

**TO:** Local District Commissioners, Medicaid Directors

**FROM:** Brian J. Wing, Deputy Commissioner  
Office of Medicaid Management

**SUBJECT:** Additional Special Medical-Vocational Profile for the Medicaid  
Disability Manual

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** Local District Support Unit:  
Upstate (518) 474-8887 NYC (212) 417-4500

The purpose of this GIS message is to inform local districts of an important addition to the Official Policy section of the Medicaid Disability Manual. Section II D 2 h, Special Medical-Vocational Profiles, has been amended to include an additional profile entitled "Lifetime Commitment" which provides for a finding of disabled for persons who:

- Are not working at SGA level, and
- Have a lifetime commitment (30 years or more) to a field of work that is unskilled, or is skilled or semi-skilled but with no transferable skills, and
- Can no longer perform this past work because of a severe impairment(s), and
- Are closely approaching retirement age (age 60 or older), and
- Have no more than a limited education.

Local districts with their own disability review team should consider this profile before referring to Medical-Vocational guidelines at Step 5 of the Adult Sequential Evaluation (see page 17 of the Medicaid Disability Manual).

The online Medicaid Disability Manual has been updated to include the additional profile. (See the attachment to this GIS for the language that has been added.) The Disability Manual may be accessed on the DOH web site at: [http://www.nyhealth.gov/health\\_care/medicaid/reference/index.htm](http://www.nyhealth.gov/health_care/medicaid/reference/index.htm).

If you have any questions regarding this message, please contact Pat Galvin or Judy White at (518)473-5330.

**Addition to the Medicaid Disability Manual, Official Policy Section II D 2 h, Special Medical-Vocational Profiles: (Red type indicates new language.)**

- h. Different rules are used to meet one of the **three** special medical-vocational profiles described below. If the A/R meets one of these profiles, it will be determined that s/he cannot make an adjustment to other work and is, therefore, determined disabled.

Medical-vocational profiles showing an inability to make an adjustment to other work.

- (a) If an individual has done only arduous unskilled physical labor.

If the A/R has no more than a marginal education and work experience of 35 years or more during which s/he did only arduous unskilled physical labor, and s/he is not working and is no longer able to do this kind of work because of a severe impairment(s), the individual is considered unable to do lighter work and is, therefore, disabled.

Example: Mr. X is a 58 year-old miner's helper with a fourth grade education who has a lifelong history of unskilled arduous physical labor. Mr. X says that he is disabled because of arthritis of the spine, hips, and knees, and other impairments. Medical evidence shows a "severe" combination of impairments that prevent Mr. X from performing his past relevant work. Under these circumstances, Mr. X will be found disabled.

- (b) If the individual is at least 55 years old, has no more than a limited education, and has no past relevant work experience.

If the A/R has a severe, medically determinable impairment(s), is of advanced age (age 55 or older), has a limited education or less, and has no past relevant work experience, s/he will be found disabled. If the evidence shows that the individual meets this profile, there is no need to assess his/her residual functional capacity or consider the rules in Appendix II (Medical Vocational Guidelines).

- (c) If the individual is closely approaching retirement age (age 60 or older), has a lifetime commitment to unskilled work, or skilled or semi-skilled work but with no transferable skills.**

**If the individual is closely approaching retirement age (age 60 or older), has no more than a limited education, has a lifetime commitment (30 years or more) to a field of work that is unskilled, or is skilled or semi-skilled but with no transferable skills, is not working at SGA level and can no longer perform this past work because of a severe impairment, s/he will be found disabled.**

**To satisfy the requirement for this profile, the 30 years of lifetime commitment work does not have to be at one job or for one employer but rather work in one field of a very similar nature. If the person has a history of working 30 years or more in one field of work, the use of this profile will not be precluded by the fact that the person also has work experience in other fields, so long as that work experience in other fields is not past relevant work which the person is still able to perform.**