§ 410.705 Duplicate claims.

(a) Approved by the Social Security Administration—denied or pending with the Office of Workers’ Compensation Programs. A person whose part B claim for benefits was approved by the Social Security Administration and who also filed a part C claim with the Office of Workers’ Compensation Programs which is pending or has been denied shall be entitled to a review of the part C claim by the Office of Workers’ Compensation Programs under the BLBRA of 1977.

(b) Denied or pending with the Social Security Administration—approved by the Office of Workers’ Compensation Programs. A person who has filed a part B claim with the Social Security Administration which is pending or has been denied and who has also filed a part C claim with the Office of Workers’ Compensation Programs, which has been approved, shall be entitled, upon request, to a review of the pending or denied part B claim in light of the BLBRA of 1977 by either the Social Security Administration or the Office of Workers’ Compensation Programs, in accordance with this subpart.

(c) Pending or denied by the Social Security Administration and the Office of Workers’ Compensation Programs. A person who has filed a claim both with the Social Security Administration and the Office of Workers’ Compensation Programs and whose claims are either pending with or have been denied by both agencies shall have the claim reviewed under the BLBRA of 1977 by the Social Security Administration if such review is requested by the claimant. If the claim is not approved by the Social Security Administration it shall be forwarded to the Office of Workers’ Compensation Programs for further review as provided in § 410.704(e)(2). During the pendency of review proceedings by the Social Security Administration, if any, no action shall be taken by the Secretary of Labor with respect to the part C claim which is pending or has been denied by DOL. If the claimant does not respond to notification of his or her right to review by the Social Security Administration within 6 months of the notice (see § 410.704(c)) unless the period is enlarged for good cause shown, the Office of Workers’ Compensation Programs shall proceed under DOL’s regulations at 20 CFR part 727 to review the claim originally filed with the Secretary of Labor. If the claimant, upon notification by the Social Security Administration of his or her right to review (see § 410.704(a)) requests that the claim originally filed with the Social Security Administration be forwarded to the Office of Workers’ Compensation Programs for review, or if more than one claim has been filed with the Secretary of Labor by the same claimant, such claims shall be merged and processed with the first claim filed with the Office of Workers’ Compensation Programs.
made by the Social Security Administration under this subpart G is binding on the Office of Workers’ Compensation Programs as an initial determination of eligibility.

§ 410.707 Hearings and appeals.

The review of any determination made by the Social Security Administration of a claim under this subpart will be made by the Office of Workers’ Compensation Programs. If the Social Security Administration does not approve the claim following its review under this subpart, the claim will be referred to the Office of Worker’s Compensation Programs, and the Office of Workers’ Compensation Programs will automatically review the claim. The Office of Workers’ Compensation Programs will provide an opportunity for the claimant to submit additional evidence if it is needed to approve the claim. See § 410.704(e)(2) of this subpart. If the Social Security Administration approves the claim but the claimant disagrees with any part of the Social Security Administration’s determination, he or she may request the Office of Workers’ Compensation Programs to review the Social Security Administration’s determination. See § 410.704(e)(1) of this subpart.

PART 411—THE TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM

Subpart A—Introduction

Sec.
411.100 Scope.
411.105 What is the purpose of the Ticket to Work program?
411.115 Definitions of terms used in this part.

Subpart B—Tickets Under the Ticket to Work Program

411.120 What is a ticket under the Ticket to Work program?
411.125 Who is eligible to receive a ticket under the Ticket to Work program?
411.130 How will we distribute tickets under the Ticket to Work program?
411.135 What do I do when I receive a ticket?
411.140 When may I assign my ticket and how?
411.145 When can my ticket be taken out of assignment?
411.150 Can I reassign my ticket?
411.155 When does my ticket terminate?

Subpart C—Suspension of Continuing Disability Reviews for Beneficiaries Who are Using a Ticket

INTRODUCTION

411.160 What does this subpart do?
411.165 How does using a ticket under the Ticket to Work program affect my continuing disability reviews?
411.166 Glossary of terms used in this subpart.
411.167 What is an educational institution or a technical, trade or vocational school?
411.170 When does the period of using a ticket begin?
411.171 When does the period of using a ticket end?
411.175 What if a continuing disability review is begun before my ticket is in use?
411.180 What is timely progress toward self-supporting employment?
411.182 What choices do I have if I am unable to make timely progress toward self-supporting employment?
411.200 How will the PM conduct my progress reviews?
411.205 What if I disagree with the PM’s decision about whether I am making timely progress toward self-supporting employment?

FAILURE TO MAKE TIMELY PROGRESS

411.210 What happens if I do not make timely progress toward self-supporting employment?

THE EXTENSION PERIOD

411.220 What if my ticket is no longer assigned to an EN or State VR agency?
411.225 What if I reassign my ticket after the end of the extension period?
411.226 How will SSA determine if I am meeting the timely progress guidelines if I assign my ticket prior to July 21, 2008?

Subpart D—Use of One or More Program Managers To Assist in Administration of the Ticket to Work Program

411.230 What is a PM?
411.235 What qualifications are required of a PM?
411.240 What limitations are placed on a PM?
411.245 What are a PM’s responsibilities under the Ticket to Work program?

EVALUATION OF PROGRAM MANAGER PERFORMANCE

411.250 How will SSA evaluate a PM?