

April 19, 2022

Dr. Kilolo Kijakazi, Acting Commissioner
Social Security Administration (SSA)
6401 Security Boulevard
Baltimore, Maryland 21235-0001

Dear Acting Commissioner Kijakazi:

I write to you regarding Social Security disability benefits for patients experiencing long-term health effects from COVID-19. Millions of Americans report suffering from lingering COVID-19 symptoms long after their initial infection, a condition termed “Post-Acute Sequelae of SARS-CoV-2 infection” (PASC). Recent reports indicate that many patients who have been diagnosed with PASC, or “long COVID,” struggle to receive disability benefits. I am pleased that President Biden committed to clarifying and updating the Social Security Administration’s policy guidance on long COVID as part of his government-wide strategy on long COVID. I am requesting information about the Social Security Administration’s evaluation of Social Security Disability Insurance (SSDI) claims and benefits awarded to Americans with long COVID.

While the medical community is divided on the risk factors, causes, and effects of long COVID, it is well-reported that long COVID can interfere with a patient’s ability to work, contributing to labor shortages and driving Americans to apply for disability benefits. As you know, COVID-19 has infected nearly 80 million Americans.¹ While many fully recovered from the virus, others report lingering side effects. Patients have reported a variety of symptoms, including difficulty breathing, chronic fatigue, loss of smell or taste, and cognitive challenges (or “brain fog”).² GAO estimates that between 7.7 and 23 million Americans suffer from long COVID.³ Early research also indicates that long COVID disproportionately affects low-income communities and communities of color, mirroring the racial and ethnic disparities of COVID infections.⁴ Some individuals’ symptoms are severe, affecting their ability to work and handle family responsibilities.

Long COVID patients, including my constituents, report being denied disability benefits and are forced to go through burdensome appeals processes to demonstrate that they are suffering from debilitating long COVID. While long COVID symptoms can be difficult to detect and measure, the lack of verifiable symptoms does not mean a patient is not suffering from debilitating long COVID and eligible for disability benefits. The CDC acknowledges that a “lack of laboratory or imaging abnormalities does not invalidate the existence, severity, or importance of a patient’s symptoms or conditions.”⁵

¹ <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/covidview/index.html>

² <https://www.mayoclinic.org/diseases-conditions/coronavirus/in-depth/coronavirus-long-term-effects/art-20490351>

³ <https://www.gao.gov/products/gao-22-105666>

⁴ <https://www.statnews.com/2021/05/10/with-long-covid-history-may-be-repeating-itself-among-people-of-color/>

⁵ <https://www.cdc.gov/coronavirus/2019-ncov/hcp/clinical-care/post-covid-index.html>

In order to understand the burden of long COVID on the Social Security program and improve the SSDI application and approval process for patients with long COVID, I request written answers to the following questions by May 15, 2022:

1. How many applications for long COVID-related Social Security Disability Insurance has SSA received?
2. How many applications for long COVID-related Social Security Disability Insurance has SSA denied?
3. How many appeals has SSA received and granted for patients seeking long COVID-related Social Security Disability Insurance?
4. Is SSA reevaluating disability eligibility and criteria for benefits based on new information about the effects long COVID, including mild cases?
5. What additional information does SSA need to assist in the evaluation of SSDI applicants claiming long COVID-related disability?
6. What is SSA doing to understand how racial and other health inequities contribute to outcomes following a COVID-19 infection, and to determine and eliminate any related systemic barriers in access to SSDI benefits for individuals with long COVID?
7. When does SSA plan to further clarify and update its policy guidance on long COVID?

In answering the above questions, please assume that any SSDI application that mentions the words “COVID” or “coronavirus” constitutes a long COVID-related application.

I am grateful for your agency’s continued leadership in providing disability benefits for Americans suffering from long COVID. I am hopeful that your agency will adopt practices that streamline the disability insurance claims process for the millions of Americans suffering from the virus’s lingering effects to support our country’s full recovery from the pandemic.

I appreciate your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sheldon Whitehouse".

Sheldon Whitehouse
United States Senator