



Social Security Newsletter

This is a newsletter of interest to professionals who provide services to potential Social Security disability and SSI claimants. © 2023

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Peripheral Neuropathy Claims Are Perplexing

PERIPHERAL NEUROPATHY is a medical condition impacting the peripheral nervous system of the body. These are the nerves outside of the brain and spinal cord.

IT IS A PAINFUL CONDITION usually affecting the extremities – especially the feet and hands. Symptoms include pain, numbness, tingling, and weakness which can seriously impact function. Causes are often diabetes, vascular disease, smoking, alcoholism, autoimmune diseases and chemotherapy.

WHILE IT IS A FRUSTRATING set of symptoms for claimants, it is a difficult condition for Social Security to evaluate for disability claims.



IN KEEPING WITH THE ongoing increased rigor of the Listings of Impairments, Social Security's medical guidelines in Section 11.14 require:

A. An extreme limitation causing persistent disorganization in at least two extremities requiring the use of a walker to rise from a chair or balance; or the need for a walker or two canes or two crutches to walk, or the inability to sustain use of the upper extremities for even

simple gross manipulations like grabbing, holding and turning; or,

B. A "marked" (serious) limitation in physical functioning (one cane or one crutch required, or a significantly reduced ability to sustain use of the arms and hands); along with a "marked" restriction in either:

- a. Ability to understand, remember or apply information;
- b. Ability to interact with others;
- c. Concentrating, persisting or maintaining pace;
- d. Ability to adapt or manage self.

THIS COMBINATION in 11.14(B) of a physical impairment with mental health limitations is now common in the Listings and forces claimants to treat for mental illness, or at least consistently describe serious symptomatology, even if it not their primary impairment. This listing is quite severe and not often met by claimants.

THE ALTERNATIVE APPROACH in peripheral neuropathy claims is to document that the claimant's "Residual Functional Capacity" is so reduced that sustained work activity is not possible. For example, if the peripheral neuropathy is well documented consistently in the feet, and the claimant is older than 50 years old and has only done physical work, that combination may prove totally disabling. If the peripheral neuropathy is well documented in the hands, and the claimant is over 50 and has past relevant work requiring sustained use

of both hands such as mechanic or typist, that combination may also be totally disabling.

THE SYMPTOMS AND THEIR impact on function must be documented in the medical charts. That requires consistent treatment with a neurologist, vascular specialist or pain doctor with clinical charts at each visit noting the severity of the symptoms. This is an instance where the notes from a family physician will be considered, but not given the same weight as the specialist's charts.

OFTEN CLAIMANTS HAVE several impairments and the limitations caused by peripheral neuropathy, combined with the other medical issues, is enough to so reduce the Residual Functional Capacity findings as to justify a finding of total disability.

EXPERIENCED REPRESENTATION at the outset of the application is quite useful in claims based on peripheral neuropathy. Since the content of the medical records is so important, the earlier a claimant is taught the importance of communication with the medical providers, the stronger the chance of success.

*If you would like to learn more about Social Security Disability, Supplemental Security Income and how to help people needing this assistance, please give us a call for a **FREE IN-SERVICE**. These often qualify for continuing education credits for social workers, case managers and other staff.*