§ 416.945  Your residual functional capacity.

(a) General—(1) Residual functional capacity assessment. Your impairment(s), and any related symptoms, such as pain, may cause physical and mental limitations that affect what you can do in a work setting. Your residual functional capacity is the most you can still do despite your limitations. We will assess your residual functional capacity based on all the relevant evidence in your case record. (See § 416.946.)

(2) If you have more than one impairment. We will consider all of your medically determinable impairments of which we are aware, including your medically determinable impairments that are not "severe," as explained in §§ 416.920(c), 416.921, and 416.923, when we assess your residual functional capacity. (See paragraph (e) of this section.)

(3) Evidence we use to assess your residual functional capacity. We will assess your residual functional capacity based on all of the relevant medical and other evidence. In general, you are responsible for providing the evidence we will use to make a finding about your residual functional capacity. (See § 416.912(c).) However, before we make a determination that you are not disabled, we are responsible for developing your complete medical history, including arranging for a consultative examination(s) if necessary, and making every reasonable effort to help you get medical reports from your own medical sources. (See §§ 416.912(d) through (e).) We will consider any statements about what you can still do that have been provided by medical sources, whether or not they are based on formal medical examinations. (See § 416.913.) We will also consider descriptions and observations of your limitations from your impairment(s), including limitations that result from your symptoms, such as pain, provided by you, your family, neighbors, friends, or other persons. (See paragraph (e) of this section and § 416.929.)

(4) What we will consider in assessing residual functional capacity. When we assess your residual functional capacity, we will consider your ability to meet the physical, mental, sensory, and other requirements of work, as described in paragraphs (b), (c), and (d) of this section.

(5) How we will use our residual functional capacity assessment. (i) We will first use our residual functional capacity assessment at step four of the sequential evaluation process to decide if you can do your past relevant work. (See §§ 416.920(f) and 416.960(b).) (ii) If we find that you cannot do your past relevant work, you do not have any past relevant work, or if we use the procedures in § 416.920(h) and § 416.962 does not apply, we will use the same assessment of your residual functional capacity at step five of the sequential evaluation process to decide if you can adjust to any other work that exists in the national economy. (See §§ 416.920(g) and 416.966.) At this step, we will not use our assessment of your residual functional capacity alone to decide if you are disabled. We will use the guidelines in §§ 416.960 through 416.969a, and consider our residual functional capacity assessment together with the information about your vocational background to make our disability determination or decision. For our rules on residual functional capacity assessment in deciding whether your disability continues or ends, see § 416.994.

(b) Physical abilities. When we assess your physical abilities, we first assess the nature and extent of your physical limitations and then determine your residual functional capacity for work activity on a regular and continuing basis. A limited ability to perform certain physical demands of work activity, such as sitting, standing, walking, lifting, carrying, pushing, pulling, or other physical functions (including manipulative or postural functions, such as reaching, handling, stooping or crouching), may reduce your ability to do past work and other work.

(c) Mental abilities. When we assess your mental abilities, we first assess the nature and extent of your mental
limitations and restrictions and then
determine your residual functional ca-
pacity for work activity on a regular
and continuing basis. A limited ability
to carry out certain mental activities,
such as limitations in understanding,
remembering, and carrying out in-
structions, and in responding appro-
priately to supervision, coworkers, and
work pressures in a work setting, may
reduce your ability to do past work and
other work.

(d) Other abilities affected by impair-
ment(s). Some medically determinable
impairment(s), such as skin impair-
ment(s), epilepsy, impairment(s) of vi-
sion, hearing or other senses, and im-
pairment(s) which impose environ-
mental restrictions, may cause limita-
tions and restrictions which affect
other work-related abilities. If you
have this type of impairment(s), we
consider any resulting limitations and
restrictions which may reduce your
ability to do past work and other work
in deciding your residual functional ca-
pacity.

(e) Total limiting effects. When you
have a severe impairment(s), but your
symptoms, signs, and laboratory find-
ings do not meet or equal those of a
listed impairment in appendix 1 of sub-
part P of part 404 of this chapter, we
will consider the limiting effects of all
your impairment(s), even those that
are not severe, in determining your re-
sidual functional capacity. Pain or
other symptoms may cause a limita-
tion of function beyond that which can
be determined on the basis of the anat-
omical, physiological or psychological
abnormalities considered alone; e.g.,
someone with a low back disorder may
be fully capable of the physical de-
mands consistent with those of sus-
tained medium work activity, but an-
other person with the same disorder,
because of pain, may not be capable of
more than the physical demands con-
sistent with those of light work activ-
ity on a sustained basis. In assessing
the total limiting effects of your im-
pairment(s) and any related symptoms,
we will consider all of the medical and
nonmedical evidence, including the in-
formation described in §416.929(c).

§ 416.946 Responsibility for assessing
your residual functional capacity.

(a) Responsibility for assessing residual
functional capacity at the State agency.
When a State agency medical or psy-
chological consultant and a State
agency disability examiner make the
disability determination as provided in
§416.1015(c)(1) of this part, a State
agency medical or psychological con-
sultant(s) is responsible for assessing
your residual functional capacity.
When a State agency disability exam-
iner makes a disability determination
alone as provided in §416.1015(c)(3), the
disability examiner is responsible for
assessing your residual functional ca-
pacity.

(b) Responsibility for assessing residual
functional capacity in the disability hear-
ings process. If your case involves a dis-
ability hearing under §416.1414, a dis-
ability hearing officer is responsible
for assessing your residual functional
capacity. However, if the disability
hearing officer’s reconsidered deter-
mination is changed under §416.1418,
the Associate Commissioner for the Of-
fice of Disability Determinations or his
or her delegate is responsible for as-
sessing your residual functional capac-
ity.

(c) Responsibility for assessing residual
functional capacity at the administrative
law judge hearing or Appeals Council
level. If your case is at the administra-
tive law judge hearing level or at the
Appeals Council review level, the ad-
ministrative law judge or the adminis-
trative appeals judge at the Appeals
Council (when the Appeals Council
makes a decision) is responsible for as-
sessing your residual functional capac-
ity.

§ 416.960 When we will consider your
vocational background.

(a) General. If you are age 18 or older
and applying for supplemental security
income benefits based on disability,
and we cannot decide whether you are
disabled at one of the first three steps
of the sequential evaluation process