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Part XLIV

**Social Security
Administration**

Semiannual Regulatory Agenda

SOCIAL SECURITY ADMINISTRATION (SSA)

SOCIAL SECURITY ADMINISTRATION**Office of the Commissioner****20 CFR Ch. III****Semiannual Unified Regulatory Agenda****AGENCY:** Social Security Administration.**ACTION:** Semiannual regulatory agenda.

SUMMARY: Executive Order (E.O.) 12866, as amended by E.O. 13258, entitled Regulatory Planning and Review, issued September 30, 1993, and the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) require each Federal agency to publish semiannually a brief description of all regulatory actions under development or review, expected to be under development or review for the next 12 months, or completed since the previous publication of the agenda. Our last agenda of regulations was published December 3, 2001.

FOR FURTHER INFORMATION CONTACT: For further information about a specific regulatory action, contact the person identified as the agency contact for that action. Comments or inquiries of a general nature should be directed to Georgia E. Myers, Regulations Officer, Social Security Administration, 2109 West Low Rise Building, 6401 Security Boulevard, Baltimore, MD 21235-6401; Telephone (410) 965-3632 or TTY (410) 966-5609.

SUPPLEMENTARY INFORMATION: The Social Security Administration (SSA) has responsibility for the retirement, survivors, and disability insurance programs under title II of the Social Security Act (the Act), the Supplemental Security Income (SSI) program under title XVI of the Act, and Special Benefits to Certain World War II Veterans under title VIII of the Act. We are not a regulatory agency. Our regulations generally do not impose burdens on the private sector or on State, local, or tribal governments. Our regulations document the rules under which we make eligibility determinations and set forth both the responsibilities of the Agency towards the public and beneficiaries' rights and responsibilities under the programs we administer.

Our regulatory efforts can be placed into one of the following three categories: (1) legislative implementation; (2) program changes to improve SSA service to the public; and (3) improvements or clarifications to

enhance effective stewardship of SSA programs.

We continue to seek legislative improvements for the programs we administer. However, because of the complexity of our programs, statutory language is rarely detailed enough to govern the actions of agency adjudicative decision-makers. Supporting regulations are often required. In some instances, Congress directs SSA to issue implementing regulations. For other legislative provisions, SSA regulations provide program information to applicants for benefits, current beneficiaries and their legal counsels.

Included in our agenda are items that will amend our regulations to include all the provisions of "The Ticket to Work and Work Incentives Improvement Act of 1999," (Pub. L. 106-170), which was signed on December 17, 1999. Among the provisions still requiring regulations are provisions that will suspend continuing disability reviews based on work activity, expedite reinstatement of disability benefits terminated due to work activity, and provide protection and advocacy for people with disabilities who are seeking the Return-to-Work services.

An area in which we are working hard to deliver high quality service is our disability determination process. Several of our agenda items support improvements to disability program administration. We have tested a prototype involving a combination of modifications to the disability determination process. We plan to implement elements of the redesigned disability claims process (the prototype) that have been tested and found to further redesign goals. As we evaluate the prototype experience and identify the most positive elements of the prototype, we plan to publish regulations to implement specific elements nationally.

The agenda also contains updates to many of the medical listings to reflect advances in medical knowledge, treatment and methods of evaluation. These listing changes are included in President Bush's Management Agenda.

SSA is committed to enhancing the service that we provide to the public by reducing the time it takes them to receive a hearing and a decision. An important initiative listed in the Agenda, *Video Teleconferencing of Appearances before Administrative Law Judges of the Social Security*

Administration, is expected to improve service to the public by providing faster access to a hearing before an Administrative Law Judge (ALJ). It removes the need for the claimant (and representative, if any) and the ALJ to be physically present at the same location.

Effective stewardship of SSA programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. A proposed regulation will make improvements to the representative payment procedures needed to assure program integrity. A final regulation that would impose sanctions on individuals who knowingly make false or misleading statements to SSA is also included.

We have also included in this agenda, two regulations that provide SSA with additional tools to strengthen the integrity of the Social Security and SSI programs. A proposed regulation implements a provision of the Foster Care Independence Act of 1999 authorizing SSA to obtain information from financial institutions in order to determine initial or continuing eligibility for SSI benefits. The second proposed regulation would allow SSA to use administrative wage garnishment to recover outstanding debts.

Simplifying the rules governing the SSI program is also important to SSA's efforts to enhance its service to the public. Three proposed regulations would help by changing the way we count clothing, one automobile, household goods and personal effects under the SSI program.

At this time of heightened interest in the privacy area, we are proposing to completely update our regulation on privacy and disclosure.

We continue to work diligently to improve our program benefit regulations and to develop partnerships with large segments of the community of interest groups concerned about Social Security programs. The remainder of our Unified Agenda items reflect such improvements and clarifications.

The April 2002 regulatory agenda for the Social Security Administration follows.

Dated: March 22, 2002.**Georgia E. Myers,***SSA Regulations Officer.*

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Social Security Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3492	Revised Medical Criteria for Endocrine Disorders (436P)	0960-AD78
3493	Definition of "Largest Benefit Amount" for Simultaneous Entitlement to Child's Benefits (481P)	0960-AD95
3494	Supplemental Standards for Ethical Conduct for Employees of the Social Security Administration (601P)	0960-AE48
3495	Deeming of Income From an Ineligible Spouse to an Eligible Individual and an Eligible Child (606P)	0960-AE50
3496	Effectuation of Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975 in Programs Receiving Financial Assistance by SSA (617P)	0960-AE63
3497	Enforcement of Nondiscrimination in Social Security Programs or Activities (661P)	0960-AE78
3498	Privacy and Disclosure of Official Records and Information (711P)	0960-AE88
3499	Federal Salary Offset (Withholding a Portion of a Federal Employee's Salary To Collect a Delinquent Debt Owed to the Social Security Administration) (721P)	0960-AE89
3500	Administrative Wage Garnishment (To Repay a Debt Owed to the Social Security Administration) (724P)	0960-AE92
3501	Work Activity Standard as a Basis for Review of an Individual's Disabled Status (Ticket to Work and Work Incentives Improvement Act of 1999) (725P)	0960-AE93
3502	Medical Equivalence for Adults and Children (787P)	0960-AF19
3503	Expedited Reinstatement of Disability Benefits (Ticket to Work and Work Incentives Improvement Act) (790P)	0960-AF21
3504	SSI Trusts and Transfers of Resources (791P)	0960-AF22
3505	Revised Medical Criteria for Evaluating Genitourinary Disorders (802P)	0960-AF30
3506	Revised Medical Criteria of Evaluating Impairments Affecting Multiple Body Systems (803P)	0960-AF32
3507	Revised Medical Criteria for Evaluating Special Senses and Speech Disorders (805P)	0960-AF34
3508	Clarification of Rules Involving RFC Assessments; Clarification of Use of Vocational Experts & Other Sources of the Sequential Evaluation Process; Incorporation of "Special Profile" Into Regs (808P)	0960-AF37
3509	Wage Reports and Pension Information (809P)	0960-AF38
3510	Filing Claims Under the Federal Tort Claims Act and the Military Personnel and Civilian Employees Claims Act (785P)	0960-AF39
3511	Disability Insurance Program Demonstration Project Authority (Ticket to Work and Work Incentives Improvement Act of 1999) (789P)	0960-AF41
3512	Access to Information Held by Financial Institutions (815P)	0960-AF43
3513	Revisions to the Medical-Vocational Guidelines (823P)	0960-AF47
3514	Revised Medical Criteria for Evaluating Cardiovascular Disorders (826P)	0960-AF48
3515	Representative Payment Under Title II and XVI of the Social Security Act (827P)	0960-AF49
3516	Removal of Clothing from the Definition of Income and From the Definition of In-Kind Support and Maintenance Under the Supplemental Security Income Program (834P)	0960-AF50
3517	Exclusion of One Automobile From Resources (835P)	0960-AF51
3518	Exclusion of Household Goods and Personal Effects Under the Supplemental Security Income (SSI) Program (837P)	0960-AF55
3519	Non-Payment of Monthly Social Security Benefits to Aliens Residing in the United States Who Are Not Lawfully Present (849P)	0960-AF56
3520	Determining Disability for an Individual with Drug Addiction or Alcoholism (851P)	0960-AF57
3521	Revised Medical Criteria for Evaluating Respiratory System Disorders (859P)	0960-AF58
3522	Special Benefits for Certain World War II Veterans (880P)	0960-AF61
3523	Amendments to Annual Earnings Test Regulations (866P)	0960-AF62
3524	Revising the Rules on Consideration of Work History in Determining Whether an Individual is Disabled (875P)	0960-AF64
3525	Revising the Rules on the Steps for Evaluating Disability (894P)	0960-AF65
3526	Compensation for Qualified Organizations Serving as a Representative Payee (846P)	0960-AF66
3527	Clarification of the Disability Exclusion (915P)	0960-AF71
3528	Special Benefits for Certain World War II Veterans; Representative Payment, Reporting Requirements, Suspension and Termination Events, Overpayments, and Administrative Review Process (922P)	0960-AF72
3529	Elimination of Sanctions for Refusal of Vocational Rehabilitation Services Without Good Cause and Elimination of Referrals for Vocational Rehabilitation Services (925P)	0960-AF74
3530	Continued Payment of Benefits to Certain Individuals Who Medically Recover While Participating in Certain Vocational Rehabilitation Programs (926P)	0960-AF75

Social Security Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3531	Revised Medical Criteria for Evaluating Hematologic Disorders and Malignant Neoplastic Diseases (399F)	0960-AD67

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Social Security Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3532	Repeal of Facility of Payment Provision (508F)	0960-AE02
3533	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, Other Nonprofit Organizations, and Commercial Organizations (547F)	0960-AE25
3534	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and Indian Tribal Governments (555F)	0960-AE28
3535	Restrictions on Lobbying in Connection with the Award of Grants, Contracts, and Cooperative Agreements (556F)	0960-AE29
3536	Technical Changes to Supplemental Security Income (SSI) Regulations (664F)	0960-AE79
3537	OASDI and SSI; Administrative Review Process; Video Teleconferencing Appearances Before Administrative Law Judges of the Social Security Administration (737F)	0960-AE97
3538	Cost of Living Increases in Primary Insurance Amounts (759F)	0960-AF14
3539	Change in Retirement Age (775F)	0960-AF16
3540	Revised Medical Criteria for Evaluating Impairments of the Digestive System (800F)	0960-AF28
3541	Revised Medical Criteria for Evaluating Skin Disorders (801F)	0960-AF29
3542	Implementing the Redesigned Disability Process (816F)	0960-AF44
3543	Exclusion of Representatives and Health Care Providers Convicted of Violations from Participation in Social Security Disability Programs (820F)	0960-AF46
3544	Filing of Applications and Related Forms (797F)	0960-AF52
3545	Collection of Supplemental Security Income Overpayments from Title VIII Benefits (819F)	0960-AF53
3546	Payment of Benefits to Aliens Residing Outside the United States (909F)	0960-AF70

Social Security Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3547	Old-Age, Survivors, and Disability Insurance Benefits; Replacing Social Security Number Cards (543F)	0960-AE18
3548	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (554F)	0960-AE27
3549	Dedicated Accounts and Installment Payments for Certain Past Due SSI Benefits (622F)	0960-AE59
3550	Assignment of Social Security Administration Numbers (SSN) for Nonwork Purposes (751P)	0960-AF05
3551	Revised Medical Criteria for Evaluating Immune System Disorders (804P)	0960-AF33
3552	Revised Medical Criteria for Evaluating Neurological Disorders (806P)	0960-AF35
3553	Revised Medical Criteria for Evaluating Growth Disorders (444P)	0960-AF67
3554	Revised Medical Criteria for Evaluating Mental Disorders (886P)	0960-AF69

Social Security Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
3555	Technical Revisions to Medical Criteria for Determinations of Disability (740F)	0960-AE99
3556	Ticket to Work and Self-Sufficiency Program (Ticket to Work and Work Incentives Improvement Act of 1999) (767F)	0960-AF11
3557	Administrative Procedures for Imposing Penalties for False or Misleading Statements (784F)	0960-AF20
3558	Credit Bureau Reporting and Administrative Offset for SSI Overpayments (795F)	0960-AF31
3559	Supplemental Security Income for the Aged, Blind and Disabled; Student Child Earned Income Exclusion (865F) ..	0960-AF60

Social Security Administration—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
0960-AD23	OASDI and SSI for the Aged, Blind, and Disabled; Fees for Representation of Parties Under Title II and Title XVI of the Social Security Act (296P) ..	03/21/2002	Withdrawn
0960-AD93	Computation of SSI Benefits for the First Three Months of Payment (476P) ..	03/21/2002	Withdrawn

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Social Security Administration—Discontinued Entries (Continued)

Regulation Identification Number	Title	Date Withdrawn	Comments
0960-AE11	Administrative Review Process; Administrative Res Judicata and Related Rules (526P)	03/21/2002	Withdrawn
0960-AE15	Modification of Private Printing and Prescribed Applications and Other Forms (530P)	03/21/2002	Withdrawn
0960-AE16	OASDI; Nonpayment of Benefits to Incarcerated Individuals and Individuals Confined in Criminal Cases, Pursuant to Conviction or by Court Order Based on Findings of Insanity (531P)	03/21/2002	Withdrawn
0960-AE17	Supplemental Security Income; Plans for Achieving Self-Support (506P)	03/19/2002	Withdrawn
0960-AE40	Elimination of Rounding Distortion in the Calculation of the Contribution and Benefit Base and Earnings Test Exempt Amounts (512F)	03/21/2002	Withdrawn
0960-AE90	Private Collection Agencies (Using Private Collection Agencies to Help SSA Collect Delinquent Title II and Title XVI Overpayment Debts Owed by Former Beneficiaries) (722P)	03/21/2002	Withdrawn
0960-AE91	Charging Interest (Charging Interest on Delinquent Debts) (723P)	03/21/2002	Withdrawn
0960-AF17	Administrative Review Process; Prehearing and Posthearing Conferences (778F)	03/21/2002	Withdrawn
0960-AF23	Social Security Coverage of Employment for Residents of the Northern Mariana Islands, American Samoa, and Guam (792P)	03/21/2002	Withdrawn
0960-AF24	Effects of Being Considered a Child (793P)	03/21/2002	Withdrawn
0960-AF25	\$30 Private Insurance (794P)	03/21/2002	Withdrawn
0960-AF63	Federal Old-Age, Survivors, Disability and Supplemental Security Income; De Novo Review at all Levels of Appeal (888P)	03/21/2002	Withdrawn
0960-AF68	Program: Cooperative Agreements for Benefits Planning, Assistance, and Outreach Projects (844P)	03/08/2002	Withdrawn

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3492. REVISED MEDICAL CRITERIA FOR ENDOCRINE DISORDERS (436P)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404.1500, app 1**Legal Deadline:** None

Abstract: Sections 9.00 and 109.00 of appendix 1 to subpart P of part 404 of our regulations (404.1501 through 404.1599) describe those endocrine impairments that are considered severe enough to prevent a person from doing any gainful activity, or in the case of a child claiming SSA payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise the criteria in these sections to reflect advances in medical knowledge, treatment, and methods of evaluating endocrine impairments. The Supplemental Security Income Program incorporates and uses the same medical criteria as the Old-Age, Survivors and Disability Insurance Program.

Timetable:

Action	Date	FR Cite
NPRM	01/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Maria D. Smith, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3661

RIN: 0960-AD78**3493. DEFINITION OF "LARGEST BENEFIT AMOUNT" FOR SIMULTANEOUS ENTITLEMENT TO CHILD'S BENEFITS (481P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 402(k); 42 USC 405(a); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.304; 20 CFR 404.353(b); 20 CFR 404.407(d)**Legal Deadline:** None

Abstract: Section 202(k)(2)(A) of the Act (42 U.S.C. 402(k)(2)(A)) contains the statutory requirements for determining the earnings record on which SSA will pay a person, who is simultaneously entitled to child's insurance benefits on the earnings records of more than one worker. Generally, the child's benefits will be paid on the earnings record that yields the highest primary insurance amount (PIA). However, under certain circumstances, the child's benefits will be paid on the earnings record that yields a lower PIA if that record produces the "largest benefit" to which the child could be entitled under section 202(d) without the application of the reduction under the "family maximum" provisions. In implementing section 202(k)(2)(A), SSA has determined the "largest benefit" under section 202(k)(2)(A) by comparing the original benefit amount determined under section 202(d)(2) of

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the Act (42 U.S.C. 402(d)(2)) (i.e., 50 percent of the PIA of a living worker and 75 percent of the PIA of a deceased worker) calculated on the dependent and/or survivor claim of the child on the earnings record of each worker without applying any reductions or deductions. Some courts adopted a different interpretation and held that SSA must compare the amounts payable to the child under each earnings record after considering all applicable deductions and reductions other than the reduction under the family maximum provisions. Legal support for both interpretations can be found in the statutory language and legislative history of section 202(k)(2)(A) of the Act. We have found current regulations implementing section 202(k)(2)(A) to be ambiguous on the matter. We propose to clarify these regulations to reflect only the longstanding SSA interpretation.

Timetable:

Action	Date	FR Cite
NPRM	02/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Bill Hilton, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-2468

Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-9822

RIN: 0960-AD95

3494. SUPPLEMENTAL STANDARDS FOR ETHICAL CONDUCT FOR EMPLOYEES OF THE SOCIAL SECURITY ADMINISTRATION (601P)

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC APP (Ethics in Government Act of 1978); 5 USC 7301; 5 USC 7353**CFR Citation:** 5 CFR ch LXXXI (New)**Legal Deadline:** None

Abstract: The Social Security Administration (SSA), with the concurrence of the Office of Government Ethics (OGE), proposes to

issue regulations for officers and employees of SSA that supplement the OGE Standards of Ethical Conduct for Employees of the Executive Branch, which became effective February 3, 1993. The proposed rule specifies procedural and substantive requirements that are necessary to address ethical issues unique to SSA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Stuart M. Besser, Attorney, Social Security Administration, Office of the General Counsel, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3194

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AE48

3495. DEEMING OF INCOME FROM AN INELIGIBLE SPOUSE TO AN ELIGIBLE INDIVIDUAL AND AN ELIGIBLE CHILD (606P)

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 902(a)(5); 42 USC 1381a; 42 USC 1382; 42 USC 1382a; 42 USC 1382b; 42 USC 1382c(f); 42 USC 1382j; 42 USC 1383**CFR Citation:** 20 CFR 416.1160; 20 CFR 416.1165; 20 CFR 416.1166**Legal Deadline:** None

Abstract: This rule would revise the method used under the SSI program to determine income for a child who lives with both parents where one parent is ineligible for SSI because of income deemed from an ineligible spouse. Instead of deeming any excess income from the ineligible spouse to the child, referred to as "pass-through deeming," we would deem income to the child using the method we use where neither parent files for SSI. Under current rules, "pass-through" deeming has had the unintended effect of deeming more income than would have been deemed if the regular rules for deeming from

ineligible parents who do not file for SSI are used.

Timetable:

Action	Date	FR Cite
NPRM	02/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined

Agency Contact: Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AE50

3496. EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, THE REHABILITATION ACT OF 1973, AND THE AGE DISCRIMINATION ACT OF 1975 IN PROGRAMS RECEIVING FINANCIAL ASSISTANCE BY SSA (617P)

Priority: Substantive, Nonsignificant**Legal Authority:** 20 USC 1405; 29 USC 794; 42 USC 290dd-2; 42 USC 902(a)(5); 42 USC 2000d-1; 42 USC 6101**CFR Citation:** 20 CFR 431**Legal Deadline:** None

Abstract: Prior to March 31, 1995, SSA was an operating component of HHS and the general regulatory authority for SSA programs and administration was vested in the Secretary of Health and Human Services (the Secretary) based on section 1102 of the Social Security Act (the Act) (42 U.S.C. 1302). The Social Security Independence and Program Improvements Act (SSIIPIA) established SSA as an independent agency in the Executive Branch of the Federal Government effective March 31, 1995, and vested general regulatory authority in the Commissioner of Social Security (the Commissioner). Under section 106(b) of SSIIPIA, HHS regulations in effect immediately prior to March 31, 1995, which relate to functions now vested in the Commissioner by reason of SSA's independence, continue to apply to SSA until such time as they are modified, suspended, terminated or repealed by the Commissioner. SSA is promulgating regulations at 20 CFR part 431, which are based in large measure upon the HHS regulations at 45 CFR parts 80, 81, 84, 85, 90, and 91. These

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SSA regulations reflect changes necessary to adapt the HHS regulations to SSA procedures. Upon SSA's rules becoming final regulations, the HHS regulations will cease to have application to SSA in accordance with section 106(b) of SSIPIA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Eileen Houghton, Attorney, Social Security Administration, Office of the General Counsel, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-4816

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AE63

3497. ENFORCEMENT OF NONDISCRIMINATION IN SOCIAL SECURITY PROGRAMS OR ACTIVITIES (661P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 902(a)(5); 42 USC 1302; PL 103-296

CFR Citation: 20 CFR 431.100; 20 CFR 431.215; 20 CFR 431.220; 20 CFR 431.225; 20 CFR 431.230; 20 CFR 431.235; 20 CFR 431.240; 20 CFR 431.105; 20 CFR 431.110; 20 CFR 431.115; 20 CFR 431.120; 20 CFR 431.125; 20 CFR 431.130; 20 CFR 431.135; 20 CFR 431.140; 20 CFR 431.145; 20 CFR 431.150; 20 CFR 431.160; 20 CFR 431.200; 20 CFR 431.205; 20 CFR 431.210

Legal Deadline: None

Abstract: These proposed regulations are intended to ensure that individuals are not subjected to discrimination on the basis of disability, race, color, national origin, sex, age, or religion in any program or activity conducted by SSA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AE78

3498. PRIVACY AND DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION (711P)

Priority: Other Significant

Legal Authority: 5 USC 552; 5 USC 552a; 42 USC 1306(a); 42 USC 902(a)(5)

CFR Citation: 20 CFR 401.30; 20 CFR 401.45; 20 CFR 401.55; 20 CFR 401.150; 20 CFR 401.180

Legal Deadline: None

Abstract: We propose to revise our privacy and disclosure rules to:

1. Describe safeguards against inappropriate disclosure of personal information when individuals request information about themselves by electronic means (e.g., through the Internet);
2. Revise our special procedures on an individual's access to medical records;
3. Add a new section to grant direct access to a minor's medical records by the minor's parent or legal guardian acting on the minor's behalf; and
4. Fully describe the role and function of the Privacy Officer.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	
Final Action	02/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Chris W. Johnson, Social Insurance Specialist, Social Security Administration, Office of Disclosure Policy, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-8563

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and

Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AE88

3499. FEDERAL SALARY OFFSET (WITHHOLDING A PORTION OF A FEDERAL EMPLOYEE'S SALARY TO COLLECT A DELINQUENT DEBT OWED TO THE SOCIAL SECURITY ADMINISTRATION) (721P)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 404; 42 USC 405; 42 USC 902; 42 USC 1383; 5 USC 5514

CFR Citation: 20 CFR 422

Legal Deadline: None

Abstract: This initiative would enable the Social Security Administration (SSA) to collect from Federal salaries qualifying, delinquent title II and title XVI overpayment debts owed by former beneficiaries who are currently Federal employees. The debt collection would be accomplished by the partial reduction of the employee's disposable salary.

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Edward Johns, Financial Management Analyst, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-0392

Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AE89

3500. ADMINISTRATIVE WAGE GARNISHMENT (TO REPAY A DEBT OWED TO THE SOCIAL SECURITY ADMINISTRATION) (724P)

Priority: Other Significant

Unfunded Mandates: Undetermined

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Legal Authority: 42 USC 405; 42 USC 902; 42 USC 1383; 31 USC 3720D

CFR Citation: 20 CFR 404.903; 20 CFR 416.1403; 20 CFR 422.311; 20 CFR 422.312; 20 CFR 422.317

Legal Deadline: None

Abstract: This initiative will enable the Social Security Administration (SSA) to use administrative wage garnishment to collect administrative debts and to collect qualifying, delinquent titles II and XVI overpayment debts owed by former beneficiaries who are now employed in other than Federal employment. Administrative wage garnishment allows SSA to order an employer to deduct a percentage of the disposable pay earned by the worker/debtor, and to send that amount to SSA as payment toward satisfying the delinquent debt. Administrative wage garnishment does not require a court judgment to impose the withholding order.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Edward Johns, Financial Management Analyst, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-0392

Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-7183

RIN: 0960-AE92

3501. WORK ACTIVITY STANDARD AS A BASIS FOR REVIEW OF AN INDIVIDUAL'S DISABLED STATUS (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999) (725P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 421

CFR Citation: 20 CFR 404.1590

Legal Deadline: NPRM, Statutory, January 1, 2002, Section 111 of Public Law 106-170, effective January 1, 2002.

Abstract: One of SSA's most important initiatives is to assure that Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) beneficiaries with disabilities who want to work have the opportunity to do so. Individuals with disabilities face multiple barriers in attempting to return to work. Section 111 of Public Law 106-170 provides a new statutory work incentive by eliminating the scheduling of continuing disability medical reviews solely because of an SSDI beneficiary's work activity, once the beneficiary has received SSDI benefits for 24 months. (Such beneficiaries will continue to be subject to regularly scheduled continuing disability reviews, work investigations, and benefit termination due to earnings from work activity at the level of substantial gainful activity.)

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jack Baumel, Social Insurance Specialist, Social Security Administration, Office of Employment Support programs, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-9834

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-1769

RIN: 0960-AE93

3502. MEDICAL EQUIVALENCE FOR ADULTS AND CHILDREN (787P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404.1526; 20 CFR 404.1529; 20 CFR 416.926; 20 CFR 416.929

Legal Deadline: None

Abstract: This notice of proposed rulemaking will clarify that we will consider the medical severity of the

individual's impairment, based on all relevant evidence in the case record when we make a finding regarding medical equivalence. These rules will clarify our medical equivalence policy in light of the decision in *Hickman v. Apfel*, 187 F.3d 683 (7th Cir. 1999).

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jane Deweib, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-9878

Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-4163

RIN: 0960-AF19

3503. EXPEDITED REINSTATEMENT OF DISABILITY BENEFITS (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT) (790P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 423(i); 42 USC 1383(p)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: Individuals with disabilities face multiple barriers in attempting to return to work. Section 112 of Public Law 106-170 provides a new statutory work incentive by providing for expedited reinstatement of SSDI and SSI benefits terminated due to work activity, when the former beneficiary requests reinstatement within 60 months of termination because his or her disability prevents work activity. Section 112 also provides for payment of provisional benefits for up to six months until SSA makes a determination on the requester's entitlement to reinstated benefits.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

SSA

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jack Baumel, Social Insurance Specialist, Social Security Administration, Office of Employment Support programs, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9834

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF21**3504. SSI TRUSTS AND TRANSFERS OF RESOURCES (791P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1382a(a); 42 USC 1382b(c); 42 USC 1382b(e); PL 106-169, sec 205; PL 106-169, sec 206**CFR Citation:** 20 CFR 416**Legal Deadline:** None

Abstract: We propose to amend our regulations to reflect sections 205 and 206 of Public Law 106-169, the Foster Care Independence Act of 1999. Section 205 generally provides for counting certain trusts as resources in the SSI program. Section 206 generally provides for a period of ineligibility for SSI benefits as a result of transferring resources for less than fair market value.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Agency Contact: Kenneth A. Brown, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9772

Cynthia Pullen-Carroll, Social Insurance Specialist, Social Security Administration, Office of Process and

Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3691

RIN: 0960-AF22**3505. REVISED MEDICAL CRITERIA FOR EVALUATING GENITOURINARY DISORDERS (802P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404, subpart P, app 1**Legal Deadline:** None

Abstract: We propose to revise the criteria in the Listing of Impairments (the Listings) that we use to evaluate genitourinary impairments. We apply these criteria at step three of our sequential evaluation processes for adults and children who claim Social Security or Supplemental Security Income benefits based on disability under title II and title XVI of the Social Security Act. The revisions reflect advances in medical knowledge, treatment, and methods of evaluating genitourinary impairments.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF30**3506. REVISED MEDICAL CRITERIA OF EVALUATING IMPAIRMENTS AFFECTING MULTIPLE BODY SYSTEMS (803P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404, subpart P, app 1**Legal Deadline:** None

Abstract: We propose to revise the criteria in the Listing of Impairments

that we use to evaluate claims involving impairments affecting multiple body systems. We apply these criteria when you claim benefits based on disability under title II and title XVI of the Social Security Act. The proposed revisions reflect current medical knowledge, treatment, and methods of evaluating impairments affecting multiple body systems.

Timetable:

Action	Date	FR Cite
NPRM	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Victoria Dorf, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9245

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF32**3507. REVISED MEDICAL CRITERIA FOR EVALUATING SPECIAL SENSES AND SPEECH DISORDERS (805P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404, subpart P, app 1**Legal Deadline:** None

Abstract: We propose to revise the criteria in the Listing of Impairments that we use to evaluate claims involving special senses and speech disorders. We apply these criteria when you claim benefits based on disability under title II and title XVI of the Social Security Act. The proposed revisions reflect advances in medical knowledge, treatment, and methods of evaluating special senses and speech disorders.

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	

Regulatory Flexibility Analysis**Required:** No

SSA

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF34

3508. CLARIFICATION OF RULES INVOLVING RFC ASSESSMENTS; CLARIFICATION OF USE OF VOCATIONAL EXPERTS & OTHER SOURCES OF THE SEQUENTIAL EVALUATION PROCESS; INCORPORATION OF "SPECIAL PROFILE" INTO REGS (808P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 402; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 416(i); 42 USC 421(a); 42 USC 421(i); 42 USC 422(c); 42 USC 423; 42 USC 4215; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d)(l); 42 USC 1383b

CFR Citation: 20 CFR 404.1501; 20 CFR 404.1505; 20 CFR 404.1512; 20 CFR 404.1520; 20 CFR 404.1545; 20 CFR 404.1546; 20 CFR 404.1560; 20 CFR 404.1561; 20 CFR 404.1563; 20 CFR 404.1569a; 20 CFR 404.1594

Legal Deadline: None

Abstract: We propose changing several sections of our rules to clarify how we make determinations and decisions at steps 4 and 5 of the sequential evaluation process. Among other things, the proposed rules would clarify (1) the responsibility that claimants have to provide evidence of their disability (including evidence related to their residual functional capacity), and (2) that SSA may use a vocational expert to help determine whether a claimant is able to do his or her past relevant work at step 4 of the sequential evaluation process.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Suzanne DiMarino, Social Insurance Specialist, Social

Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF37

3509. WAGE REPORTS AND PENSION INFORMATION (809P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 405; 42 USC 432; 42 USC 902(a)(5)

CFR Citation: 20 CFR 422.114

Legal Deadline: None

Abstract: The Social Security Administration (SSA) proposes to amend its rules on processing reports of wages (paper Forms W-2, "Wage and Tax Statement," and W-3 "Transmittal of Income and Tax Statements," or equivalent W-2 and W-3 magnetic media or electronic reports) submitted annually by employers. We are proposing to eliminate the acceptance level for wage reports with unidentified or incorrectly identified wage items. We are proposing including electronic filing as a means of wage reporting. Also, we propose replacing references to obsolete technical instruction bulletins with Magnetic Media Reporting and Electronic Filing instructions. We have updated form names and updated the address for obtaining a publication. These rules are intended to ensure that wages are reported to SSA with accurate information so that earnings can be properly credited to employees' Social Security records.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF38

3510. FILING CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT AND THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES CLAIMS ACT (785P)

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2672; 31 USC 3721

CFR Citation: 20 CFR 429.101 to 429.110; 20 CFR 429.201 to 429.211

Legal Deadline: None

Abstract: We propose to establish a new subpart B in part 429 that would prescribe the procedures SSA follows when claims are filed by employees against SSA for personal property damage or loss incident to their service with SSA. We also propose to make corrections and clarifications to our current procedures and practices on claims against the government for damage to or loss of property or personal injury or death that is caused by the negligent or wrongful act or omission of an SSA employee.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Jonathan R. Cantor, General Attorney, Social Security Administration, General Law Division, Office of the General Counsel, 6401 Security Boulevard, Baltimore, MD 21235
Phone: 410 965-3166

Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF39

3511. DISABILITY INSURANCE PROGRAM DEMONSTRATION PROJECT AUTHORITY (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999) (789P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 434

CFR Citation: 20 CFR 404.1599

SSA

Proposed Rule Stage

Legal Deadline: None

Abstract: One of SSA's most important initiatives is to assure that Social Security Disability Insurance (SSDI) beneficiaries with disabilities who want to work have the opportunity to do so. Section 301 of Public Law 106-170 provides the Commissioner of Social Security the authority to develop and carry out experiments and demonstration projects designed to determine the relative advantages and disadvantages of various alternative methods of treating the work activity of individuals entitled to disability insurance benefits.

Timetable:

Action	Date	FR Cite
NPRM	01/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: John Kearney, Social Insurance Specialist, Social Security Administration, Office of Policy, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-6386

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF41

3512. ACCESS TO INFORMATION HELD BY FINANCIAL INSTITUTIONS (815P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 1383(e); PL 106-169, sec 213

CFR Citation: 20 CFR 416.200; 20 CFR 416.207; 20 CFR 416.421; 20 CFR 416.640; 20 CFR 416.1231; 20 CFR 416.1242; 20 CFR 416.1245; 20 CFR 416.1247; 20 CFR 416.1320; 20 CFR 416.1321; 20 CFR 416.1335; 20 CFR 416.1337; 20 CFR 416.1618

Legal Deadline: None

Abstract: We propose to implement a new law that will enhance our access

to bank account information of Supplemental Security Income (SSI) applicants or recipients and other individuals whose income and resources we treat as belonging to the applicant or recipient.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	
Final Action	09/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Kathy Branch, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-8766

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF43

3513. REVISIONS TO THE MEDICAL-VOCATIONAL GUIDELINES (823P)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 405(a); 42 USC 423; 42 USC 902(a)(5)

CFR Citation: 20 CFR 404, subpart P, app 2

Legal Deadline: None

Abstract: This rule will make several clarifications to our medical-vocational guidelines. First, for individuals whose previous semiskilled or skilled work does not allow him or her to transfer skills to other semiskilled or skilled work within his or her residual functional capacity (RFC), we will treat the past work experience as if it were unskilled. It will also clarify which medical-vocational rules apply to individuals who are illiterate or unable to communicate in English.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elaine Tocco, Vocational Policy Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-6356

Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF47

3514. REVISED MEDICAL CRITERIA FOR EVALUATING CARDIOVASCULAR DISORDERS (826P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404.1500, app 1

Legal Deadline: None

Abstract: Listings 4.00 and 104.00 of appendix 1 to subpart P of our regulation (20 CFR 404.1501 through 404.1599) describe those cardiovascular impairments that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming SSI payments under title XVI, that cause marked and severe functional limitations. We propose to revise the criteria that we use to evaluate cardiovascular impairments under the listings to reflect our program experience and advances in medical knowledge, treatment and methods of evaluating these disorders. The SSI program incorporates by reference and uses the same medical criteria as the old-age, survivors, and disability insurance program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bonnie Davis, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401

SSA

Proposed Rule Stage

Phone: 410 965-4172

Cynthia Pullen-Carroll, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3691

RIN: 0960-AF48

3515. REPRESENTATIVE PAYMENT UNDER TITLE II AND XVI OF THE SOCIAL SECURITY ACT (827P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 902(a)(5); 42 USC 405 note; 42 USC 421 note; 42 USC 1383(a)(2); 42 USC 1383(d)(1); 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 405(j); 42 USC 405(k)

CFR Citation: 20 CFR 404.902; 20 CFR 404.2011; 20 CFR 404.2021; 20 CFR 404.2022; 20 CFR 404.2024; 20 CFR 404.2025; 20 CFR 404.2030; 20 CFR 404.2040a; 20 CFR 404.2041; 20 CFR 404.2050; 20 CFR 404.2065; 20 CFR 416.611; 20 CFR 416.621; 20 CFR 416.622; 20 CFR 416.624; 20 CFR 416.625; 20 CFR 416.630; 20 CFR 416.640a; 20 CFR 416.641; 20 CFR 416.650; 20 CFR 416.665; 20 CFR 416.1402

Legal Deadline: None

Abstract: Effective stewardship of SSA programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. We recognized that improvements to the representative payment procedures were needed to assure program integrity. These regulations are required to further our program integrity efforts.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Betsy Byrd, Social Insurance Specialist, Social Security Administration, Office of Program

Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7981

Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF49

3516. REMOVAL OF CLOTHING FROM THE DEFINITION OF INCOME AND FROM THE DEFINITION OF IN-KIND SUPPORT AND MAINTENANCE UNDER THE SUPPLEMENTAL SECURITY INCOME PROGRAM (834P)

Priority: Substantive, Nonsignificant

Legal Authority: Sec 1612 of the Social Security Act

CFR Citation: 20 CFR 416.1102 to 416.1104; 20 CFR 416.1121; 20 CFR 416.1124; 20 CFR 416.1130; 20 CFR 416.1133; 20 CFR 416.1140; 20 CFR 416.1142; 20 CFR 416.1144 to 416.1145; 20 CFR 416.1147 to 416.1149; 20 CFR 416.1157

Legal Deadline: None

Abstract: We propose to change the SSI rules to remove clothing from the definition of income and from the definition of in-kind support and maintenance. As a result, we generally will not count gifts of clothing as income when we decide whether a person can receive SSI benefits or when we compute the amount of benefits.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF50

3517. EXCLUSION OF ONE AUTOMOBILE FROM RESOURCES (835P)

Priority: Substantive, Nonsignificant

Legal Authority: Sec 1613(a)(2)(A) of the Social Security Act

CFR Citation: 20 CFR 416.1210; 20 CFR 416.1218

Legal Deadline: None

Abstract: We propose to simplify our rules on how we exclude an automobile in determining the resources of an SSI applicant or recipient. Specifically, we propose to exclude one automobile from resources if it is used for transportation, without consideration of its value.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF51

3518. EXCLUSION OF HOUSEHOLD GOODS AND PERSONAL EFFECTS UNDER THE SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM (837P)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Sec 1613(a)(2)(A) of the Social Security Act

CFR Citation: 20 CFR 416.1210; 20 CFR 416.1216

Legal Deadline: None

Abstract: We propose to change our resource counting rules in the SSI program by eliminating the dollar value limit for the exclusion of household goods and personal effects. As a result, we would not count household goods and personal effects as resources when we decide whether a person can receive SSI benefits.

SSA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF55

3519. NON-PAYMENT OF MONTHLY SOCIAL SECURITY BENEFITS TO ALIENS RESIDING IN THE UNITED STATES WHO ARE NOT LAWFULLY PRESENT (849P)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 8 USC 1611(b)(2); 8 USC 1641; 42 USC 402(y)

CFR Citation: 20 CFR 404.401; 20 CFR 404.460; 20 CFR 404.481 (New); 20 CFR 404.482 (New); 20 CFR 404.483 (New); 20 CFR 404.485 (New); 20 CFR 404.486 (New); 20 CFR 404.487 (New); 20 CFR 404.488 (New); 20 CFR 404.489 (New); 20 CFR 404.490 (New)

Legal Deadline: None

Abstract: We propose to add rules to require evidence in our records of United States citizenship, status as a United States national or, in the case of an alien, lawful presence in the United States in order for an individual to receive benefits under title II of the Social Security Act while in the United States.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Cynthia Pullen-Carroll, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management,

6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3691

RIN: 0960-AF56

3520. DETERMINING DISABILITY FOR AN INDIVIDUAL WITH DRUG ADDICTION OR ALCOHOLISM (851P)**Priority:** Other Significant**Unfunded Mandates:** Undetermined

Legal Authority: PL 104-121, sec 105; PL 105-33, sec 5525; PL 106-170, sec 401

CFR Citation: 20 CFR 404.315; 20 CFR 404.316; 20 CFR 404.321; 20 CFR 404.332; 20 CFR 404.335; 20 CFR 404.337; 20 CFR 404.350; 20 CFR 404.352; 20 CFR 404.402; 20 CFR 404.470; 20 CFR 404.480; 20 CFR 404.902; 20 CFR 404.1535 to 404.1541; 20 CFR 1500, app 1; 20 CFR 416.202; 20 CFR 416.214; 20 CFR 416.262; 20 CFR 416.265; 20 CFR 416.535; 20 CFR 416.542; 20 CFR 416.544; 20 CFR 416.558; 20 CFR 416.601; 20 CFR 416.610; 20 CFR 416.925; 20 CFR 416.935; 20 CFR 416.1123; 20 CFR 416.1326; 20 CFR 416.1331; 20 CFR 416.1335; 20 CFR 416.1402; 20 CFR 416.1701; 20 CFR 416.1720; 20 CFR 416.1725

Legal Deadline: None

Abstract: We propose to revise our regulations that address drug addiction and alcoholism (DAA) under title II and XVI of the Social Security Act. The proposed rules reflect provisions of section 105 of the Contract with America Advancement Act of 1996, Public Law 104-121; section 5525 of the Balanced Budget Act of 1997, Public Law 105-33; and section 401 of the Ticket to Work and Work Incentives Improvement Act of 1999, Public Law 106-170.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Deborah Barnes, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235
Phone: 410 965-4171

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF57

3521. REVISED MEDICAL CRITERIA FOR EVALUATING RESPIRATORY SYSTEM DISORDERS (859P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404.1500, app 1**Legal Deadline:** None

Abstract: We propose to revise the criteria in the Listing of Impairments that we use to evaluate claims involving respiratory system disorders. The proposed revisions reflect advances in medical knowledge, treatment, and methods of evaluating respiratory disorders.

Timetable:

Action	Date	FR Cite
NPRM	01/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Carolyn Kiefer, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9104

Cynthia Pullen-Carroll, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3691

RIN: 0960-AF58

3522. SPECIAL BENEFITS FOR CERTAIN WORLD WAR II VETERANS (880P)**Priority:** Substantive, Nonsignificant

Legal Authority: 42 USC 405(a); 42 USC 405(j); 42 USC 405(k); 42 USC 902(a)(5); 42 USC 1001 to 1013

CFR Citation: 20 CFR 408.101 (New); 20 CFR 408.105 (New); 20 CFR 408.110

SSA

Proposed Rule Stage

(New); 20 CFR 408.120 (New); 20 CFR 408.201 (New); 20 CFR 408.202 (New); 20 CFR 408.204 (New); 20 CFR 408.206 (New); 20 CFR 408.208 (New); 20 CFR 408.210 (New); 20 CFR 408.212 (New); 20 CFR 408.214 (New); 20 CFR 408.216 (New); 20 CFR 408.218 (New); 20 CFR 408.220 (New); 20 CFR 408.222 (New); 20 CFR 408.224 (New); 20 CFR 408.226 (New); 20 CFR 408.228 (New); 20 CFR 408.230 (New); 20 CFR 408.232 (New); 20 CFR 408.234 (New); 20 CFR 408.301 (New); 20 CFR 408.305 (New); 20 CFR 408.310 (New); 20 CFR 408.315 (New); 20 CFR 408.320 (New); 20 CFR 408.325 (New); 20 CFR 408.330 (New); 20 CFR 408.340 (New); 20 CFR 408.345 (New); 20 CFR 408.351 (New); 20 CFR 408.355 (New); 20 CFR 408.360 (New); 20 CFR 408.401 (New); 20 CFR 408.402 (New); 20 CFR 408.403 (New); 20 CFR 408.404 (New); 20 CFR 408.405 (New); 20 CFR 408.406 (New); 20 CFR 408.410 (New); 20 CFR 408.412 (New); 20 CFR 408.413 (New); 20 CFR 408.420 (New); 20 CFR 408.425 (New); 20 CFR 408.430 (New); 20 CFR 408.432 (New); 20 CFR 408.435 (New); 20 CFR 408.437 (New); 20 CFR 408.501 (New); 20 CFR 408.505 (New); 20 CFR 408.510 (New); 20 CFR 408.515 (New); 20 CFR 408.601 (New); 20 CFR 408.610 (New); 20 CFR 408.615 (New); 20 CFR 408.620 (New); 20 CFR 408.621 (New); 20 CFR 408.622 (New); 20 CFR 408.624 (New); 20 CFR 408.625 (New); 20 CFR 408.635 (New); 20 CFR 408.640 (New); 20 CFR 408.641 (New); 20 CFR 408.645 (New); 20 CFR 408.650 (New); 20 CFR 408.655 (New); 20 CFR 408.660 (New); 20 CFR 408.665 (New)

Legal Deadline: None

Abstract: We propose to add to chapter 20 of the CFR 5 new subparts in a new part 408 that would set forth our rules applicable to claims for special veterans benefits (SVB) under title VIII of the Social Security Act. The title VIII program provides monthly benefits to certain WWII veterans who were previously eligible for supplemental security income payments under title XVI of the Act and reside outside the United States. These initial subparts would establish the legal basis for the title VIII program as well as codify the title VIII rules on qualification, filing applications, evaluating evidence, and computing and paying benefits. We will be proposing additional subparts dealing with other aspects of the title VIII at a later date.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of International Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-0020

Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-9822

RIN: 0960-AF61

3523. AMENDMENTS TO ANNUAL EARNINGS TEST REGULATIONS (866P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 402; 42 USC 403; 42 USC 403(a); 42 USC 405(a); 42 USC 416; 42 USC 423; 42 USC 425; 42 USC 428(a) to 428(e); 42 USC 902(a)(5); PL 106-182

CFR Citation: 20 CFR 404.415; 20 CFR 404.416

Legal Deadline: None

Abstract: The Senior Citizen's Freedom to Work Act of 2000, enacted on April 7, 2000, eliminates the annual earnings test for beneficiaries, starting from the month in which they reach full retirement age.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF62

3524. REVISING THE RULES ON CONSIDERATION OF WORK HISTORY IN DETERMINING WHETHER AN INDIVIDUAL IS DISABLED (875P)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 402; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 416(i); 42 USC 421(a); 42 USC 421(i); 42 USC 422(c); 42 USC 423; 42 USC 425; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d)(1); 42 USC 1383b

CFR Citation: 20 CFR 404.1520; 20 CFR 404.1560; 20 CFR 404.1565; 20 CFR 404.1594(b)(4)(iii); 20 CFR 416.920; 20 CFR 416.960; 20 CFR 416.965; 20 CFR 416.994(b)(l)(iv)(c)

Legal Deadline: None

Abstract: We propose to change some of the rules we use to decide whether an individual is "disabled." These rules govern how we look at an individual's past work history. Currently, we consider work performed in the last 15 years to be relevant when we decide whether an individual is "disabled." We propose to change our rules so that we only look at work performed in the last five years.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF64

3525. REVISING THE RULES ON THE STEPS FOR EVALUATING DISABILITY (894P)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404.1520; 20 CFR 416.920

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Legal Deadline: None

Abstract: We propose to combine steps 4 and 5 of the current sequential evaluation process for evaluating disability into one step. Instead of having separate steps for determining whether a claimant can do any past relevant work and other work, we would have one step where we determine if a claimant can do any SGA at all. This would simplify the evaluation process and save time and resources.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF65

3526. COMPENSATION FOR QUALIFIED ORGANIZATIONS SERVING AS A REPRESENTATIVE PAYEE (846P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 405(j)(4)(B); 42 USC 1383(a)(2)(D)

CFR Citation: 20 CFR 404.2040a; 20 CFR 416.640a

Legal Deadline: None

Abstract: We are proposing to amend these regulations to further define “bonded or licensed in the State in which an organizational payee serves as representative payee.” We are proposing to further define the amount of bonding necessary to provide adequate protection for our beneficiaries and the nature of licenses that are pertinent for a fee-for-service organization.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	
Final Action	03/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Organizations, Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Betsy Byrd, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7981

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF66

3527. • CLARIFICATION OF THE DISABILITY EXCLUSION (915P)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 402; 42 USC 402(a); 42 USC 403(a); 42 USC 403(b); 42 USC 405(a); 42 USC 412 to 414; 42 USC 415 to 417; 42 USC 423; 42 USC 425; 42 USC 428(a) to 428(e); 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.130(f); 20 CFR 404.211(b)(2); 20 CFR 404.211(e)(1); 20 CFR 404.320(a)

Legal Deadline: None

Abstract: These proposed rules amend our regulations at sections 404.130, 404.211 and 404.320 to clarify that if we count a prior period of disability in determining a person’s insured status or benefit amount, the period of disability must be counted for both purposes. Similarly, if we exclude a prior period of disability when either determining insured status or the benefit amount, we must exclude it for both purposes.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Ines Riley, Social Insurance Specialist, Social Security

Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-4138

Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-9822

RIN: 0960-AF71

3528. • SPECIAL BENEFITS FOR CERTAIN WORLD WAR II VETERANS; REPRESENTATIVE PAYMENT, REPORTING REQUIREMENTS, SUSPENSION AND TERMINATION EVENTS, OVERPAYMENTS, AND ADMINISTRATIVE REVIEW PROCESS (922P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 405(a); 42 USC 405(j); 42 USC 405(k); 42 USC 902(a)(5); 42 USC 1001 to 1013; 42 USC 1104; 42 USC 1106

CFR Citation: 20 CFR 408.601; 20 CFR 408.610; 20 CFR 408.615; 20 CFR 408.620 to 408.622; 20 CFR 408.624; 20 CFR 408.625; 20 CFR 408.635; 20 CFR 408.640; 20 CFR 408.641; 20 CFR 408.645; 20 CFR 408.650; 20 CFR 408.655; 20 CFR 408.660; 20 CFR 408.665; 20 CFR 408.701; 20 CFR 408.704; 20 CFR 408.708; 20 CFR 408.710; 20 CFR 408.712; 20 CFR 408.714; 20 CFR 408.801 to 408.805; 20 CFR 408.810; 20 CFR 408.812; 20 CFR 408.814; 20 CFR 408.816; 20 CFR 408.818; 20 CFR 408.820; 20 CFR 408.900 to 408.905; 20 CFR 408.910 to 408.915; 20 CFR 408.918; 20 CFR 408.920; 20 CFR 408.922; 20 CFR 408.923; 20 CFR 408.930 to 408.933; 20 CFR 408.940 to 408.946; 20 CFR 408.1000 to 408.1007; 20 CFR 408.1009; 20 CFR 408.1011; 20 CFR 408.1013 to 408.1016; 20 CFR 408.1020 to 408.1022

Legal Deadline: None

Abstract: We propose to add 6 additional subchapters to part 408 (proposed) of our regulations. The title VIII program provides monthly benefits to certain World War II veterans who were previously eligible for supplemental security income payments under title XVI of the Act and reside outside the United States. These additional subparts would codify the title VIII requirements on representative payment, reporting responsibilities, suspension and

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termination events, overpayment and underpayment policies, and the administrative review process.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of International Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-0020

Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-7183

RIN: 0960-AF72

3529. • ELIMINATION OF SANCTIONS FOR REFUSAL OF VOCATIONAL REHABILITATION SERVICES WITHOUT GOOD CAUSE AND ELIMINATION OF REFERRALS FOR VOCATIONAL REHABILITATION SERVICES (925P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383; PL 106-170, sec 101(b)-(d)

CFR Citation: 20 CFR 404; 20 CFR 416

Legal Deadline: None

Abstract: We are updating our regulations to reflect the repeal of the provisions of the Social Security Act (the Act) which provided for the imposition of benefit sanctions when a Social Security disability beneficiary or disabled or blind Supplemental Security Income (SSI) recipient refused vocational rehabilitation (VR) services without good cause. These provisions of the Act were repealed by section 101(b) of Public Law 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999, effective January 1, 2002. These regulations will remove the provisions in our

regulations relating to these sanctions. We also are amending our regulations to reflect the elimination of the provisions of the Act which provide for referral of Social Security disability beneficiaries and disabled or blind SSI recipients to State VR agencies for necessary rehabilitation services. As we gradually implement the Ticket to Work and Self-Sufficiency program under section 1148 of the Act in selected States, the provisions of the Act for referring beneficiaries and recipients to State VR agencies will cease to be in effect in those States as provided in sections 101(b), (c), and (d) of Public Law 106-170. Additionally, under section 101 of Public Law 106-170, the use of alternate participants under the reimbursement programs under title II and title XVI of the Act will be phased out in the States as the Ticket to Work program is implemented. The regulations will reflect this phase-out of the use of alternate participants.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Mel Winer, Social Insurance Specialist, Social Security Administration, Office of Employment Support Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-9175

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-1769

RIN: 0960-AF74

3530. • CONTINUED PAYMENT OF BENEFITS TO CERTAIN INDIVIDUALS WHO MEDICALLY RECOVER WHILE PARTICIPATING IN CERTAIN VOCATIONAL REHABILITATION PROGRAMS (926P)

Priority: Other Significant

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404; 20 CFR 416

Legal Deadline: None

Abstract: We propose to amend our regulations relating to the continuation of benefit payments to certain individuals under section 225(b) and 1631(a)(6) of the Social Security Act (the Act). These sections of the Act permit the continued payment of Social Security benefits based on disability or SSI benefits based on disability or blindness to certain individuals whose disability or blindness ceases while they are participating in an approved vocational rehabilitation (VR) program. For benefits to continue, we must determine that completion of the program, or its continuation for a specified period of time, will increase the likelihood that the individual will not have to return to the disability or blindness benefit rolls. (Section 101(b) of Public Law 106-170, the Ticket to Work and Self-Sufficiency program under section 1148 of the Act.) The proposed rules will amend the existing regulations to carry out these amendments. They will expand the regulations to explain more fully the circumstances under which benefit payments may continue, including when an individual will be considered to be participating in an appropriate VR program.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mel Winer, Social Insurance Specialist, Social Security Administration, Office of Employment Support Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-9175

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-1769

RIN: 0960-AF75

Social Security Administration (SSA)

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3531. REVISED MEDICAL CRITERIA FOR EVALUATING HEMATOLOGIC DISORDERS AND MALIGNANT NEOPLASTIC DISEASES (399F)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404.1500, app 1**Legal Deadline:** None

Abstract: Sections 7.00 and 107.00 (hemic and lymphatic system), and 13.00 and 113.00 (malignant neoplastic diseases) of appendix 1 to subpart P of part 404 of our regulations (404.1501 through 404.1599) describe those impairments that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming SSI payments under title XVI, that causes marked and severe functional limitations. We are proposing revisions to these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment. The Supplemental Security Income program incorporates and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance program.

Timetable:

Action	Date	FR Cite
NPRM	11/27/01	66 FR 59305
NPRM Comment Period End	01/28/02	
NPRM Comment Period End Extended	04/18/02	67 FR 19138
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Michelle Hungerman, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-2289

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AD67**3532. REPEAL OF FACILITY OF PAYMENT PROVISION (508F)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 403(a)**CFR Citation:** 20 CFR 404.402(b); 20 CFR 404.458**Legal Deadline:** None

Abstract: These final rules amend our regulation to reflect section 309 of Public Law 103-296. That repeals the facility of payment provision under which Social Security benefits, subject to the family maximum, would not be redistributed in certain cases, and provides that the reduction for the family maximum will be made prior to a temporary suspension for work when the nonworking auxiliary resides in a separate household from the working auxiliary.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-9822

RIN: 0960-AE02**3533. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, OTHER NONPROFIT ORGANIZATIONS, AND COMMERCIAL ORGANIZATIONS (547F)****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 7505; 41 USC 403(11); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 435.000**Legal Deadline:** None

Abstract: This final rule will create a new part in the Code of Federal Regulations. The new part will provide standards in the administration of grants and agreements with institutions of higher education, hospitals, other nonprofit organizations, and commercial organizations.

The Social Security Independence and Program Improvements Act of 1994,

enacted August 15, 1994, established SSA as an independent agency separate from the Department of Health and Human Services (HHS), effective March 31, 1995. To implement its own set of grants regulations, SSA proposes to codify almost verbatim the text of the Office of Management and Budget (OMB) Circular Number A-110 "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations." These regulations will establish SSA grants regulations, separate from the HHS regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/27/00	65 FR 24767
NPRM Comment Period End	06/26/00	
Final Action	03/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AE25**3534. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS AND INDIAN TRIBAL GOVERNMENTS (555F)****Priority:** Info./Admin./Other**Legal Authority:** 41 USC 403(ii); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 437.000**Legal Deadline:** None

Abstract: This final regulation migrates the HHS grants regulation at 45 CFR part 92 into a new SSA regulation at 20 CFR part 437 now that SSA is an independent agency.

Timetable:

Action	Date	FR Cite
Final Action	03/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Tribal

Agency Contact: Patricia Hora, Social Insurance Specialist, Social Security

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Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AE28

3535. RESTRICTIONS ON LOBBYING IN CONNECTION WITH THE AWARD OF GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS (556F)

Priority: Info./Admin./Other

Legal Authority: 31 USC 1352; 42 USC 902(a)(5)

CFR Citation: 20 CFR 438.000

Legal Deadline: None

Abstract: This final regulation migrates the HHS grants regulation at 45 CFR part 93 into a new SSA regulation at 20 CFR part 438 now that SSA is an independent agency.

Timetable:

Action	Date	FR Cite
Final Action	03/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AE29

3536. TECHNICAL CHANGES TO SUPPLEMENTAL SECURITY INCOME (SSI) REGULATIONS (664F)

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 20 CFR 416.1236; 20 CFR 416, app, subpart K

Legal Deadline: None

Abstract: We are amending the SSI regulations by making technical changes to our rules on income and resources. These technical changes update lists of exclusions from income and resources under the SSI program that are based on statutes other than the Social Security Act and make additional technical changes.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Eric Ice, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-3233

Cynthia Pullen-Carroll, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3691

RIN: 0960-AE79

3537. OASDI AND SSI; ADMINISTRATIVE REVIEW PROCESS; VIDEO TELECONFERENCING APPEARANCES BEFORE ADMINISTRATIVE LAW JUDGES OF THE SOCIAL SECURITY ADMINISTRATION (737F)

Priority: Other Significant

Legal Authority: 42 USC 205(a); 42 USC 205(b); 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.929; 20 CFR 404.936; 20 CFR 404.938; 20 CFR 404.950; 20 CFR 416.1429; 20 CFR 416.1436; 20 CFR 416.1438

Legal Deadline: None

Abstract: This final rule revises our rules to permit us to conduct hearings before an administrative law judge (ALJ) at which a party or parties to the hearing and/or witness or witnesses may appear before the ALJ by video teleconference (VTC). The revised rules provide that if we schedule a hearing as one at which a party would appear by VTC, rather than in person, and the party objects to use of that procedure, we will reschedule the hearing as one at which the party may appear in person.

Timetable:

Action	Date	FR Cite
NPRM	01/05/01	66 FR 1059
NPRM Comment Period End	03/06/01	
Final Action	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cynthia Pullen-Carroll, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management,

6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3691

Related RIN: Previously reported as 0960-AA05

RIN: 0960-AE97

3538. COST OF LIVING INCREASES IN PRIMARY INSURANCE AMOUNTS (759F)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 402(a); 42 USC 405(a); 42 USC 415; 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.273 to 404.275

Legal Deadline: None

Abstract: This final rule revises our rules dealing with automatic cost-of-living increases to primary insurance amounts under title II of the Social Security Act. The revisions eliminate the restriction that we could only grant cost-of-living increases based on rises in the Consumer Price Index (CPI) or the Average Wage Index (AWI) if either the CPI or AWI increased by 3 percent or more during the prescribed measuring period. The 3 percent restriction was removed by legislation enacted in 1986. These regulations codify statutory provisions enacted in 1986.

Timetable:

Action	Date	FR Cite
Final Action	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeff Kunkel, Actuary, Social Security Administration, Office of the Actuary, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3013

Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-4163

RIN: 0960-AF14

SSA

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3539. CHANGE IN RETIREMENT AGE (775F)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 402; 42 USC 403; 42 USC 404(a); 42 USC 404(e); 42 USC 405(a); 42 USC 405(c); 42 USC 415; 42 USC 416; 42 USC 422(b); 42 USC 423; 42 USC 424a; 42 USC 425; 42 USC 428(a) to 428(e); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.201; 20 CFR 404.277; 20 CFR 404.304; 20 CFR 404.310 to 404.313; 20 CFR 404.317; 20 CFR 404.335 to 404.338; 20 CFR 404.352; 20 CFR 404.409 to 404.413; 20 CFR 404.421; 20 CFR 404.621; 20 CFR 404.623; 20 CFR 404.762**Legal Deadline:** None**Abstract:** These final rules amend our regulations to reflect section 201 of Public Law 98-21, the Social Security amendments of 1983. Section 201 increases the retirement age for unreduced old-age, wife or husband and widow or widower benefits from age 65 to 67.**Timetable:**

Action	Date	FR Cite
Final Action	08/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Bill Hilton, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-2468Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769**RIN:** 0960-AF16**3540. REVISED MEDICAL CRITERIA FOR EVALUATING IMPAIRMENTS OF THE DIGESTIVE SYSTEM (800F)****Priority:** Other Significant. Major under 5 USC 801.**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404, subpart P, app 1**Legal Deadline:** None**Abstract:** We are proposing to revise the criteria in the Listing of Impairments (the Listings) that we use to evaluate claims involving digestive impairments. We apply these criteria at step three of our sequential evaluation processes to adults and children who claim Social Security or Supplemental Security Income (SSI) benefits based on disability under title II and title XVI of the Social Security Act (the Act). The proposed revisions reflect advances in medical knowledge, treatment, and methods of evaluating digestive impairments. We also propose to remove listings that are redundant and serve only to refer to other listings.**Timetable:**

Action	Date	FR Cite
NPRM	11/14/01	66 FR 57009
NPRM Comment Period End	01/14/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Cheryl Worbel, Policy Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9108Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769**RIN:** 0960-AF28**3541. REVISED MEDICAL CRITERIA FOR EVALUATING SKIN DISORDERS (801F)****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1383**CFR Citation:** 20 CFR 404, subpart P, app 1**Legal Deadline:** None**Abstract:** This final rule will revise the criteria in the Listing of Impairments (the Listings) we use for evaluating skin disorders in adults and to introduce corresponding medical criteria for

evaluating skin disorders in children. We will revise the skin listings to ensure that the medical evaluation criteria are up-to-date and consistent and that the latest advances in medical knowledge and treatment are included.

Timetable:

Action	Date	FR Cite
NPRM	12/10/01	66 FR 63634
NPRM Comment Period End	02/08/02	
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Cheryl Worbel, Policy Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9108Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769**RIN:** 0960-AF29**3542. IMPLEMENTING THE REDESIGNED DISABILITY PROCESS (816F)****Priority:** Other Significant. Major under 5 USC 801.**Legal Authority:** 42 USC 301**CFR Citation:** 20 CFR 404.900; 20 CFR 404.901; 20 CFR 404.904; 20 CFR 404.904a; 20 CFR 404.905; 20 CFR 404.907; 20 CFR 404.908; 20 CFR 404.930; 20 CFR 404.948; 20 CFR 404.1512; 20 CFR 404.1526; 20 CFR 404.1527; 20 CFR 404.1529; 20 CFR 404.1546; 20 CFR 404.1615; 20 CFR 404.1616; 20 CFR 416.912; 20 CFR 416.926; 20 CFR 416.927; 20 CFR 416.929; 20 CFR 416.946; 20 CFR 416.1015; 20 CFR 416.1016; 20 CFR 416.1400; 20 CFR 416.1401; 20 CFR 416.1404; 20 CFR 416.1404a; 20 CFR 416.1405; 20 CFR 416.1407; 20 CFR 416.1408; 20 CFR 416.1430; 20 CFR 416.1448; 20 CFR 422.140; 20 CFR 422.203**Legal Deadline:** None**Abstract:** We plan to implement elements of the redesigned disability claims process (the prototype) that have

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been tested and found to further redesign goals. As we identify the most positive elements of the prototype, we plan to publish regulations to implement specific elements nationally.

Timetable:

Action	Date	FR Cite
NPRM	01/19/01	66 FR 5494
NPRM Comment Period End	03/20/01	
Final Action	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Agency Contact: Phillip Landis, Director, Disability Process Redesign Staff, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-7414

Cheryl A. Williams, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-4163

Related RIN: Merged With 0960-AE73

RIN: 0960-AF44

3543. EXCLUSION OF REPRESENTATIVES AND HEALTH CARE PROVIDERS CONVICTED OF VIOLATIONS FROM PARTICIPATION IN SOCIAL SECURITY DISABILITY PROGRAMS (820F)

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-169, sec 208; 42 USC 1320b-6

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This final rule would bar representatives and health care providers from participating in the Social Security disability programs if they are determined to have committed fraud. The bar would be 5 years, 10 years, and permanent exclusion for the first, second, and third offenses respectively.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-9822

RIN: 0960-AF46

3544. FILING OF APPLICATIONS AND RELATED FORMS (797F)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 402(i); 42 USC 402(j); 42 USC 402(o); 42 USC 402(p); 42 USC 402(r); 42 USC 405; 42 USC 416(i)(2); 42 USC 423(b); 42 USC 428(a); 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.610; 20 CFR 404.611; 20 CFR 422.505

Legal Deadline: None

Abstract: We will include language that explains the Internet applications completed on SSA's website and submitted to SSA are prescribed applications for filing for social security benefits. We plan to incorporate an explanation that once SSA has an approved electronic signature method in place, the signature method will be included as part of the Internet application process and will be required for the applications.

Timetable:

Action	Date	FR Cite
NPRM	08/17/01	66 FR 43136
NPRM Comment Period End	10/16/01	
Final Action	08/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Robinson, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-4327

Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-9822

RIN: 0960-AF52

3545. COLLECTION OF SUPPLEMENTAL SECURITY INCOME OVERPAYMENTS FROM TITLE VIII BENEFITS (819F)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 902; 42 USC 1320b-17; 42 USC 1383(b)

CFR Citation: 20 CFR 416.570; 20 CFR 416.572

Legal Deadline: None

Abstract: We plan to modify our rules for the recovery of Supplemental Security Income (SSI) benefit overpayments under title XVI of the Social Security Act (the Act). The final rules would implement statutory authority for SSA to recover SSI overpayments by adjusting the amount of special veterans benefits payable under title VIII of the Act. (Title VIII provides monthly benefits to certain World War II veterans residing outside the United States.) This collection practice would be used when the overpaid individual is no longer eligible for SSI cash benefits. Also, the amount of the SSI overpayment recoverable in a month would be limited to 10 percent of the benefit payable in a month under title VIII unless a different rate of collection is requested and approved or the overpaid person (or that person's spouse) willfully misrepresented or concealed information in connection with the overpayment. In cases of misrepresentation or concealment, the entire title VIII benefit would be subject to adjustment to recover the overpayment.

Timetable:

Action	Date	FR Cite
NPRM	07/26/01	66 FR 38963
NPRM Comment Period End	09/24/01	
Final Action	08/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of International Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-0020

Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and

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Final Rule Stage

Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AF53

3546. • PAYMENT OF BENEFITS TO ALIENS RESIDING OUTSIDE THE UNITED STATES (909F)

Priority: Other Significant

Legal Authority: 42 USC 402(k); 42 USC 405(a); 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.460

Legal Deadline: None

Abstract: We are revising our rules to remove Democratic Kampuchea (now Cambodia) and Vietnam from the list of countries to which social security benefits may not be sent to aliens in those countries under Department of the Treasury (Treasury) restrictions. The removal of the Treasury

restrictions on these countries permits benefit payments to accrue for aliens who are entitled to benefits for title II months in which they reside in either Cambodia or Vietnam provided they are not subject to other non-payment provisions for those months. These benefits may be paid to them if they go to the United States or to a country to which SSA can send benefits or if we receive assurance of free access to beneficiaries and vital records from appropriate officials in the country in which they reside. The revisions are necessary to reflect that Treasury has published regulations that have removed their restriction on sending Federal payments to any payees living in these countries.

Timetable:

Action	Date	FR Cite
Final Action	08/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of International Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-0020

Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AF70

Social Security Administration (SSA)

Long-Term Actions

3547. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS; REPLACING SOCIAL SECURITY NUMBER CARDS (543F)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 405

CFR Citation: 20 CFR 422.103

Legal Deadline: None

Abstract: These final rules will support the process for replacing Social Security number cards when we receive a request by telephone. We tested replacing the card based on information furnished by telephone, without requiring additional documentation. SSA is now evaluating the results of that test.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/22/95	60 FR 32444
Interim Final Rule Comment Period End	08/21/95	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel T. Bridgewater, Social Insurance Specialist, Social Security Administration, Office of Process and

Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3298

RIN: 0960-AE18

3548. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS) (554F)

Priority: Info./Admin./Other

Legal Authority: 41 USC 403(11); 41 USC 701 et seq; 42 USC 902(a)(5)

CFR Citation: 20 CFR 436.000

Legal Deadline: None

Abstract: This final regulation migrates the HHS grants regulation at 45 CFR part 76 into a new SSA regulation at 20 CFR part 436 now that SSA is an independent agency.

Timetable:

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3266
NPRM Comment Period End	03/25/02	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AE27

3549. DEDICATED ACCOUNTS AND INSTALLMENT PAYMENTS FOR CERTAIN PAST DUE SSI BENEFITS (622F)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 902(a)(5); 42 USC 1381; 42 USC 1381a; 42 USC 1382(c); 42 USC 1382(e); 42 USC 1383(a) to 1383(d); 42 USC 1383(g)

CFR Citation: 20 CFR 416.545; 20 CFR 416.546; 20 CFR 416.640; 20 CFR 416.1210; 20 CFR 416.1247

Legal Deadline: Final, Statutory, November 22, 1996.

Interim Final Rules were published on 12/20/1996.

Abstract: These regulations reflect amendments to the Social Security Act made by sections 213 and 221 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Section 213 requires the establishment of accounts in financial institutions for the payment of past-due SSI benefits after reimbursement to a

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Long-Term Actions

State for Interim Assistance Reimbursement exceeding 6 months' benefits to representative payees on behalf of children under age 18. These accounts will be dedicated for certain purposes by restrictions on the use of such past-due benefits.

Section 221 requires past-due SSI benefits after reimbursement to a State for Interim Assistance Reimbursement which equals or exceeds 12 months' benefits to be paid in installments, with certain exceptions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/20/96	61 FR 67203
Interim Final Rule Comment Period End	02/18/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AE59

3550. ASSIGNMENT OF SOCIAL SECURITY ADMINISTRATION NUMBERS (SSN) FOR NONWORK PURPOSES (751P)

Priority: Other Significant

Legal Authority: 42 USC 405; 42 USC 432; 42 USC 902(a)(5); 42 USC 1320b-1; 42 USC 1320b-13

CFR Citation: 20 CFR 422.104

Legal Deadline: None

Abstract: SSA published an advanced notice of proposed rulemaking regarding when we will assign an SSN to an alien who is legally in the United States (U.S.) but not under authority of law permitting him or her to work in the U.S. We are considering a proposal to assign an SSN to an alien who is legally in the U.S. but does not have authorization to work only if there is a Federal statute or regulation that requires the alien to furnish an SSN to receive a federally-funded benefit or service. Under such a proposal, we would no longer assign an SSN to an alien if the alien's sole reason for applying for the SSN is to satisfy a

State or local statute or regulation that requires an individual to furnish an SSN in order to receive a benefit or service. The intent of such a proposed change would be to reduce the possibility of fraud through misuse of SSNs.

Timetable:

Action	Date	FR Cite
ANPRM	10/12/99	64 FR 55217
ANPRM Comment Period End	12/13/99	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Arthur LaVeck, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5665

Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-9822

RIN: 0960-AF05

3551. REVISED MEDICAL CRITERIA FOR EVALUATING IMMUNE SYSTEM DISORDERS (804P)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404, subpart P, app 1

Legal Deadline: None

Abstract: We propose to revise the criteria in the Listing of Impairments that we use to evaluate claims involving impairments affecting the Immune System. We apply these criteria when you claim benefits based on disability under title II and title XVI of the Social Security Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Victoria Dorf, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9245

Suzanne DiMarino, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1769

RIN: 0960-AF33

3552. REVISED MEDICAL CRITERIA FOR EVALUATING NEUROLOGICAL DISORDERS (806P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404, subpart P, app 1

Legal Deadline: None

Abstract: We propose to revise the criteria in the Listing of Impairments (the listings) that we use to evaluate claims involving neurological disorders at the third step of our sequential evaluation processes for adults and children under title II and title XVI of the Social Security Act (the Act). The proposed revisions reflect advances in medical knowledge, treatment, and methods of evaluating neurological disorders.

Timetable:

Action	Date	FR Cite
NPRM	08/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Fran O. Thomas, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-9822

RIN: 0960-AF35

3553. REVISED MEDICAL CRITERIA FOR EVALUATING GROWTH DISORDERS (444P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

SSA

Long-Term Actions

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404 subpart P, app 1; 20 CFR 416 subpart I

Legal Deadline: None

Abstract: Section 100.00 of part B of appendix 1 to subpart P of part 404 of the Disability Regulations describes growth impairments considered severe enough to cause marked and severe functional limitations in a child under age 18. We are proposing revisions to the growth impairment listings. The revisions contained in these regulations reflect advances in medical knowledge, treatment, and methods of evaluating growth impairments. The Supplemental Security Income program incorporates and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance program.

Timetable:

Action	Date	FR Cite
NPRM	06/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: This regulation is cross-referenced with 0960-AD80.

Agency Contact: Regina Connell, Social Insurance Specialist, Social

Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1891

Patricia Hora, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7183

RIN: 0960-AF67

3554. REVISED MEDICAL CRITERIA FOR EVALUATING MENTAL DISORDERS (886P)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 405; 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404.1500, app 1; 20 CFR 404.1520; 20 CFR 404.1520a; 20 CFR 404.1528; 20 CFR 416.920a; 20 CFR 416.928

Legal Deadline: None

Abstract: We proposed to revise the criteria in the Listing of Impairments (the Listing) that we use to evaluate claims for disability benefits where the individual is alleging a mental impairment. The Listing describes, for

each of the major body systems, impairments that are considered severe enough to prevent a person from doing any gainful activity. Our proposed revisions will reflect advances in medical knowledge, treatment, and methods of evaluating mental impairments in both adults and children.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Cathy Lively, Social Insurance Specialist, Social Security Administration, Office of Disability, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-1180

Maria D. Smith, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3661

RIN: 0960-AF69

Social Security Administration (SSA)

Completed Actions

3555. TECHNICAL REVISIONS TO MEDICAL CRITERIA FOR DETERMINATIONS OF DISABILITY (740F)

Priority: Substantive, Nonsignificant

CFR Citation: 20 CFR 404 subpart P, app 1

Completed:

Reason	Date	FR Cite
Final Action	04/24/02	67 FR 20018
Final Action Effective	05/24/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Carolyn Kiefer
Phone: 410 965-9104

Suzanne DiMarino
Phone: 410 965-1769

RIN: 0960-AE99

3556. TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999) (767F)

Priority: Other Significant

CFR Citation: 20 CFR 411.100 to 411.730

Completed:

Reason	Date	FR Cite
Final Action	12/28/01	66 FR 67369
Final Action Effective	01/28/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Geoffrey Funk
Phone: 410 965-9010

Suzanne DiMarino
Phone: 410 965-1769

RIN: 0960-AF11

3557. ADMINISTRATIVE PROCEDURES FOR IMPOSING PENALTIES FOR FALSE OR MISLEADING STATEMENTS (784F)

Priority: Other Significant

CFR Citation: 20 CFR 404.475; 20 CFR 416.1339

Completed:

Reason	Date	FR Cite
Final Action	04/29/02	67 FR 20890
Final Action Effective	07/10/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gareth N. Dence
Phone: 410 965-9872

Suzanne DiMarino
Phone: 410 965-1769

RIN: 0960-AF20

SSA

Completed Actions

3558. CREDIT BUREAU REPORTING AND ADMINISTRATIVE OFFSET FOR SSI OVERPAYMENTS (795F)

Priority: Substantive, Nonsignificant

CFR Citation: 20 CFR 416.590; 20 CFR 416.1403; 20 CFR 422.301; 20 CFR 422.305

Completed:

Reason	Date	FR Cite
Final Action	12/28/01	66 FR 67078
Final Action Effective	01/28/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Hora
Phone: 410 965-7183

RIN: 0960-AF31

3559. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND AND DISABLED; STUDENT CHILD EARNED INCOME EXCLUSION (865F)

Priority: Substantive, Nonsignificant

CFR Citation: 20 CFR 416.1161

Completed:

Reason	Date	FR Cite
Final Action	03/12/02	67 FR 11033
Final Action Effective	03/12/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Cynthia Pullen-Carroll
Phone: 410 965-3691

RIN: 0960-AF60

[FR Doc. 02-7688 Filed 05-10-02; 8:45 am]

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