

Failure to Follow Prescribed Treatment

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Office of Audit Report Summary

Objective

To answer specific questions from the Subcommittee on Social Security regarding the Social Security Administration's (SSA) policy when beneficiaries or claimants fail to follow prescribed treatment.

Background

On December 12, 2014, we received a request from the Chairman of the Subcommittee on Social Security, Committee on Ways and Means, to provide information on how SSA ensures beneficiaries follow prescribed treatment.

During an initial claim or continuing disability review (CDR) that would be an allowance or continuation, if evidence shows an individual is not following his/her medical source's prescribed treatment, the Agency must develop the issue to determine whether this treatment would restore his/her ability to work. There are, however, acceptable reasons for failing to follow prescribed treatment.

From SSA's records of disability decisions, we obtained a file of all initial claims and CDRs processed in Calendar Year 2012. We reviewed all initial denials and CDR cessations due to failure to follow prescribed treatment. We also reviewed samples of allowed claims and CDR continuances to determine whether any mentioned failure to follow prescribed treatment.

Findings

We identified 15 instances where SSA denied benefits—or removed a beneficiary from the disability rolls based on a CDR—for failing to follow prescribed treatment. Of the more than 2 million disability denials in 2012, only 5 were denied because the individuals failed to follow prescribed treatment. Of the 122,000 initial CDR cessations in 2012, the Agency ceased 10 because the individuals failed to follow prescribed treatment.

SSA correctly identified initial claims and CDRs that it should have denied or ceased for failure to follow prescribed treatment, but the Agency did not follow policy in processing 14 of these 15 claims because it did not send the claimants predetermination notices. Also, in 2 of the 14 cases, SSA did not follow other failure to follow prescribed treatment policies.

Additionally, we reviewed a sample of 200 initial claims allowed in 2012 and found 23 had a possible failure to follow prescribed treatment issue. In 22 of these 23 claims, the adjudicator processed the claim in accordance with SSA policy. However, in one claim, the adjudicator did not follow Agency policy since he/she did not develop a potential failure to follow prescribed treatment issue.

We also reviewed a sample of 200 CDRs continued in 2012 and found 11 had a possible failure to follow prescribed treatment issue. In all 11 claims, SSA handled the issue in accordance with policy.