFORMATION

An individual who is 55 years of age or older meets ABD disability criteria if their impairment prevents them from performing all relevant past work from within the past 15 years.

## WORKER RESPONSIBILITIES

### Social Service Intake Interview

1. Document all of the individual's "relevant past work" in the ICMS Social Service Intake Assessment tool.
2. In order to be considered relevant past work:
  - a) The work must have been performed within the past 15 years;
  - b) The past work must be considered a "substantial gainful activity" as defined in [WAC 388-449-0005](#); and
  - c) The individual must have performed the work long enough to meet the [Specific Vocational Preparation](#) (SVP) level identified in the Dictionary of Occupational Titles (DOT) for the corresponding job listing.
3. Assign an exertional level (e.g. sedentary, light, medium, heavy) to the each specific relevant past work experience that is consistent with the [Strength Rating](#) identified in the DOT for the specific job title. Specific DOT job titles can be located using the [DOT Search](#) function.
4. Document any transferrable skills the individual gained during each relevant past work episode based on the individual's specific job duties. Transferrable skills are considered at Step V of the Sequential Evaluation Process (SEP).

## EXAMPLE

Henry worked as a roofer for 2 years ending in 2008. As a regular part of his weekly job duties, Henry visited potential job sites and provided labor and material estimates as part of the bidding process. While Henry's work as a roofer required the ability to perform medium work, he developed transferrable skills as a bidder (Estimator/DOT Code 169.267-038) and therefore has sedentary transferrable skills.

## Sequential Evaluation Process

1. If the individual is neither denied ABD at Step I or Step II, nor approved for ABD at Step III, the Disability Specialist determines whether the individual is capable of performing relevant past work.
2. For each relevant past work episode, the Disability Specialist compares the skill and physical demands identified for the specific corresponding DOT job title to the individual's residual functional capacity to determine whether the individual is capable of returning to past work.
3. When determining residual functional capacity, the Disability Specialist gives full consideration to all limitations supported by available medical and other evidence. Limitations include:
  - Mental (e.g. social and cognitive factors);
  - Exertional limitations (e.g. work level);
  - Non-exertional physical limitations (e.g. visual/auditory limitations, inability to work at heights, chemical sensitivities); and
  - Functional limitations (e.g. restrictions related to unrelieved pain or the effects of prescribed medication) resulting from a medically determinable impairment that are, social limitations, and cognitive limitations supported by available medical and other evidence.
4. ABD is denied if the individual is capable of returning to relevant past work.
5. If the individual is not capable of returning to relevant past work, the Disability Specialist proceeds to Step V or the Sequential Evaluation Process (SEP) and considers whether the individual is capable of performing other work available in the national economy.

### NOTE:

Ordinarily, "Residual Functional Capacity" is an assessment of an individual's ability to do sustained work-related physical and mental activities in a work setting on a regular and continuing basis. A "Regular and continuing basis" means 8 hours a day, for 5 days a week, or an equivalent work schedule. See SSR 96-8p for additional details.