

## **Occupational Information Development Advisory Panel Quarterly Meeting Minutes**

Hyatt Regency McCormick Place  
Chicago, IL

June 10-11, 2009

This document contains the minutes of the third quarterly meeting of the Occupational Information Development Advisory Panel (the "Panel"). This discretionary Panel, established under the Federal Advisory Committee Act of 1972, as amended (hereinafter referred to as "the FACA"), will report to the Commissioner of Social Security ("Commissioner"). The Panel will provide independent advice and recommendations on plans and activities to replace the Dictionary of Occupational Titles used in the Social Security Administration's (SSA) disability determination process. The Panel will advise the agency on creating an occupational information system tailored specifically for SSA's disability programs and adjudicative needs. The Panel will provide advice and recommendations related to SSA's disability programs in the following areas: medical and vocational analysis of disability claims; occupational analysis, including definitions, rating, and capture of physical and mental/cognitive demands of work, and other occupational information critical to SSA disability programs; data collection; use of occupational information in SSA's disability programs; and any other area(s) that would enable SSA to develop an occupational information system suited to its disability programs and improve the medical-vocational adjudication policies and processes.

### **Panel Members Present:**

Gunnar B. J. Andersson, Ph.D.  
Mary Barros-Bailey, Ph.D. (Interim Chair)  
Robert T. Fraser, Ph.D.  
Shanan Gwaltney-Gibson, Ph.D.  
Thomas A. Hardy, J. D.  
Sylvia E. Karman  
Deborah E. Lechner  
Lynnae M. Ruttledge  
David J. Schretlen, Ph.D.  
Nancy G. Shor, J.D.  
Mark A. Wilson, Ph.D.

### **Call to Order:**

Debra Tidwell-Peters, the Designated Federal Officer, called the meeting to order and recognized the Panel's Interim Chair, Dr. Mary Barros-Bailey. At the opening of the

Quarterly Meeting, Associate Commissioner of Office of Program Development and Research Richard Balkus swore in Panel Member Gunnar B. J. Andersson, Ph.D.

Following the swearing-in ceremony, Dr. Barros-Bailey informed the Panel and audience of the resignation of member Jim Woods.

***Presentation: National Association of Disability Examiners (NADE)***

**Georgina B. Huskey, President**

Ms. Huskey's began her presentation by describing the goal of NADE--to promote the art and science of disability evaluation. She also covered the requirements for a DOT replacement tool which include that it must be user friendly and written in comprehensible work terms. Ms. Huskey suggested that two alternatives to the DOT that might be useful if included in a new system would be SkillTRAN (a PC-based software and Internet-based services for transferable skills analysis) and OccuBrowse (a comprehensive occupational information database).

***Presentation: National Council of Disability Determination Directors (NCDDD)***

**Trudy Lyon-Hart, Secretary**

Ms. Lyon-Hart's presentation described NCDDD as a voluntary, managerial association and discussed the organization's concerns with the use of the current occupational system--including the fact that the information in the DOT is out-of-date and date in the Selected Characteristics of Occupations (SCO) does not provide the residual functional capability information that we measure. A new occupational information system should include specifications for job titles and related functional demands; it should have the capacity to systematically retrieve lists of jobs to which skills could be potentially transferred once past work is identified; and, it should be user friendly.

***Presentation: Clinical Inference in the Assessment of Mental Residual Functional Capacity***

**David A. Schretlen, Ph.D., Mental/Cognitive Subcommittee Chair**

The presentation given by Dr. Schretlen covered the methods of inference including the pathognomonic sign approach, patterned analysis, and the level of performance. Test results could be directed if they were more stringent or lax concerning cut offs with concerning studies. The issue with assumption is that it could skew test results, including the results between performance and ability. Dr. Schretlen also stated that age and education should be considered when making an allowance for impairments due to an individual's processing speed and abilities.

After lunch, the Panel reconvened and began reports by the Subcommittee Chairs.

### ***Subcommittee Chair Report – User Needs and Relations***

#### **Sylvia Karman, User Needs and Relations Subcommittee Chair and Project Director**

Ms. Karman described the activity of the subcommittee as focused on outreach to users and stakeholders in an effort to communicate the Panel's charge, relay information on the status of project activities and to assure user groups of their ability to provide input in the Panel's recommendation process. She told the Panel that the SSA OID staff and workgroup members are currently conducting user needs analyses and will continue to do so throughout the entire research and development phase of the project.

### ***Subcommittee Chair Report – Physical Demands***

#### **Deborah Lechner, Physical Demands Subcommittee Chair**

In her report, Ms. Lechner's described how the subcommittee does not want to be too specific in documenting joint angles, and would rather use joint angles as part of our operational definitions. The subcommittee's next steps are to finish a literature review and to complete the physical taxonomy comparison spreadsheet, while working to submit its recommendations to the full Panel by August 20th.

### ***Public Comment***

#### **Beth Alpert, Beth Alpert and Associates**

Ms. Alpert suggested that the information in the DOT should be updated rather than attempting to create a new system which may be open to legal challenges, such as those presented in the United States Supreme Court opinion in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*

#### **Tom Yates, Health and Disability Advocates**

Mr. Yates' also stated that the DOT needs to be replaced because it is outdated and went on to say that a new system should consider statute consideration of vocational factors; distinguish between part and full time work; and, other factors need to be considered in a determination such as pain, fatigue, reaching limitations, manipulative functions, etc.

#### **David Traver, Traver and Traver**

Mr. Traver delivered to the Panel a copy of his work the *Social Security Disability Handbook*. He stressed the importance that Social Security accurately identifies the end users--the disabled and disadvantaged who come to the agency and their attorneys. Mr. Traver noted the lack of reliability in decisionmaking—how two ALJs hearing the same information could come up with different decisions. He also challenged the Panel that— if unable to come up with a solution for reliable decisionmaking—they make that

statement and suggests that SSA consider other alternatives, such as effective measures to support efforts to return to work.

**Marcie Goldbloom, Daley De Bofsky & Bryant**

Ms. Goldbloom's comments stressed how a new occupational information system needs to afford claimants a full and fair adjudication, and that the new system would need to have a degree of flexibility to recognize different far-ranging impairments.

**Subcommittee Chair Report – Mental Cognitive**

**David Schretlen, Ph.D., Mental/Cognitive Subcommittee Chair**

Dr. Schretlen's report covered the subcommittee's review of published literature that might merit inclusion in a mental residual functional capacity assessment. The subcommittee held a Roundtable where experts gave vital advice on issues the subcommittee was working on. The next step is the development of a matrix of abilities and overlapping areas of importance as identified by panelists. Once the information is received, the subcommittee will draft a list of dimensions, or categories, of ability.

The meeting adjourned at 5:00 p.m.

At the start of day two, the meeting was called to order by Debra Tidwell-Peters, the Designated Federal Officer, and turned over to Dr. Mary Barros-Bailey, the Panel Interim Chair who reviewed the agenda for the day and introduced Sylvia Karman, Panel Member and Project Director.

**Project Director's Report**

Sylvia Karman directed the members and audience to the Social Security Update which contains responses to the action items collected at the Quarterly Meeting in April. In the report, she covered the status of the short term evaluation report, the status of the upcoming study on occupational and medical vocational information in claimant files and the draft working paper on developing and initial classification system. Ms. Karman also shared that two expert Roundtables were held since the last meeting—hosted by the Transferable Skills and Mental/Cognitive subcommittees.

**Subcommittee Chair Report – Transferable Skills**

**Tom Hardy, J.D., Transferable Skills Subcommittee Chair**

Tom Hardy gave an update on the status of scheduling member visits to the Office of Disability Adjudication and Review and the Disability Determination Services. He then discussed the Transferable Skills Roundtable held with invited experts at SSA Headquarters and attended by Gale Gibson, Jeff Truthan, Karl Botterbusch, Tim Fields and Patrick Dunn. The discussion during the Roundtable covered many areas relating to the definition, and the

various levels, of a skill, data elements, and work fields; MTEWA (machine, tools, equipment, and work aids or instruments and devices used to carry out work); and, the transferability of skills process. He noted that there was general agreement on the question of what a skill is and that, moving forward, the subcommittee will begin an exhaustive literature review in the hopes of developing some common working definitions.

### **Subcommittee Chair Report – Taxonomy**

#### **Mark Wilson, Ph.D., Taxonomy Subcommittee Chair**

Mark Wilson began his report by stating that from a work analysis standpoint a skill and from the psychology field in general, skill tends to imply proficiency, some level of experience. He continued by saying that SVP is sort of a complex composite score, and the problem with composite scores is that they can be misleading in terms of exactly what information is conveyed. Mark noted that since the last meeting, the Panel (and Taxonomy Subcommittee) Jim Woods resigned from the Panel, and he thanked Mr. Woods for his service. Since the last Panel meeting, the subcommittee completed a literature search identifying eleven different taxonomies and several hundred work taxonomy dimensions, evaluating each in terms of ability to provide information for the person side.

#### **Panel Decisions and Actions**

The Panel moved to discussion and deliberation. Several major points were referenced, including but not limited to: the acknowledgement by the Panel that its recommendations will be within the context of the definitions of the Regulations; process and progress of scheduling of DDS visits; circulation of Panel documents and background materials. There was also a discussion of the number of what might be the appropriate number of occupations to include in a new occupational system.

The Panel ended day two with a review of the schedule for upcoming teleconference meetings (July 14 and August 31) and a discussion of the deliverable of the draft core recommendations for review on August 20. The next meeting of the Panel is tentatively scheduled for September 15-17, 2009 (location to be determined).

#### **Meeting Adjournment:**

The meeting adjourned at approximately 11:53 p.m. (CDT).

**Certification**

I, Debra Tidwell-Peters, Designated Federal Officer for the Occupational Information Development Advisory Panel, hereby certify that the above minutes accurately describe the Quarterly Meeting of the Panel held on June 10, 2009 thru June 11, 2009, at the Hyatt Regency McCormick Place Hotel, 2233 South Martin L. King Drive, Chicago, IL 60616.

*Debra Tidwell-Peters*

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Debra Tidwell-Peters  
Designated Federal Officer