

Here is a brief explanation of our disability programs and how we use the Listing of Impairments (“the listings”):

### **Does Social Security give benefits to people who are disabled by illness or injury?**

SSA administers two programs that provide benefits based on disability:

1. *The Social Security Disability Insurance (SSDI) program, under Title II* of the Social Security Act, provides SSDI benefits to individuals who are “insured” under the Act based on the Social Security tax on their earnings. It also provides benefits to adults who became disabled before age 22, and whose parent(s) is receiving Social Security retirement or disability benefits, or whose parent(s) died but worked long enough under Social Security to have been “insured.”

2. *The Supplemental Security Income (SSI) program, under Title XVI* of the Act, provides SSI payments to individuals (including children under age 18) who are disabled and have limited income and resources.

The Act and our implementing regulations prescribe rules for deciding if an individual is “disabled.” Our criteria for deciding if someone is disabled are not necessarily the same criteria applied in other Government and private disability programs.

### **What about Medicare and Medicaid?**

Once individuals have been on the SSDI rolls for 2 years, they become eligible for Medicare. Individuals who receive SSI payments based on disability are immediately eligible for Medicaid in most states.

### **How does SSA define disability?**

Under both the SSDI and SSI programs, disability must be the result of a medically determinable physical or mental impairment or combination of impairments that is expected to result in death, or that has lasted or can be expected to last for a continuous period of at least 12 months. Our specific definitions of disability for different groups are shown in the following table:

| For a claim filed under... | And the claimant is...                 | Disability means the person has a medically determinable impairment(s) as described above that results in... |
|----------------------------|--|--|
| title II - SSDI            | an adult or an individual under age 18 | the inability to do any substantial gainful activity (SGA).  |
| title XVI - SSI            | an adult                               | the inability to do any SGA.   |
| title XVI - SSI            | a child from birth to age 18           | marked and severe functional limitations.  |

## How do we decide whether an individual is disabled?

For all individuals (including those under the age of 18) who file disability claims under Title II, and for adults who file disability claims under Title XVI, we use a 5-step sequential evaluation process to determine whether they are disabled. The five steps are:

### Step One:

- Is the individual still working?
- If so, is that work substantial gainful activity?
- If the answer is “yes” to both of those questions, we deny the claim.
- If the answer is “no” to either question, we proceed to the second step.

### Step Two:

- Does the individual have a severe medically determinable impairment or combination of impairments; i.e., does an impairment(s) significantly limit her/his physical or mental ability to do basic work activities?
- If not, we find that the individual is not disabled.
- If so, we go on to step 3.

### Step Three:

- Does the individual have an impairment(s) that meets or medically equals the criteria of an impairment in the Listing of Impairments?
- If yes, and the impairment(s) meets the duration requirement, we find that the individual is disabled.
- If not, we go on to step 4.

### Step Four:

- Does the individual have the residual functional capacity to do his or her past relevant work?
- If yes, we find that the individual is not disabled.
- If not, we go on to step 5.

### Step Five:

- Does the impairment(s) prevent the individual from doing any other work that exists in significant numbers in the national economy, considering his or her residual functional capacity, age, education, and work experience?
- If it does, and the impairment(s) meets the duration requirement, we find that the individual is disabled.
- If it does not, we find that the individual is not disabled.

For children who file disability claims under Title XVI, we follow a 3-step sequential evaluation process. The first two steps are the same as those above. At the third step, we determine whether the child’s medically determinable physical or mental impairment(s) meets, medically equals, or functionally equals the listings. The “functional equivalence” provision for Title XVI children is discussed below

## What is The Listing of Impairments?

The Listing of Impairments is an appendix to our regulations and describes, for each of 14 major body systems, impairments that are considered severe enough to prevent an individual from doing any gainful activity (or in the case of children under age 18 applying for SSI, that cause marked and severe functional limitations). Most of the listed impairments are permanent or expected to result in death, or a specific statement of duration is made. For all others, the evidence must show that the impairment has lasted or is expected to last for a continuous period of at least 12 months.

The criteria in the Listing of Impairments apply to evaluation of claims for both SSDI benefits and SSI payments based on disability.

For evaluating a child's impairment, under Title II or Title XVI, we first use the childhood listings in part B of The Listing of Impairments. If those listings do not apply to the child's condition, we can also use the adult listings in part A to evaluate his/her impairment.

We use the criteria in the Listing of Impairments only to make findings of disability; we never use them to deny a claim or find that disability has ceased.

## What does "functionally equals the listings" mean in an SSI child's claim?

Under Title XVI, a child's impairment(s) functionally equals the listings if it results in marked and severe functional limitations; that is, it causes marked limitation in two broad areas of functioning (called "domains") or extreme limitation in one such area.

### *The Domains:*

- Acquiring and using information
- Attending and completing tasks
- Interacting and relating with others
- Moving about and manipulating objects
- Caring for yourself
- Health and physical well-being

### *Definitions of "marked" and "extreme" limitations—*

*Marked limitation* means that an impairment(s) interferes seriously with a child's ability to independently initiate, sustain, or complete activities. Marked limitation may arise when several activities or functions are limited, or even when only one is limited, as long as the degree of limitation is such as to interfere seriously with the child's functioning.

(1) For a child of any age (birth to attainment of age 18), we find "marked" limitation in a domain when the child has a valid score that is two standard deviations (SD) or more below the mean, but less than three SD, on a comprehensive standardized test designed to measure ability or functioning in that domain, **and** the child's day-to-day functioning in domain-related activities is consistent with that score.

(2) For children from birth to attainment of age 3, we will generally find a “marked” limitation when the child is functioning at a level that is more than one-half but not more than two-thirds of the child’s chronological age when there are no standard scores from standardized tests in the case record.

*Extreme limitation* means that an impairment(s) interferes very seriously with a child’s ability to independently initiate, sustain, or complete activities. Extreme limitation may arise when several activities or functions are limited, or even when only one is limited, as long as the degree of limitation is such as to interfere very seriously with the child’s functioning.

(1) For a child of any age (birth to attainment of age 18), we find “extreme” limitation in a domain when the child has a valid score that is three standard deviations (SD) or more below the mean on a comprehensive standardized test designed to measure ability or functioning in that domain, **and** the child’s day-to-day functioning in domain-related activities is consistent with that score.

(2) For children from birth to attainment of age 3, we will generally find an “extreme” limitation when the child is functioning at a level that is one-half of the child’s chronological age or less when there are no standard scores from standardized tests in the case record.

Rating of limitation in the sixth domain, “Health and physical well-being,” is based on the frequency of impairment-related illness or exacerbations that result in significant, documented symptoms or signs. The childhood disability regulations provide specific definitions of “frequent” for the purpose of determining “marked” or “extreme” limitation in this domain.

For more information, you can find a link to our regulations on the SSA homepage at [www.ssa.gov](http://www.ssa.gov). Sections 404.1520ff discuss how we determine disability under Title II for adult and children. Sections 416.920 – 416.923 and 416.925 – 416.926 discuss how we determine disability under Title XVI for adults. Sections 416.924ff discuss how we determine discuss how we determine disability under Title XVI for children.