

## THE IMPORTANCE OF TREATMENT IN DISABILITY CASES

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When you seek to obtain Social Security disability or Supplemental Security Income benefits, you need to be seeing your doctors regularly for whatever physical or mental problems you are having. Think about this: there are nearly 3,000,000 new applications for disability every year. If the Social Security Administration (SSA) gave out benefits just based on people saying they are disabled then the system would immediately go bankrupt. The truth is that the legal standard for disability set by SSA is a difficult one. In order to meet that standard you are going to have to present a well documented record.

The only way to build an effective record showing that you are in fact disabled is by going to see your doctors and other medical sources for treatment on a regular basis. However, far too many claimants fail to do this. The most common reason for this is the existence of chronic medical conditions which have not responded to treatment.

For example, assume you have spinal disc problems in your lower back. You have had chronic, intractable, severe pain for more than five years. You have seen a multitude of doctors including a variety of specialists. You have had several different diagnostic studies of your spine. You have pursued every type of treatment available to you including drugs, physical therapy, injections, surgery, rehabilitation, etc. However, despite all of this, nothing ever seemed to help that much. Eventually you give up going to the doctors and instead just fill your prescriptions once a month. Your thinking is that nothing worked so why continue treating?

Your thinking makes perfect sense, but SSA would not see it that way. In order to build a proper case for Social Security disability, you are going to need to continue to see all of your doctors and other medical providers on a regular basis, even if their treatment yields few results. SSA's judges base their decisions for the most part on your treatment history. If they see a record showing that you have gone to the doctors regularly and frequently complained about your problems, then you have a good chance of winning. If instead they see a record where you have been to the doctors only infrequently over the past several years then the judge will conclude that your problems are just not that bad. Their reasoning is that if your problems were so serious and continuing then you would have been going to the doctors regularly to try to get help.

You and I may see that this way of thinking doesn't make a lot of sense in some ways. Nonetheless, that is part of the rules of the disability adjudication game. In order to win this game, you must be aware of all of the rules and follow them to perfection.

Going for regular treatment is just one the many hidden rules that you need to abide by when you pursue disability benefits from Social Security. The bottom line is this: if you want disability benefits then you need to be going to your doctors regularly and complaining about the problems you are having. If you do not do so then you may not be able to win your case.