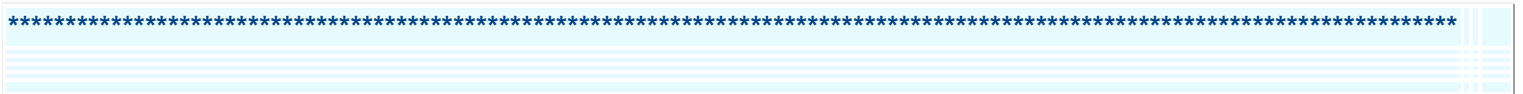


Department of Social and Health Services
Community Services Division
Social Services Manual

Revision: # 143
Category: **Incapacity Determination – Acceptable Medical Evidence**
Issued: March 23, 2018
Revision Author: Nicholas Swiatkowski
Division: CSD
Mail Stop: 45440
Phone: 360-725-4638
Email: nicholas.swiatkowski@dshs.wa.gov

Summary

Revised and updated this page to streamline with Acceptable Medical Source (AMS) rule changes to WAC 388-447-0005- *What evidence do we consider to determine incapacity?* Migrated the **Incapacity Determination – Required Medical Evidence** page to this page for formatting purposes.



Incapacity Determination - Acceptable Medical Evidence

Revised on: March 23, 2018

Purpose:

~~This section describes acceptable sources of medical evidence for HEN Referral incapacity determinations.~~

WAC 388-447-0005 What evidence ~~does the department~~we consider to determine incapacity?

WAC 388-447-0010 What medical evidence do I need to provide?

Clarifying Information- WAC 388-447-0005

1. A diagnosis of a medically determinable impairment must be from an “acceptable medical source” as defined in WAC 388-447-0005. The diagnosis must be supported by objective medical evidence described in WAC 388-447-0010 and be based on an examination within 5 years of the application date.
2. After a diagnosis is established, we can use “Supplemental Medical Evidence” as current evidence.
3. Once we have a diagnosis and current medical evidence, we may include “other evidence” as supporting documentation. ~~may be used to help better understand the client's incapacities and make well-informed incapacity decisions.~~ **Supplemental Medical Evidence does not replace Objective Medical Evidence (OME).** ~~OME must still be obtained for the Progressive Evaluation Process.~~

~~Incapacity Determination – Required Medical Evidence~~

Created on:-

Oct 21 2014

Purpose:-

~~This chapter describes medical evidence required for HEN Referral incapacity determinations.~~

WAC 388-447-0010 ~~What medical evidence do I need to provide?~~

Clarifying Information- WAC 388-447-0010

1. ~~Per WAC 388-447-0010 (5), the Department will cover the cost of obtaining medical evidence necessary to determine incapacity following our published fee schedule if the applicant/recipient is unable to obtain necessary evidence without incurring a cost.~~
1. We use symptoms and a diagnosis of a substance use disorder (SUD) when determining incapacity.
 1. An SUD is classified as a mental disorder and must be contained in the current Diagnostic and Statistical Manual of Mental Disorders (DSM).
 2. A diagnosis of an SUD must be from an “acceptable medical source” listed in WAC 388-447-0005.
 1. Once an “acceptable medical source” has established a diagnosis, the Disability Specialist can use “supplemental medical evidence” (e.g. from a chemical dependency professional) and “other evidence” (e.g. public and private agencies, personal observation, etc.) as supporting documentation as needed.

3. In addition to a diagnosis of a SUD, a client must meet all requirements under [WAC 388-400-0070](#) (e.g. determined incapacitated via the PEP) to be eligible for the HEN Referral Program.