

.05 Local Office Medical Determination

The medical disability can be determined at the local office level. Enough information and verification must be provided by the participant, or given by the [DMC](#), to make a decision.

In addition, a determination of whether the participant is unemployable may be made based on the following:

- **SSI or SSA benefits**
The participant receives SSI benefits under Title XVI or SSA disability or blindness benefits under Title I, II, X, or XIV of the Social Security Act.
- The participant is certified for, but not actually receiving SSI or RSDI benefits and provides one of the following:
An SSA Disability Notice.
Proof of eligibility for SSI presumptive disability payments.
Proof of eligibility for SSI emergency advance payments.
- The participant is certified for SSI or SSA disability benefits or payments, but whose checks are recouped to repay a prior overpayment.
- **Veteran's Administration (VA)**
The participant is a veteran who has a disability rated by the VA as total or paid as total. The disability exists whether or not it is service connected.
The participant is considered by the VA to be in need of regular aid or is permanently homebound.
- **Conditional Release**
The participant has been released from a hospital, and the doctor has placed restrictions on the participant. These restrictions do not allow the participant to return to work for a specific amount of time.
- **Termination of Employment**
When the participant has been required to quit working by the employer or a doctor. The participant may also be on a forced leave of absence because of a disability. The disability does not need to be job related. The participant may or may not be able to do other types of work. The doctor must specify the length of the disability.

- **Sheltered Workshop**
The participant is employed at a sheltered workshop. The participant is considered able to work only in this type of work place by a doctor for a certain period of time.
- **Prior Certification**
The participant has a prior certification of disability that is current and valid. The disability certification may be for a certain period of time, or permanent. It still applies as long as it covers the current months for which benefits are requested.
- **Federal, State, Local Government**
The participant receives disability retirement benefits from a federal, state, or local government agency. The disability must be considered permanent under Section 221(i) of the Social Security Act.
- **Railroad Retirement Act of 1974**
The participant receives a disability annuity under either of the following:
 - Section 2(a)(1)(iv) of the Railroad Retirement Act of 1974, and has been found eligible for Medicare by the Railroad Retirement Board.
 - Section 2(a)(1)(v) of the Railroad Retirement Act of 1974, and is considered disabled based on the criteria used under Title XVI of the Social Security Act.