

Revision # 117

CATEGORY: DISABILITY DETERMINATION – REVIEW OF DISABILITY

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

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Summary: Updated for clarify and readability.

DISABILITY DETERMINATION - REVIEW OF DISABILITY

Revised February 6, 2013

[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.

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](#).

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 must initiate the review far enough in advance to request and consider available medical evidence from the individual's treating medical providers and request clarification and/or additional evidence when necessary to determine ongoing ABD eligibility.
3. If the individual meets Equal Access (EA) criteria, the Disability Specialist must follow all requirements of the EA plan when reviewing ABD eligibility.
4. 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.
5. Eligibility for ABD cash ends when a final **disability** determination is made by SSA or when the individual no longer meets the ABD disability criteria detailed in [WAC 388-449-0001](#) (3).
6. 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 state for which the individual fails to file a timely appeal.
7. When SSI or SSDI is denied for any reason, the SSI Facilitator reviews the case record and SSI notice to determine if the individual continues to meet ABD financial criteria detailed in [WAC 388-400-0060](#) and the ABD disability criteria outlined in [WAC 388-449-0001](#) (3).

- a) If it appears the individual no longer meets ABD financial criteria, the SSI Facilitator notifies the Financial Service Specialist that a review of eligibility is needed.
- b) If it appears the individual no longer meets ABD disability criteria, the SSI Facilitator notifies the Disability Specialist that an early Disability Review is needed.

86. Authorize MCS medical if the person meets the MCS eligibility criteria detailed in [WAC 182-508-0005](#) and the the MCS incapacity criteria detailed in [WAC 182-508-0010](#) through [182-508-0110](#).

NOTE:	An ABD Disability Review is not required for recipients age 65 or older.
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NOTE:	<u>Screen for EA and implement any necessary accommodations when an individual frequently fails to follow through and/or expresses difficulty understanding program requirements.</u>
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