

Improving the Integrity of Disability Evidence Act (H.R. 1936)

Part of [Chairman Johnson's Commitment](#), outlined in the most recent Subcommittee hearing, is to make the disability program work better. The *Improving the Integrity of Disability Evidence Act* (H.R. 1936) ensures that the Social Security Administration (SSA) only uses medical evidence from reputable sources when making a disability determination.

In order to receive Disability Insurance benefits, an individual must have a severe medically determinable impairment that causes an inability to engage in substantial gainful activity.

To determine the severity of an alleged disabling condition, the SSA's decision makers rely on medical evidence from the claimant and his or her own physicians.

- If the medical evidence available is insufficient, the SSA pays for a consultative exam to provide additional medical evidence.

Under current rules, the SSA must consider all doctors' medical opinions, regardless of the source. This has been abused by bad actors. For example, in a scheme uncovered in West Virginia doctors were hired who had been sanctioned or were unlicensed, and they would be paid to provide medical evidence.

In other Federal programs, doctors can be excluded due to certain activity. By law, doctors who have been convicted of program-related crimes, abused patients, committed health care fraud, or have a felony related to a controlled substance cannot participate in Medicare.

- This protects both Medicare beneficiaries and taxpayers.
- In addition, doctors that the SSA contracts with to perform consultative exams must not have been barred from participating in Medicare.

The bill prohibits the SSA from considering medical evidence from doctors who are barred from participating in Medicare or who were otherwise found guilty of fraud by the SSA.

A similar provision was included in Chairman Johnson's *Stop Disability Fraud Act of 2014* (H.R. 5260) and Ranking Member Becerra's *Social Security Fraud and Error Prevention Act of 2015* (H.R. 1419).