

Tequesta Family Practice

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Dear Testyapatient:

POSITION STATEMENT ON DISABILITY EVALUATION "It's just a simple form." This is what people often say when they wish to have me complete paperwork documenting a disabling condition. Because such matters are often not as simple as they might seem, I am writing to clarify my position on disability determination to avoid any confusion or misunderstanding. Please be advised that I do not perform disability exams or evaluations of any kind. This is based on my belief that as a primary care doctor, my role is to listen, to observe, and to be compassionate. If you tell me that you believe you can't work, I accept that as a true statement of your belief.

With regard to the legal questions of whether someone is entitled to benefits on the basis of a disability, I am not able to make that decision due to lack of objectivity. When asked to provide documentation as evidence in support of a legal position that any individual is entitled to benefits based on a disability, I will attest only to information of which I have direct firsthand knowledge and therefore information that would be admissible evidence in court.

Examples of facts to which I will attest would be absence or deformity of limbs, absence of one or both eyes, or gross decrease in consciousness, such as coma or vegetative state. With regards to less incontrovertible states, including but not limited to weakness, pain, cognitive, or emotional difficulties, paralysis, loss of sensation, or blindness, I must defer to those specialists with the skills and facilities to objectively measure those conditions.

When completing legal forms regarding any patient condition, I will not repeat subjective self reports as anything other than a direct quote, nor will I copy another doctor's statements as my own. Therefore, while I am willing to make statements such as "Mr. Smith tells me that he is too weak to stand", I will not state, "Mr. Smith is too weak to stand", as I have no way to

verify this as fact. When a previous medical doctor has performed an assessment and declared a person to be disabled, I will state, if I have seen the report, that "Dr. Jones has previously stated Mr. Smith has a disabling condition, however I cannot verify whether that condition has improved, worsened or remained the same." Moreover, if the only source for such information is a verbal report, I must disclose that lack of documentation. Therefore, if an independent medical examiner, or specialist has previously assessed your condition and declared you to be disabled, I recommend that you contact him or her to obtain an updated statement or reevaluation as he or she deems appropriate.

I hope this statement of my policy is clear and will help avoid misunderstandings about which services I will and will not perform regarding disability evaluations and statements. If you have any questions, please don't hesitate to call and make an appointment so that we can discuss your questions and concerns

Respectfully,

R. J. O'Connell MD