

## REPRESENTATIVE'S GUIDE FOR REQUESTING HEALTH INFORMATION TECHNOLOGY MEDICAL EVIDENCE OF RECORD (HIT MER)

### HIT Program

Health IT or HIT allows us to quickly request electronic medical records from participating healthcare partners. Refer to the [Health IT webpage](#) for general information about our program.

At the hearing level, we routinely check for HIT MER at two points in the hearings process, case intake and case workup. Additionally, as a claimant's representative, you can inform the hearing office of potential HIT MER for your clients and request that the hearing office search for the evidence.

### HIT MER Search Requests – Electronic Records Express (ERE) Submissions

Requests to search for HIT MER must be submitted to the claimant's file via ERE. Whenever possible, HIT MER requests should be in one submission. Representatives should submit their search requests at least 15 days before the hearing and use the ERE document type "Correspondence Regarding Efforts to Obtain Evidence." If you later learn of a claimant's additional treatment, you may submit an updated request if the new provider is a Health IT partner.

### HIT MER Search Requirements

We are limited to submitting no more than 10 HIT requests per provider for a claimant at the hearing level. So, it is critical that representatives ensure that we have the documentation we need in the file to conduct a search. Representatives must also ensure that the HIT MER search request is not duplicative of evidence that is already in the file.

Before you submit a request to search for HIT MER at the hearing level, please:

- **Ensure that a current (less than 9 months old) [SSA-827 Form, Authorization to Disclose Information to the Social Security Administration](#), is in the claimant's file.** For HIT MER requests, an SSA-827 must be received at the hearing level. An SSA-827 obtained at the initial or reconsideration level cannot be used for hearing level HIT MER requests. For Veterans Health Administration records, an electronic authorization or SSA-e827 is required to request records. Contact the claimant's [servicing hearing office](#) for assistance if a current hearing level SSA-e827 needs to be added to the file.
- **Confirm the claimant's healthcare provider(s) are Health IT partners.** A current list of participating providers can be found online on the [Health IT Partners webpage](#).

The list is regularly updated. If the provider is not a Health IT partner, you must request the claimant's records directly from the provider.

- **Carefully review the claimant's file to ensure the electronic evidence is not already in the file.** For example, if records from a particular provider are in the file, your request for updated records must only include dates of treatment not already covered in the file, as the hearing office will not request duplicate records.

### **HIT MER Search Request Information**

Requests to search for HIT MER must include the following information:

- Confirmation that the provider is listed in the [HIT MER database](#).
- Provider names and addresses.
- Dates of treatment, where applicable.

Hearing offices will not respond to requests to search for HIT MER if they do not include the above information in the request. Keep in mind that the hearing office will not initiate searches for evidence that is already in the file.

### **Duty to Submit or Inform Us about Evidence**

Claimants and their representatives continue to have a duty to submit or inform us about written evidence no later than 5 business days prior to the scheduled hearing. Refer to 20 CFR §§ [404.935](#) and [416.1435](#) (Submitting written evidence to an administrative law judge [ALJ]). Hearing offices will not effectuate HIT MER search requests less than 5 business days before a hearing unless an ALJ finds it is appropriate to do so per 20 CFR [404.935\(b\)](#) and [416.1435\(b\)](#).

### **HIT MER Search Requests Accepted at the Hearing Level Only**

Expansion of our use of HIT MER applies only to cases at the hearings level. The state Disability Determination Services and the Appeals Council do not fulfill representative requests to search for electronic medical records.

### **Questions**

If you have any questions about how to submit a HIT MER search request, please contact the claimant's [servicing hearing office](#).