

# March 15, 2023

## Ask An Attorney HDAP Monthly Meeting

# Agenda:

- Focus Topic of the Month: Consultative Exams (CE): what are they & what to do about them
- Open Question & Answer
- Reminder: Benefits Helpline!



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## Focus Topic of the Month:

### Consultative Examinations (CEs)

1. What is a Consultative Exam?
2. Strategies to Avoid CEs
3. Preparing Your Client for CEs



## What is a Consultative Exam?

- **Disability Determination Services (DDS) schedules a CE when they think the medical records need to be developed further**
- **Doctors are picked by and paid by Social Security**
- **Often very quick & cursory**
- **Usually more harm than good**
  - **Can be helpful if no better option exists to develop records – rarely**



## BEWARE the Consultative Exams!

- The CE can undercut Client's own medical providers & records
- Missing a CE can result in a denial of benefits
- Consultative Exam results are routinely cited in adverse disability decisions



## Avoid the Consultative Exams

- **CEs can be cancelled!**
- **Often the information sought is already in Client's file**
- **Call DDS, direct them to the relevant medical records, and ask for a cancellation**



## Prepare for the Consultative Exams

- **Make sure Client understands:**
  - This will likely be very quick, not thorough
  - The person doing CE is **NOT** Client's doctor
- **Focus on most severe symptoms & worst days**
- **Do not discuss unrelated conditions**
- **Make sure Client gets there!**
  - You can try to reschedule as needed



# Asking for Help

ICLC is here to help with your specific questions about SSI/SSDI and CAPI Benefits Advocacy.



Please visit:

<http://www.changewellproject.com/benefits-helpline>