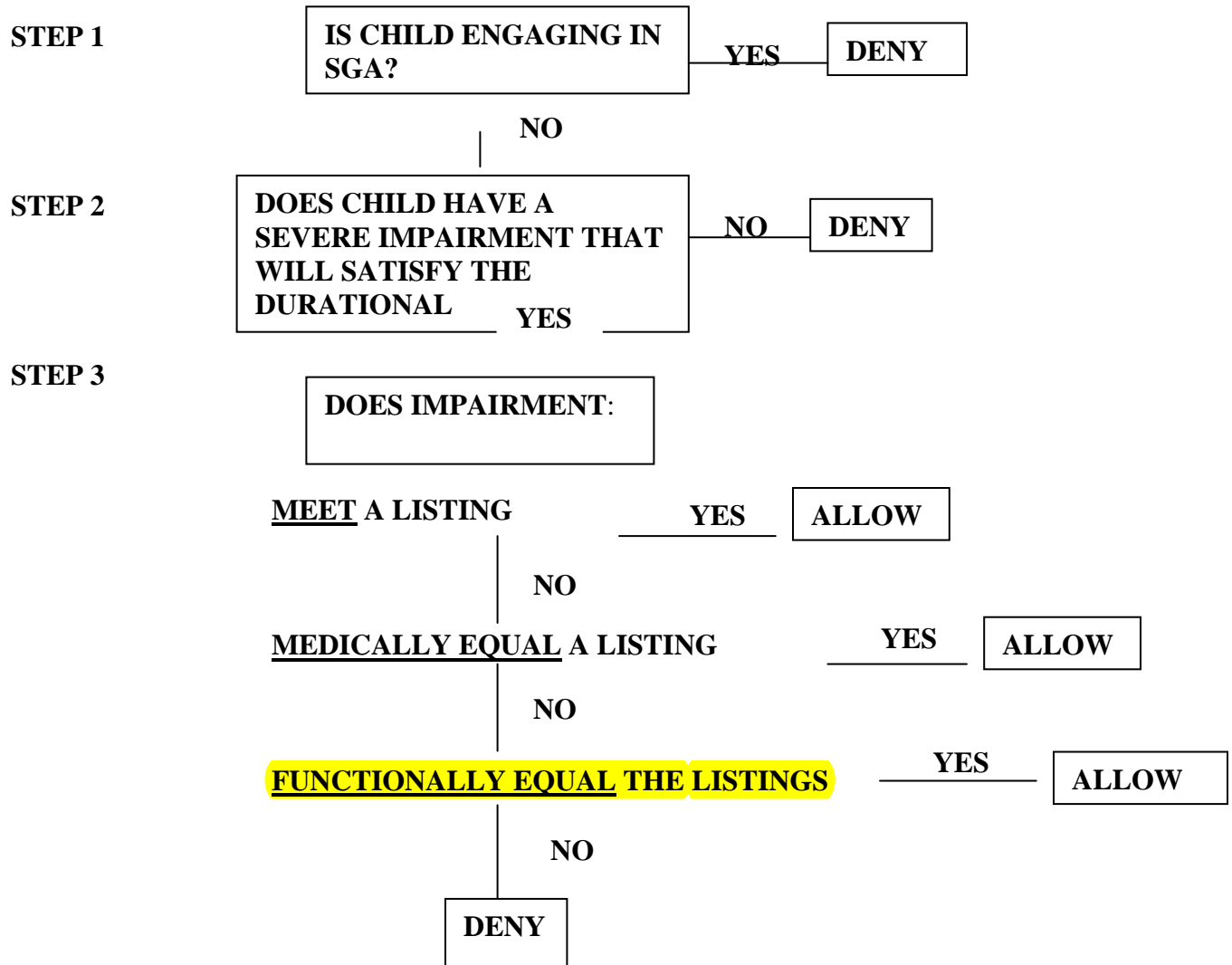


MEDICAID DISABILITY MANUAL

SEQUENTIAL EVALUATION FLOW CHART CHILDREN



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7. Continuing Disability Review for Children

- a. General. As with adults, all children's disability cases classified as Group II require a continuing disability review prior to the expiration date to determine if the child continues to be disabled. It is important to note that substantial gainful activity is not considered in children's continuing disability review.

Continuing disability review determinations which are approved based on lack of medical improvement as described below should refer to 20 CFR 416.994a as a regulatory basis on the LDSS-639, "Disability Review Team Certificate".

Please note that much of the information pertaining to children's continuing disability review is the same as that for adults. Therefore, to avoid repetition, some of the information which is covered in the section on adult continuing disability review is referenced for sections in which this is appropriate.

- b. Sequential Evaluation Process. The steps of the sequential evaluation process for children's continuing disability review cases are:
- Step 1 - Has there been medical improvement?
 - Step 2 - Does the impairment still meet or equal the severity of the listed impairment that it met or equaled before?
 - Step 3 - Is the child currently disabled?

NOTE: Steps in the sequence may be skipped if it is clear this would lead to a more prompt decision that disability continues. For example, the issue of medical improvement does not have to be considered if it is obvious from the evidence that the impairment meets the severity of a listed impairment.

- 1) **Medical Improvement - Has there been medical improvement in the child's condition?**
- (a) Medical Improvement. Medical improvement is defined as any decrease in the medical severity of the child's impairment(s) which was present at the time of the most recent favorable decision that he/she was disabled or continued to be disabled. Although the decrease in severity may be of any quantity or degree, disregard minor changes in signs, symptoms, and laboratory findings that obviously do not represent medical improvement and could not result in a finding that disability has ended. A determination that there has been a decrease in

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medical severity must be based on changes (improvement) in the symptoms, signs, or laboratory findings associated with the child's impairment(s).

- (b) The most recent favorable decision. The most recent favorable decision is the latest final determination or decision involving a consideration of the medical evidence and whether the child was disabled or continued to be disabled.
- (c) Temporary remissions. Some impairments are subject to temporary remissions, which can give the appearance of medical improvement when in fact there has been none. If the child has the kind of impairment that is subject to temporary remission, consider the longitudinal history including the occurrence of prior remissions and prospects for future worsening. Improvements that are only temporary do not warrant a finding of medical improvement.

- (d) Evaluation. Has there been medical improvement in the child's condition(s)?

Determine whether there has been medical improvement in the impairment(s) since the time of the most recent favorable determination or decision. If there has been no medical improvement, disability continues, unless one of the exceptions to medical improvement applies. Refer to Policy 55. It should be noted that the "Advances in Medical or Vocational Therapy or Technology" and "Vocational Therapy" exceptions do not apply to children.

If one of the first group of exceptions to medical improvement applies, proceed to Step 3. If one of the second group of exceptions to medical improvement applies, the disability may be found to have ended.

- 2) **Does the impairment(s) still meet or equal the severity of the listed impairment that it met or equaled before?** If there has been medical improvement, consider whether the impairment(s) that were considered at the time of the most recent favorable decision still meets or equals the severity of the listed impairment it met or equaled at that time. In making this decision, consider the current severity of the impairment(s) present and documented at the time of the most recent favorable determination or decision, and the same listing Section used to make that determination or decision as it was written at the time, even if it has since been revised or removed from the Listing of Impairments. If that impairment(s) does not still meet or equal the severity of that listed impairment, proceed to the next step. If that impairment(s) still meets or equals the severity of that listed impairment as it was written at the time find the child still disabled, unless one of the exceptions to medical improvement applies. If one of the first group of exceptions to medical improvement applies, proceed to Step 3. If one of the second group of exceptions to medical improvement applies, find that disability has ended.

- 3) **Is the child currently disabled?** If there has been medical improvement in the

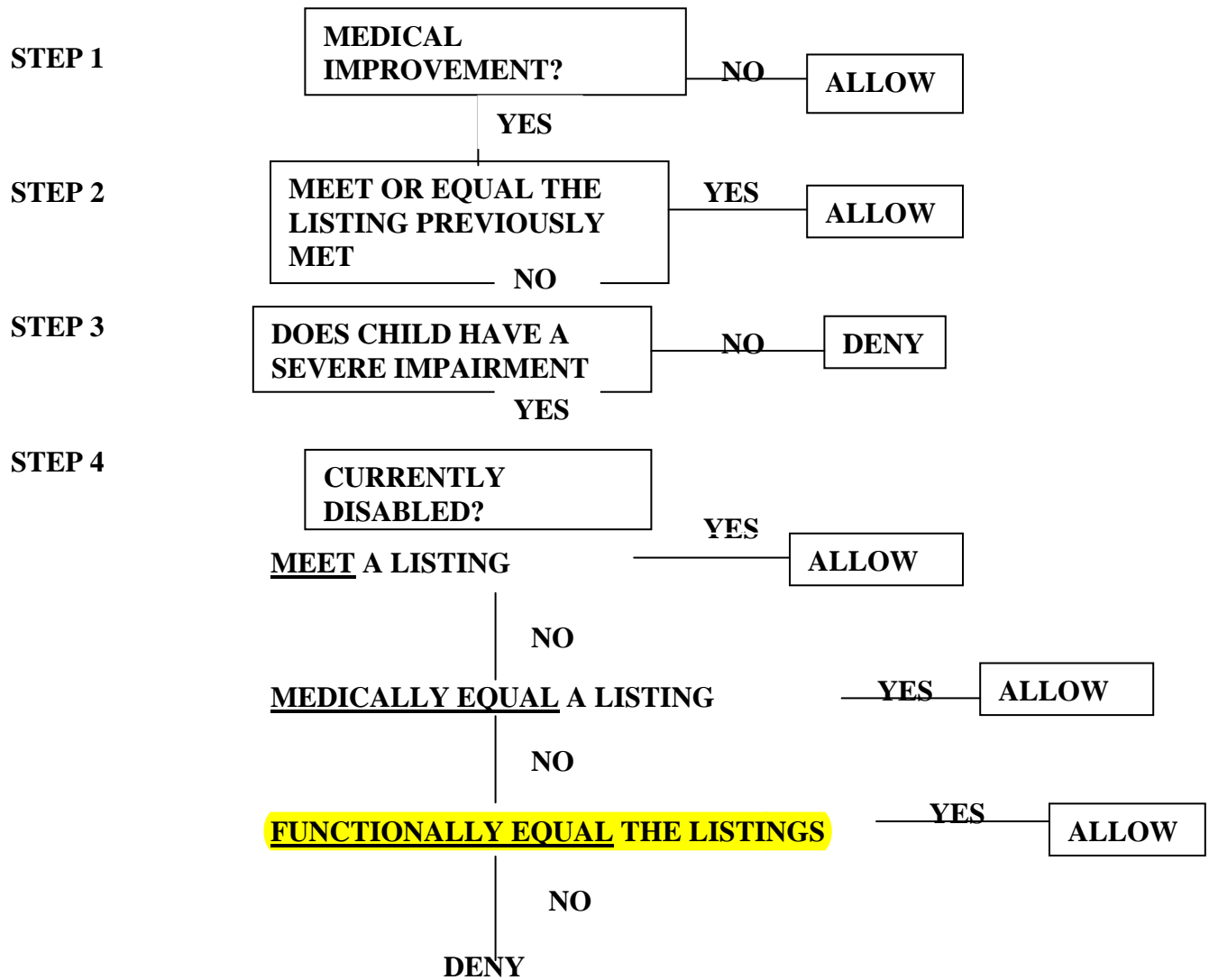
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impairment(s) that were considered at the time of the most recent favorable determination or decision, and if that impairment(s) no longer meets or equals the severity of the listed impairment that it met or equaled at the time, consider whether the child is still disabled. In determining whether the child is currently disabled, consider all current impairments including those not present at the time of the most recent favorable decision, or that were not considered at that time. The steps in determining current disability are summarized as follows:

- (i) Does the child have a severe impairment or combination of impairments? If there has been medical improvement in the impairment(s), or if one of the first group of exceptions applies, determine whether the current impairment(s) is severe. If the impairment(s) is not severe, find that disability has ended. If the impairment(s) is severe, consider next whether it meets or medically equals the severity of a listed impairment.
- (ii) Does the impairment(s) meet or medically equal the severity of any impairment listed in Appendix 1? If the current impairment(s) meets or medically equals the severity of any listed impairment, find that disability continues. If not, consider whether it functionally equals the severity of a listed impairment.
- (iii) Does the impairment(s) functionally equal the severity of any listed impairment? If the current impairment(s) functionally equals the severity of any listed impairment, find that disability continues. If not, find that disability has ended.

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CONTINUING DISABILITY REVIEWS (CDR) CHILDREN



Note: If the medical criteria in the children's listings do not apply, the adult medical listings should be used.