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**Monday,
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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 12866, 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 then 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 on November 22, 1999.

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, L2109 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) and the Supplemental Security Income (SSI) program under title XVI of the Act. We are not a regulatory agency. For the most part, our regulations 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 improvements to provide better service to SSA customers; and 3) improvements or clarifications to fulfill commitments

made as part of the President's Regulatory Reinvention initiative.

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 provide more choices for people with disabilities who seek Return-to-Work services so that they may become self-sufficient. These proposed regulations are required by provisions of "The Ticket to Work and Work Incentives Improvement Act of 1999," (Pub. L. 106-170), which was signed by the President on December 17, 1999. Among the provisions requiring regulations are provisions that will establish the Ticket to Work and Self-Sufficiency program in SSA, suspend continuing disability reviews based on work activity, and expedite reinstatement of disability benefits terminated due to work activity.

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. In addition, we have announced a prototype involving a combination of modifications to the disability determination process. The prototype incorporates multiple modifications to the disability determinations procedures employed by State Disability Determination Services which have been shown to be effective in earlier tests. The prototype incorporates a series of changes that improve the initial disability determination process by: providing greater decisional authority to the disability examiner and more effective use of the expertise of the medical consultant; ensuring appropriate development and explanation of key issues; increasing opportunities for claimant interaction with the decision-maker before a determination is made; and simplifying the appeals process by eliminating the reconsideration step.

One agenda item, Assessment of Residual Functional Capacity, implements elements of a major agency initiative known as "process unification." Process unification is designed to produce similar results on similar cases at all stages of the process by consistently applying the law, regulations and rulings within SSA. The Assessment of Residual Functional Capacity regulation will clarify the guidelines in our regulations used in determining whether an individual who lacks the capacity to perform less than a full range of sedentary work is disabled.

The Agenda contains several other regulations intended to improve the processing of disability claims. These include final rules regarding sources of evidence for establishing the existence of a medically determinable impairment, and adding a new medical listing for individuals age 18 or older who have non-mosaic Down syndrome. There is also a proposed rule to reflect advances in medical practices such as organ transplantation.

SSA is committed to enhancing the service that we provide to our customers by reducing the time it takes them to receive a hearing and a decision. We believe that the new Hearings Process Improvement (HPI) Initiative will enhance the timeliness of decisions and improve customer service by effectively utilizing the staffing resources that are dedicated to this goal. The HPI Initiative is part of SSA's overall plan for managing the disability process. One important HPI initiative listed in the Agenda, Prehearing and Posthearing Conference, is expected to improve the hearings process by standardizing and increasing the efficiency of our procedures for holding prehearing and posthearing conferences. Another important HPI initiative listed in the Agenda, Expansion of the Use of Video Teleconference Technology in Hearings before Administrative Law Judges (ALJs) of the Social Security Administration, is expected to improve customer service by providing faster access to a hearing before an ALJ. It removes the need for the claimant (and representative, if any) and the ALJ to be physically present at the same location.

Eliminating fraud and abuse in Social Security's programs is a vital goal of SSA. SSA's Strategic Plan asserts zero tolerance for fraud and abuse, and states that we will increase our attention on

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detering fraudulent activities. This initiative reflects SSA's idea that we must remain vigilant if we are to fulfill our role as capable stewards of the public trust. To further this goal, in this Agenda is an interim final regulation that implements a provision of The Foster Care Independence Act of 1999. This provision gives SSA the authority to administratively impose nonpayment of benefits on certain individuals who misstate or withhold material facts for use in determining title II or title XVI benefit eligibility or amount. Also in this Agenda are other proposed revisions based on the Foster Care Independence Act of 1999 that provide us with additional tools to strengthen the integrity of the Social Security and SSI programs. There is also a final rule implementing legislation to preclude eligibility for SSI benefits for certain

fugitives and probation and parole violators.

We remain committed to improving stewardship of the SSI program, for which we have had responsibility since the program's inception in 1974, as efficiently and effectively as possible. In this Agenda, in addition to the other SSI initiatives already discussed, is a proposed rule, Collection of SSI (Title XVI) Overpayment Debts from Title II Benefits, which will implement one of the debt collection tools authorized by legislation.

In another regulatory action, SSA would, in favorably-decided cases, assess an attorney representative for withholding authorized attorney fees from a claimant's past-due Social Security benefits and paying all or part of the withheld fees directly to the attorney. This proposed regulation is based on a provision of "The Ticket to

Work and Work Incentives Improvement Act of 1999," which is expected to generate \$13 million in additional revenues in FY 2000 to meet SSA's administrative expenses and \$26 million in succeeding years.

Consistent with the President's Regulatory Reinvention Initiative we are working diligently to improve our program benefit regulations and to develop partnerships with large segments of the community of stakeholders interested in Social Security programs. The remaining of our Unified Agenda items reflect such improvements and clarifications.

The April 2000 regulatory agenda for the Social Security Administration follows.

Dated: March 3, 2000.

Georgia E. Myers,
SSA Regulations Officer.

Social Security Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3859	Representative Payment Under Title II and XVI of the Social Security Act (295P)	0960-AD22
3860	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Fees for Representation of Claimants (296P)	0960-AD23
3861	Supplemental Security Income; Plans for Achieving Self-Support (506P)	0960-AE17
3862	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (547P)	0960-AE25
3863	Administrative Wage Garnishment (To Repay a Debt Owed to the Social Security Administration) (724P)	0960-AE92
3864	OASDI and SSI; Expansion of the Use of Video Teleconference Technology in Hearings Before Administrative Law Judges of the Social Security Administration (737P)	0960-AE97
3865	Revised Medical Criteria for Determination of Disability, Appendix 1 to Subpart P—Listing of Impairments (740F) ..	0960-AE99
3866	Anti-Fraud Provisions (765P)	0960-AF09
3867	Ticket to Work and Self-sufficiency Program (Ticket to Work and Work Incentives Improvement Act of 1999) (767P)	0960-AF11
3868	Amount of Student-Earned Income Exclusion (777P)	0960-AF12
3869	Title XVI, Cross-Program Recovery (746P)	0960-AF13
3870	Administrative Review Process; Prehearing and Posthearing Conferences (778P)	0960-AF17
3871	Extension of Disability Insurance Program Demonstration Project Authority (Ticket to Work and Work Incentives Improvement Act) (789P)	0960-AF18
3872	Expedited Reinstatement of Disability Benefits (Ticket to Work and Work Incentives Improvement Act) (790P)	0960-AF21

Social Security Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3873	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs, Determining Disability and Blindness; Substantial Gainful Activity Guides (147F)	0960-AB73
3874	Old-Age, Survivors, and Disability Insurance Program; Medical Criteria for Evaluating Mental Disorders and Traumatic Brain Injury in Adults (222F)	0960-AC74
3875	Elimination of Rounding Distortion in the Calculation of the Contribution and Benefit Base and Earnings Test Exempt Amounts (512F)	0960-AE40
3876	Federal Old-Age, Survivors, and Disability Insurance; Determining Disability and Blindness; Revision to Medical-Vocational Guidelines (599F)	0960-AE42

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Social Security Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3877	Denial of SSI Benefits for Fugitive Felons and Probation and Parole Violators (660F)	0960-AE77
3878	Reduction of Title II Benefits Under the Family Maximum Provisions in Cases of Dual Entitlement (692F)	0960-AE85
3879	Federal Old-Age, Survivors and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Clarification of "Age" as a Vocational Factor (736F)	0960-AE96
3880	Addition of Medical Criteria for Evaluating Down Syndrome in Adults (743F)	0960-AF03
3881	Medical Equivalence for Adults and Children (787I)	0960-AF19
3882	Administrative Procedures for Imposing Penalties for False or Misleading Statements (784I)	0960-AF20

Social Security Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3883	Musculoskeletal System and Related Criteria (143F)	0960-AB01
3884	Election of Benefits Based on Age by Disabled Widow, Widower, and Surviving Divorced Spouse Beneficiaries (343P)	0960-AD56
3885	Revised Medical Criteria for Determination of Disability; Hemic and Lymphatic System, and Malignant Neoplastic Diseases (399P)	0960-AD67
3886	Revised Medical Criteria for Determination of Disability, Endocrine System (436P)	0960-AD78
3887	Federal Old-Age, Survivors, and Disability Insurance and Supplemental Security Income, Medical and Other Evidence of Your Impairment(s) and Definition of Medical Consultant (469F)	0960-AD91
3888	Contributions for Support (475P)	0960-AD92
3889	Computation of SSI Benefits for the First Three Months of Payment (476P)	0960-AD93
3890	Definition of "Largest Benefit Amount" for Simultaneous Entitlement to Child's Benefits (481P)	0960-AD95
3891	Repeal of Facility of Payment Provision (508F)	0960-AE02
3892	Administrative Review Process; Administrative Res Judicata and Related Rules (526P)	0960-AE11
3893	Modification of Private Printing and Prescribed Applications and Other Forms (530P)	0960-AE15
3894	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)	0960-AE16
3895	Old-Age, Survivors, and Disability Insurance Benefits; Replacing Social Security Number Cards (543F)	0960-AE18
3896	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (554F)	0960-AE27
3897	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and Indian Tribal Governments (555F)	0960-AE28
3898	Restrictions on Lobbying in Connection with the Award of Grants, Contracts, and Cooperative Agreements (556F)	0960-AE29
3899	Supplemental Standards for Ethical Conduct for Employees of the Social Security Administration (601P)	0960-AE48
3900	Deeming of Income From an Ineligible Spouse to an Eligible Individual and an Eligible Child (606P)	0960-AE50
3901	Dedicated Accounts and Installment Payments for Certain Past Due SSI Benefits (622F)	0960-AE59
3902	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 (617F)	0960-AE63
3903	Availability of Information and Records to the Public—Charging Fees for Providing Personal Information (618P)	0960-AE64
3904	Coverage of Employees of State and Local Governments; Office of Management and Budget (OMB) Control Number (280F)	0960-AE69
3905	Determining Disability and Blindness; Providing for Use of a Single Decisionmaker to Make Determinations of Disability Under Titles II and XVI of the Social Security Act (668P)	0960-AE73
3906	Enforcement of Nondiscrimination in Social Security Programs or Activities (661P)	0960-AE78
3907	Adding New SSI Income and Resource Exclusion (VA Payments to Certain Vietnam Veterans' Children with Spina Bifida) to Lists of Exclusions Provided by Other Federal Statutes (664F)	0960-AE79
3908	Privacy and Disclosure of Official Records and Information (711P)	0960-AE88
3909	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
3910	Private Collection Agencies (Using Private Collection Agencies to Help SSA Collect Delinquent Title II Debts Owed by Former Beneficiaries) (722P)	0960-AE90
3911	Charging Interest (Charging Interest on Delinquent Debts) (723P)	0960-AE91
3912	Work Activity Standard as a Basis for Review of an Individual's Disabled Status (Ticket to Work and Work Incentives Improvement Act) (725P)	0960-AE93
3913	Testimony By Employees and the Production of Records in Legal Proceedings (732P)	0960-AE95
3914	Assignment of Social Security Administration Numbers (SSN) for Non-Work Purposes (751P)	0960-AF05

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Social Security Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3915	Cost of Living Increases in Primary Insurance Amounts (759F)	0960-AF14
3916	Change in Retirement Age (775F)	0960-AF16

Social Security Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
3917	Federal Old-Age, Survivors, and Disability Insurance and Supplemental Security Income for the Aged, Blind and Disabled; Evaluating Opinion Evidence (624F)	0960-AE56
3918	20 CFR Parts 401, 402, 404, 410, 416 and 422—Revised as of April 1, 1999; Correction (745F)	0960-AF04
3919	Assessing Attorney Representatives for Direct Payment (763P)	0960-AF08
3920	Extension of Expiration Dates for Several Body System Listings (764F)	0960-AF15

SOCIAL SECURITY ADMINISTRATION (SSA)

Proposed Rule Stage

3859. REPRESENTATIVE PAYMENT UNDER TITLE II AND XVI OF THE SOCIAL SECURITY ACT (295P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 401(j); 42 USC 404(f); 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 405(j); 42 USC 405(k); 42 USC 421; 42 USC 425; 42 USC 902(a)(5); 42 USC 405 note; 42 USC 421 note; 42 USC 1383(a)(2); 42 USC 1383(d)(1)

CFR Citation: 20 CFR 404.902; 20 CFR 404.2011; 20 CFR 404.2022; 20 CFR 404.2024; 20 CFR 404.2025; 20 CFR 404.2030; 20 CFR 404.2041; 20 CFR 404.2050; 20 CFR 416.611; 20 CFR 416.622; 20 CFR 416.624; 20 CFR 416.625; 20 CFR 416.630

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. Congress determined that improvements to the representative payment procedures were needed to assure program integrity as part of Public Law 101-508. Any costs associated with these regulations are reflected in the President's budget as part of legislative implementation. These regulations are required to further our program integrity efforts.

Timetable:

Action	Date	FR Cite
NPRM	03/15/94	59 FR 11949
NPRM Comment	05/16/94	
Period End		
Second NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AD22

3860. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED; FEES FOR REPRESENTATION OF CLAIMANTS (296P)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 101-508, sec 5106; PL 103-296, sec 321(f)3 to sec 321(f)5; PL 106-170, sec 406

CFR Citation: 20 CFR 404.1703; 20 CFR 404.1713; 20 CFR 404.1720; 20 CFR 404.1715 to 404.1717; 20 CFR 404.1725; 20 CFR 416.1503; 20 CFR 416.1513; 20 CFR 416.1520; 20 CFR 416.1515 to 416.1517; 20 CFR 416.1525

Legal Deadline: None

Abstract: We propose to amend the regulations to reflect section 5106(a) of Public Law 101-508, which modifies the manner in which past-due benefits are calculated and the process by which SSA approves fees charged by persons representing claimants before the Agency.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AD23

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Proposed Rule Stage

3861. SUPPLEMENTAL SECURITY INCOME; PLANS FOR ACHIEVING SELF-SUPPORT (506P)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-296, sec 203; 42 USC 1383b(d)

CFR Citation: 20 CFR 416.1180; 20 CFR 416.1181; 20 CFR 416.1182; 20 CFR 416.1224; 20 CFR 416.1225; 20 CFR 416.1226

Legal Deadline: None

Abstract: These proposed regulations will revise our rules on plans to achieve self-support (PASS) to take into account the time period an individual will need for completion of his or her PASS and other factors determined to be appropriate.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AE17

3862. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, OTHER NON-PROFIT ORGANIZATIONS, AND COMMERCIAL ORGANIZATIONS (547P)

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 31 USC 7505; 41 USC 403(11)

CFR Citation: 20 CFR 435.000

Legal Deadline: None

Abstract: These proposed regulations migrate the HHS grants regulation at 45 CFR part 74 into a new SSA regulation at 20 CFR 435 now that SSA is an independent agency.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE25

3863. ADMINISTRATIVE WAGE GARNISHMENT (TO REPAY A DEBT OWED TO THE SOCIAL SECURITY ADMINISTRATION) (724P)

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

Unfunded Mandates: Undetermined

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

CFR Citation: 20 CFR 422

Legal Deadline: None

Abstract: This initiative will enable the Social Security Administration (SSA) to collect qualifying, delinquent titles II and XVI debts owed by former beneficiaries who are now employed (as other than Federal employees). Administrative wage garnishment allows SSA to direct an employer to deduct a percentage of the disposable wages earned by the worker/debtor, and to send that amount to SSA as payment toward the delinquent debt.

Administrative wage garnishment does not require a court judgment to impose the withholding order.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal, State, Local, Tribal

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

Robert J. Augustine, Social Insurance Specialist, Social Security

Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE92

3864. OASDI AND SSI; EXPANSION OF THE USE OF VIDEO TELECONFERENCE TECHNOLOGY IN HEARINGS BEFORE ADMINISTRATIVE LAW JUDGES OF THE SOCIAL SECURITY ADMINISTRATION (737P)

Priority: Other Significant

Legal Authority: 42 USC 205(a); 42 USC 205(b); 42 USC 902(a)(5); 42 USC 1383

CFR Citation: 20 CFR 404.929; 20 CFR 416.1438; 20 CFR 404.936(b); 20 CFR 404.936(c); 20 CFR 404.936(d)(8) (New); 20 CFR 404.938; 20 CFR 416.1429; 20 CFR 416.1436(b); 20 CFR 416.1436(c); 20 CFR 416.1436(d)(8) (New)

Legal Deadline: None

Abstract: We propose to amend our regulations to permit us to conduct hearings before an administrative law judge (ALJ) by video teleconference (VTC). We also propose to add new sections to the regulations that state an ALJ will find good cause to change the time and place of a hearing if we schedule a VTC hearing, and the individual tells us he/she does not want a VTC hearing.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	
Final Action	07/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AE97

3865. REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY, APPENDIX 1 TO SUBPART P— LISTING OF IMPAIRMENTS (740F)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 402; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d)

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Proposed Rule Stage

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); PL 104-193, sec 211(b)

CFR Citation: 20 CFR 404 subpart P, app 1

Legal Deadline: None

Abstract: We are proposing to make a number of discrete revisions to the Listing of Impairments listings, appendix 1 to subpart P, parts A and B, of part 404 of our regulations, in order to reflect advances in medical practices, to clarify certain listing criteria, to remove a few rarely-used listings, and to add new listings to address current medical practices such as organ transplantation. We are also proposing to remove some technical references which have become obsolete and proposing to reword some listings to update medical terminology. We use these listings to adjudicate claims for disability under titles II and XVI of the Social Security Act when we evaluate claims of individuals at step three of our sequential evaluation process.

Timetable:

Action	Date	FR Cite
NPRM	02/11/00	65 FR 6929
NPRM Comment Period End	04/11/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AE99

3866. ANTI-FRAUD PROVISIONS (765P)

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

Legal Authority: PL 106-169

CFR Citation: Not Yet Determined

Legal Deadline: Not Yet Determined.

Abstract: These regulations will implement new authorities granted to SSA by the Foster Care Independence Act of 1999, to strengthen the integrity of the SSI and OASDI programs. One provision will bar for a specified period of time representatives and health-care providers from the program, if they are found to have helped commit fraud. Another provision will authorize SSA to obtain information from financial institutions in order to determine initial or continuing eligibility for SSI benefits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	
Final Action	09/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Georgia E. Myers, SSA Regulations Officer, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3632

RIN: 0960-AF09

3867. TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999) (767P)

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 902(a)(5); 42 USC 1320b-19; PL 106-170, sec 101

CFR Citation: 20 CFR 404.316; 20 CFR 404.337; 20 CFR 404.352; 20 CFR 404.401; 20 CFR 404.902; 20 CFR 404.1586; 20 CFR 404.1590; 20 CFR 404.1596; 20 CFR 404.1597; 20 CFR 404.2101; 20 CFR 416.101; 20 CFR 416.213; 20 CFR 416.708; 20 CFR 416.990; 20 CFR 416.1321; 20 CFR 416.1328; 20 CFR 416.1331; 20 CFR 416.1338; 20 CFR 416.1402; 20 CFR 416.1701 to 416.1715; 20 CFR 416.2040; 20 CFR 416.2201

Legal Deadline: Final, Statutory, December 17, 2000, One year after the date of enactment of Public Law 106-170. Sec. 1148(l) of the Social Security Act (42 USC 1320b-19(1), as added by sec.

101(a) of PL 106.170, requires SSA to prescribe regulations to carry out the Ticket to Work and Self-Sufficiency Program.

Abstract: The proposed regulations will implement the Ticket to Work and Self-Sufficiency Program under section 1148 of the Act, as added by section 101(a) of Public Law 106-170. They also will carry out provisions of sections 101(d) and (e) of Public Law 106-170 relating to the implementation of that program and section 101(b) providing conforming amendments to the Act. One of SSA's most important initiatives is to assure that Social Security (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. The Ticket to Work and Self-Sufficiency Program, under section 1148 of the Act, removes such barriers by providing beneficiaries with disabilities with the opportunity to obtain rehabilitation, employment and support services from an approved vocational rehabilitation provider of their choice.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Agency Contact: Geoffrey Funk, Social Insurance Specialist, Social Security Administration, Office of Employment Support Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401
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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-AF11

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Proposed Rule Stage

3868. AMOUNT OF STUDENT-EARNED INCOME EXCLUSION (777P)**Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 20 CFR 416.1112(c)(3)**Legal Deadline:** None

Abstract: This proposed regulation would update the amount of the student-earned-income exclusion (SEIE) to \$1,290 a month, not to exceed \$5,200 a year, and adjust the SEIE for inflation annually, using the consumer price index.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

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

Agency Contact: Steve Fear, Social Security Administration, Office of Policy, 500 E Street SW, Washington, DC 20254
Phone: 202 358-6121

RIN: 0960-AF12**3869. TITLE XVI, CROSS-PROGRAM RECOVERY (746P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1320b-17**CFR Citation:** 20 CFR 404.401; 20 CFR 416.558; 20 CFR 416.570; 20 CFR 416.572**Legal Deadline:** None

Abstract: We propose to revise our regulations dealing with the recovery of overpayments under the Supplemental Security Income (SSI) Program to permit SSA to recover SSI overpayments by adjusting the amount of Social Security benefits payable to the individual under title II of the Act. This collection practice would be limited to individuals who are not currently eligible to receive an SSI cash benefit. Also, the amount of the title XVI overpayment recoverable in a month would be limited to 10 percent of the amount payable under title II unless the overpaid person (or his or her spouse) willfully misrepresented or concealed material information about the overpayment. In that case, the entire title II benefit amount would be adjusted to recover the overpayment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

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

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

Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AF13**3870. • ADMINISTRATIVE REVIEW PROCESS; PREHEARING AND POSTHEARING CONFERENCES (778P)****Priority:** Substantive, Nonsignificant

Legal Authority: 31 USC 3720A; 42 USC 401(j); 42 USC 404(f); 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 405(j); 42 USC 405 note; 42 USC 421; 42 USC 421 note; 42 USC 425; 42 USC 902(a)(5); 42 USC 1383; 42 USC 1383b

CFR Citation: 20 CFR 404.961; 20 CFR 416.1461**Legal Deadline:** None

Abstract: We propose to amend our regulations that authorize an administrative law judge (ALJ) to hold a prehearing or posthearing conference to specify that certain attorney advisors in our Office of Hearings and Appeals (OHA) may hold formal prehearing or posthearing conferences when requested by an ALJ. We also propose to amend these regulations to include procedures to govern the informal developmental conferences that we may hold with claimants or their representatives.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

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

Agency Contact: Georgia E. Myers, SSA Regulations Officer, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-3632

RIN: 0960-AF17**3871. • EXTENSION OF DISABILITY INSURANCE PROGRAM DEMONSTRATION PROJECT AUTHORITY (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT) (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

Legal Deadline: No specific effective date. Section 301 provides title II demonstration authority for 5 years from the date of enactment (December 17, 1999).

Abstract: One of SSA's most important initiatives is to assure that Social Security (SSDI) and Supplemental Security Income (SSI) 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 with 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	06/00/00	
Final Action	12/00/00	

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

Agency Contact: Geoffrey Funk, Social Insurance Specialist, Social Security Administration, Office of Employment Support Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9010

RIN: 0960-AF18

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Proposed Rule Stage

3872. • 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.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 423

CFR Citation: Not Yet Determined

Legal Deadline: Section 112 of Public Law 106-170, effective January 1, 2001.

Abstract: One of SSA's most important initiatives is to assure that Social Security (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 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 because his or her disability prevents work activity. Section 112 also provides for payment of provisional benefits up to 6 months until SSA makes a determination on the requester's entitlement to reinstated benefits.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Geoffrey Funk, Social Insurance Specialist, Social Security Administration, Office of Employment Support Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-9010

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

SOCIAL SECURITY ADMINISTRATION (SSA)

Final Rule Stage

3873. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS, DETERMINING DISABILITY AND BLINDNESS; SUBSTANTIAL GAINFUL ACTIVITY GUIDES (147F)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 98-460, sec 10; PL 99-643; PL 100-203; PL 101-508; 42 USC 902(a)(5)

CFR Citation: 20 CFR 404; 20 CFR 416

Legal Deadline: None

Abstract: These final regulations will clarify how the Social Security Administration evaluates a person's work activity to determine whether work is substantial gainful activity and whether an individual is entitled to a trial work period. These regulations also reflect statutory changes with respect to the trial work period and the re-entitlement period.

Timetable:

Action	Date	FR Cite
NPRM	03/06/95	60 FR 12166
NPRM Comment Period End	05/15/95	
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AB73

3874. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; MEDICAL CRITERIA FOR EVALUATING MENTAL DISORDERS AND TRAUMATIC BRAIN INJURY IN ADULTS (222F)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 405; 42 USC 1382c; 42 USC 902(a)(5)

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

Legal Deadline: None

Abstract: On July 18, 1991, we published a Notice of Proposed Rulemaking (NPRM) (56 FR 33130) that proposed more extensive revisions to

the regulations and the mental disorders listings than are in these final rules. The proposed rules included comprehensive revisions to the regulations on the evaluation of mental disorders in sections 404.1520a and 416.920a and the adult mental disorders listings, as well as proposed guidelines for evaluating traumatic brain injury in section 11.00 of the listings. The proposed revisions also included both new and revised rules for the evaluation of mental disorders in children claiming disability benefits under the Supplemental Security Income (SSI) Program. Although the NPRM reflected advances in medical knowledge, treatment, and methods of evaluating mental impairments that were up-to-date at the time it was published, there have been additional advances since then that impact on many of the revisions we had proposed. There have also been changes in the SSI law and regulations regarding the evaluation of disability in children. Consequently, we are deferring action on the proposed revisions in the 1991 NPRM that are not finalized by these regulations. We will consider the public comments we received on the proposed revisions that we are not finalizing by these regulations as we assess those proposals.

Timetable:

Action	Date	FR Cite
NPRM	07/18/91	56 FR 33130

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Action	Date	FR Cite
NPRM Comment Period End	09/18/91	
Final Action	04/00/00	

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-AC74**3875. ELIMINATION OF ROUNDING DISTORTION IN THE CALCULATION OF THE CONTRIBUTION AND BENEFIT BASE AND EARNINGS TEST EXEMPT AMOUNTS (512F)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.211(c); 20 CFR 404.430(c); 20 CFR 404.1047 to 1048; 20 CFR 404, subpart C, app 1; 20 CFR 404.403(d); 20 CFR 404.408ff; 20 CFR 404.1048(c); 20 CFR 404.1918(b)

Legal Deadline: None

Abstract: Section 321(g) of Public Law 103-296 designated 1994 as the base year to be used in calculating increases in the OASDI contribution and benefit base and the earnings test exempt amounts. The provision is effective for the contribution and benefit base and for the earnings test exempt amount for taxable years ending after 1994. Section 102 of Public Law 104-121, however, established a schedule of earnings test exempt amounts for persons at or above the normal retirement age for 1996 through 2002. Thereafter, the provision calculates the increase in this exempt amount in the same manner as provided by Public Law 103-296, but designates 2002 as the base year.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

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

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social

Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AE40**3876. FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE; DETERMINING DISABILITY AND BLINDNESS; REVISION TO MEDICAL-VOCATIONAL GUIDELINES (599F)****Priority:** Other Significant**Legal Authority:** 42 USC 423; 42 USC 405(a); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.1500, app 2**Legal Deadline:** None

Abstract: This rule will make clarifications to the Social Security Medical-Vocational guidelines used to evaluate disability in individuals under age 50 who have severe impairments that do not meet or equal the criteria of any listed impairment, but have a residual functional capacity for no more than the full range of sedentary work. The guidelines are contained in appendix 2 of subpart P of 20 CFR 404.

Timetable:

Action	Date	FR Cite
NPRM	09/23/97	62 FR 49636
NPRM Comment Period End	11/24/97	
Final Action	06/00/00	

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

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE42**3877. DENIAL OF SSI BENEFITS FOR FUGITIVE FELONS AND PROBATION AND PAROLE VIOLATORS (660F)****Priority:** Other Significant**Legal Authority:** 42 USC 902(a)(5); 42 USC 1382; 42 USC 1383**CFR Citation:** 20 CFR 416.202; 20 CFR 416.708; 20 CFR 416.1331**Legal Deadline:** None

Abstract: These final regulations carry out section 202(a) of Public Law 104-193, which prohibits payment of SSI benefits to individuals who are fleeing to avoid prosecution for a crime which is a felony; or fleeing to avoid custody or confinement after conviction for a crime which is a felony; or violating a condition of probation or parole imposed under Federal or State law.

Timetable:

Action	Date	FR Cite
NPRM	06/12/98	63 FR 32161
NPRM Comment Period End	08/11/98	
Final Action	06/00/00	

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

Agency Contact: Teresa Robinson, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7960

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AE77**3878. REDUCTION OF TITLE II BENEFITS UNDER THE FAMILY MAXIMUM PROVISIONS IN CASES OF DUAL ENTITLEMENT (692F)****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 422(b); 42 USC 423(e); 42 USC 424a; 42 USC 425; 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.402; 20 CFR 404.403**Legal Deadline:** None

Abstract: We are revising our regulations to reflect the adoption by the Social Security Administration of the holding in *Parisi* by *Cooney v. Chater* as national policy. This policy has been an Acquiescence Ruling, which applied in the First Circuit. The policy is that, when determining the benefits for auxiliaries or survivors after reduction for the family maximum, dually entitled beneficiaries will be considered only to the extent that such

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persons actually receive a benefit. In Parisi, a child's benefits had been lowered due to the entitlement of another auxiliary on that Social Security number (SSN), even though the other auxiliary did not receive benefits on that same SSN but rather received benefits on another SSN.

Timetable:

Action	Date	FR Cite
Interim Final Rule With Comments	10/27/99	64 FR 57774
Interim Final Rule Comment Period End	12/27/99	
Final Action	06/00/00	

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AE85

3879. FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED; CLARIFICATION OF "AGE" AS A VOCATIONAL FACTOR (736F)

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

Legal Authority: 42 USC 423; 42 USC 902(a)(5); 42 USC 1382c; 42 USC 1383(d)

CFR Citation: 20 CFR 404.1563; 20 CFR 404.1568(d)(4) (New); 20 CFR 416.963; 20 CFR 416.968(d)(4) (New); 20 CFR 404 subpart P, app 2

Legal Deadline: None

Abstract: These final regulations will clarify our consideration of "age" as a vocational factor at the last step of our sequential evaluation process for determining whether an individual is disabled. We will explain how we consider transferability of skills for individuals who are of "advanced age"

(age 55 or older) in deciding whether such individuals can make an adjustment to other work. These final regulations will also update the age category of "closely approaching retirement age" throughout our rules.

Timetable:

Action	Date	FR Cite
NPRM	08/04/99	64 FR 42310
NPRM Comment Period End	10/04/99	
Final Action	11/00/00	

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, Vocational Policy Branch, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-6356

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Phone: 410 965-5995

RIN: 0960-AE96

3880. ADDITION OF MEDICAL CRITERIA FOR EVALUATING DOWN SYNDROME IN ADULTS (743F)

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 425; 42 USC 902(a)(5)

CFR Citation: 20 CFR 404.1500, app 1

Legal Deadline: None

Abstract: We are adding a new listing 10.06 to part A of appendix 1, subpart P of part 404, the Listing of Impairments (the Listings). The new listing provides for the evaluation of Down syndrome for individuals age 18 and over. We currently have a listing for Down syndrome only in part B, listing 110.06, for individuals who have not attained age 18. In our current listings, section 10.00 is reserved for future use. Accordingly, we also are adding the heading "Multiple Body Systems" to this section to contain the new listing. The heading conforms to

the corresponding heading of section 110.00 in part B of the Listings.

Timetable:

Action	Date	FR Cite
NPRM	10/12/99	64 FR 55215
NPRM Comment Period End	12/13/99	
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AF03

3881. • MEDICAL EQUIVALENCE FOR ADULTS AND CHILDREN (787I)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 902(a)(5); 42 USC 1320b-13; PL 104-193, sec 211(b)

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

Legal Deadline: None

Abstract: These interim final rules will clarify that a determination of medical equivalence will consider the severity of the individual's impairment, based on all relevant evidence in the case record. 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
Interim Final Rule	04/00/00	

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

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Phone: 410 965-9878

RIN: 0960-AF19

3882. • ADMINISTRATIVE PROCEDURES FOR IMPOSING PENALTIES FOR FALSE OR MISLEADING STATEMENTS (784I)

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 422(b); 42 USC 423(e); 42 USC 424a; 42 USC 425; 42 USC 902(a)(5); 42 USC 1320a-8a; 42 USC 1382 to 1382d; 42 USC 1382h; 42 USC 1383

CFR Citation: 20 CFR 404.475; 20 CFR 416.1339

Legal Deadline: Final, Statutory, June 14, 2000.

Abstract: These interim final rules implement section 207 of Public Law 106-169, which provides that SSA may impose a penalty on any person who knowingly makes, or causes to be made, a false or misleading statement or representation of a material fact for use in determining any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title XVI.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gareth N. Dence, Social Insurance Specialist, Social Security Administration, Division of Payment Policy, Office of Program Benefits Policy, 6401 Security Boulevard, Baltimore, MD 21235
Phone: 410 965-9872

RIN: 0960-AF20

SOCIAL SECURITY ADMINISTRATION (SSA)

Long-Term Actions

3883. MUSCULOSKELETAL SYSTEM AND RELATED CRITERIA (143F)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

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

CFR Citation: 20 CFR 404.1500, app 1

Legal Deadline: None

Abstract: Listings 1.00 and 101.00 of appendix 1 to the disability regulations at 20 CFR 404.1501 through 404.1599 describe those musculoskeletal 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. Comprehensive revisions to these listings are being made to ensure that the medical evaluation criteria are up to date and consistent with the latest advances in medicine. 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	12/21/93	58 FR 67574
NPRM Comment Period End	02/22/94	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: 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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AB01

3884. ELECTION OF BENEFITS BASED ON AGE BY DISABLED WIDOW, WIDOWER, AND SURVIVING DIVORCED SPOUSE BENEFICIARIES (343P)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 405

CFR Citation: 20 CFR 404.335; 20 CFR 404.336; 20 CFR 404.337

Legal Deadline: None

Abstract: We propose to amend our regulations to permit the election of benefits based on age by widows, widowers and surviving divorced

spouses (hereinafter, collectively widows) who are at least age 60 and who are already entitled to widow's benefits based on disability. This proposal would allow the widow to choose which of the two types of widow's benefits is more advantageous.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AD56

3885. REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; HEMIC AND LYMPHATIC SYSTEM, AND MALIGNANT NEOPLASTIC DISEASES (399P)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1302; 42 USC 1383; 42 USC 405

CFR Citation: 20 CFR 404.1500, app 1

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Legal Deadline: None

Abstract: Sections 7.00 and 107.00 (hemetic and lymphatic system), and 13.00 and 113.00 (malignant neoplastic diseases) of appendix 1 to subpart P of part 404 of the Disability 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	To Be	Determined

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AD67

3886. REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY, ENDOCRINE SYSTEM (436P)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 405; 42 USC 1302; 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 the Disability Regulations (404.1501 through 404.1599) describe those 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	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AD78

3887. FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME, MEDICAL AND OTHER EVIDENCE OF YOUR IMPAIRMENT(S) AND DEFINITION OF MEDICAL CONSULTANT (469F)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

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

CFR Citation: 20 CFR 404.1512; 20 CFR 404.1513; 20 CFR 416.912; 20 CFR 416.913

Legal Deadline: None

Abstract: We will add speech-language pathologists, licensed podiatrists, and licensed or certified school psychologists to the list of acceptable medical sources in our current regulations. These sources will assist us in establishing the existence of impairments within their areas of

expertise. We will also revise the definition of the term "medical consultant" to clarify what we mean by an acceptable medical source.

Timetable:

Action	Date	FR Cite
NPRM	10/09/98	63 FR 54417
NPRM Comment Period End	12/08/98	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AD91

3888. CONTRIBUTIONS FOR SUPPORT (475P)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 402; 42 USC 403(a); 42 USC 403(b); 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)

CFR Citation: 20 CFR 404.366

Legal Deadline: None

Abstract: To provide more uniformity in our decisionmaking, we are proposing to amend our rules on the contributions for support that must be provided by the insured to certain categories of claimants for child's benefits.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AD92

SSA

Long-Term Actions

3889. COMPUTATION OF SSI BENEFITS FOR THE FIRST THREE MONTHS OF PAYMENT (476P)**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 1302; 42 USC 1383**CFR Citation:** 20 CFR 416.320**Legal Deadline:** None

Abstract: SSI eligibility and payment are calculated by taking into account income received by the applicant/recipient. Two calculations must be made for each month. The first is the eligibility computation and is based on the current (payment) month's income. The second is the payment computation, which, under retrospective monthly accounting, is based (usually) on the income of a prior month called the budget month. Generally the budget month is 2 months prior to the payment month. The transitional computation for the first 3 months of SSI payment is an exception to the general rule described above. While the eligibility computation continues to apply to the current month's income, the budget month on which each of the first 3 months' payments are based is the first month of eligibility. This policy was intended to facilitate the transition into the 2 month retrospective accounting cycle and to avoid penalizing the recipient for income received prior to initial SSI eligibility. However, the policy also has the effect of counting income which is only received in one month more than one time. In *Jones v. Shalala*, the Ninth Circuit Court of Appeals ruled that SSA's transitional computation for the first 3 months of eligibility is not permissible because it will result in the triple counting of nonrecurring income received only in the first month of eligibility. The proposed policy addresses the triple counting of nonrecurring income.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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

Agency Contact: Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-1713

RIN: 0960-AD93**3890. DEFINITION OF "LARGEST BENEFIT AMOUNT" FOR SIMULTANEOUS ENTITLEMENT TO CHILD'S BENEFITS (481P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 402; 42 USC 403; 42 USC 403(a); 42 USC 403(b); 42 USC 404(a); 42 USC 404(e); 42 USC 405(a); 42 USC 405(c); 42 USC 416; 42 USC 422(b); 42 USC 423; 42 USC 424a; 42 USC 428(a) to 428(e); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.304; 20 CFR 404.353b; 20 CFR 404.407d**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 (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. The United States District Court for the Northern District of Alabama in *Agee v. Sullivan* rejected this 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). We have found current regulations implementing section 202(k)(2)(A) to be ambiguous. We propose to amend these regulations to reflect the longstanding SSA interpretation, rather than the interpretation adopted by the district court in the *Agee* decision.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-1713

RIN: 0960-AD95**3891. REPEAL OF FACILITY OF PAYMENT PROVISION (508F)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 403**CFR Citation:** 20 CFR 404.402(b); 20 CFR 404.458**Legal Deadline:** None

Abstract: This regulation will 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 non-working auxiliary resides in a separate household from the working auxiliary.

SSA

Long-Term Actions

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AE02

3892. ADMINISTRATIVE REVIEW PROCESS; ADMINISTRATIVE RES JUDICATA AND RELATED RULES (526P)**Priority:** Other Significant

Legal Authority: 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 405(j); 42 USC 421; 42 USC 401(j); 42 USC 425; 42 USC 405 note; 42 USC 421 note; 42 USC 1383; 42 USC 1383b; 42 USC 1382c; 42 USC 902(a)(5); 42 USC 404(f)

CFR Citation: 20 CFR 404.903a (New); 20 CFR 404.903b (New); 20 CFR 404.950; 20 CFR 404.957; 20 CFR 404.967; 20 CFR 416.1403a (New); 20 CFR 416.1403b (New); 20 CFR 416.1450; 20 CFR 416.1457; 20 CFR 416.1467

Legal Deadline: None

Abstract: These proposed changes will amend our regulations governing the administrative review process for the Social Security and Supplemental Security Income (SSI) programs to update our procedures and to reflect and implement sections 205(b)(3)(A) and 1631(c)(1)(B)(i) of the Act, as added by section 5107 of Public Law 101-508. Section 5107 specifies certain cases in which our policy on administrative res judicata may not be applied to deny a claimant's subsequent application for benefits under the Social Security or SSI Program. In general, section 5107 provides that an individual's failure to timely request review of an adverse determination (initial or reconsidered) under the Social Security or SSI Program may not be used by us as a basis for a denial of the claimant's subsequent application for benefits under the same program, if the failure to request review was due to certain circumstances specified in the statute.

We are also proposing to amend our regulations to expand and clarify our policy on administrative res judicata and on collateral estoppel.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Stan Axel, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7927

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AE11

3893. MODIFICATION OF PRIVATE PRINTING AND PRESCRIBED APPLICATIONS AND OTHER FORMS (530P)**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-296, sec 312**CFR Citation:** 20 CFR 422.527**Legal Deadline:** None

Abstract: This regulation will implement section 312 of Public Law 103-296, which expands prohibitions on the use of certain letters and symbols and also the reproduction for a fee of forms and publications of SSA and HHS.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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-AE15

3894. 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)**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 402(x); 42 USC 405; 42 USC 902**CFR Citation:** 20 CFR 404.468**Legal Deadline:** None

Abstract: The regulation will implement section 4 of Public Law 103-387, which modifies and expands the current prisoner nonpayment provisions.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AE16

3895. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS; REPLACING SOCIAL SECURITY NUMBER CARDS (543F)**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 405**CFR Citation:** 20 CFR 422.103

SSA

Long-Term Actions

Legal Deadline: None

Abstract: These final rules will support our pilot test for replacing social security number cards when we receive a request by telephone. We will test replacing the card based on information furnished by telephone, without requiring additional documentation.

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

3896. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS) (554F)

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 41 USC 403(11); 41 USC 701 et seq

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
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE27

3897. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS AND INDIAN TRIBAL GOVERNMENTS (555F)

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 41 USC 403(ii)

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	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE28

3898. RESTRICTIONS ON LOBBYING IN CONNECTION WITH THE AWARD OF GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS (556F)

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 31 USC 1352

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	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of

Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE29

3899. 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. There were no alternatives considered for these proposed rules. Any costs or savings will be insignificant.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AE48

SSA

Long-Term Actions

3900. 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 1382c(f); 42 USC 1383; 42 USC 1382b; 42 USC 1382j**CFR Citation:** 20 CFR 416.1160 (c)(3)(iii); 20 CFR 416.1165 (g)(1); 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	To Be	Determined

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

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE50**3901. 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**Legal Deadline:** Final, Statutory, November 22, 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 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: Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AE59**3902. 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 (617F)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 902(a)(5); 5 USC 301; 20 USC 1405; 21 USC 1174; 29 USC 794; 42 USC 290dd-2; 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 SSIPIA 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 SSIPIA, 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 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
Final Action	To Be	Determined

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-AE63**3903. AVAILABILITY OF INFORMATION AND RECORDS TO THE PUBLIC—CHARGING FEES FOR PROVIDING PERSONAL INFORMATION (618P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552; 5 USC 552a; 8 USC 1360; 18 USC 1905; 26 USC 6103; 30 USC 923(b); 31 USC 9701; 42 USC 405; 42 USC 902(a)(5); 42 USC 1306**CFR Citation:** 20 CFR 402**Legal Deadline:** None

SSA

Long-Term Actions

Abstract: These proposed rules will, in general, provide that SSA will not charge fees for personal information if it is to be used for a publicly administered program whose purpose is compatible with a Social Security Act program.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-5995

RIN: 0960-AE64

3904. COVERAGE OF EMPLOYEES OF STATE AND LOCAL GOVERNMENTS; OFFICE OF MANAGEMENT AND BUDGET (OMB) CONTROL NUMBER (280F)

Priority: Info./Admin./Other

Legal Authority: 42 USC 405; 42 USC 410; 42 USC 418; 42 USC 902(a)(5); 42 USC 418 note

CFR Citation: 20 CFR 404.1215; 20 CFR 404.1203; 20 CFR 404.1204; 20 CFR 404.1214; 20 CFR 404.1216; 20 CFR 404.1220; 20 CFR 404.1225; 20 CFR 404.1237; 20 CFR 404.1239; 20 CFR 404.1242; 20 CFR 404.1243; 20 CFR 404.1247; 20 CFR 404.1249; 20 CFR 404.1251; 20 CFR 404.1265; ...

Legal Deadline: None

Abstract: SSA regulations providing Social Security coverage for the services of employees of State and local governments and interstate instrumentalities were published in the Federal Register on August 29, 1988 (53 FR 32972). Those regulations included sections, which contained information collection and recordkeeping requirements, which were not effective until they were approved by OMB. This document notifies the public that the information collection and recordkeeping requirements were approved by OMB and provides the OMB control number. This document also adds an OMB approval number to section 404.1215.

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
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RIN: 0960-AE69

3905. DETERMINING DISABILITY AND BLINDNESS; PROVIDING FOR USE OF A SINGLE DECISIONMAKER TO MAKE DETERMINATIONS OF DISABILITY UNDER TITLES II AND XVI OF THE SOCIAL SECURITY ACT (668P)

Priority: Other Significant. Major under 5 USC 801.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 421; 42 USC 405(a); 42 USC 405(b); 42 USC 902(a); 42 USC 1382c; 42 USC 1383b

CFR Citation: 20 CFR 404.1546; 20 CFR 404.1615; 20 CFR 416.946; 20 CFR 416.1015

Legal Deadline: None

Abstract: We propose to amend our rules to provide for a single decisionmaker who will make determinations of disability under title II and title XVI of the Act after consultation with a medical or psychological consultant, as appropriate. The decisionmaker would have the authority to request, review, and evaluate evidence and to make the disability determination without having the medical consultant sign the disability determination forms.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

Agency Contact: Lawrence V. Dudar, Social Insurance Specialist, Social

Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401

Phone: 410 965-5995

RIN: 0960-AE73

3906. ENFORCEMENT OF NONDISCRIMINATION IN SOCIAL SECURITY PROGRAMS OR ACTIVITIES (661P)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 42 USC 902(a)(5); 42 USC 1302; PL 103-296

CFR Citation: 20 CFR 431.100; 20 CFR 431.105; 20 CFR 431.110; 20 CFR 431.115; 20 CFR 431.120; 20 CFR 431.125; 20 CFR 431.200; 20 CFR 431.205; 20 CFR 431.210; 20 CFR 431.215; 20 CFR 431.220; 20 CFR 431.225; 20 CFR 431.230; 20 CFR 431.235; 20 CFR 431.240; ...

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	To Be Determined	

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

3907. ADDING NEW SSI INCOME AND RESOURCE EXCLUSION (VA PAYMENTS TO CERTAIN VIETNAM VETERANS' CHILDREN WITH SPINA BIFIDA) TO LISTS OF EXCLUSIONS PROVIDED BY OTHER FEDERAL STATUTES (664F)

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1805(d)

CFR Citation: 20 CFR 416.1182, app; 20 CFR 416.1236

Legal Deadline: None

SSA

Long-Term Actions

Abstract: Public Law 104-204 provides that a Department of Veterans Affairs monthly allowance paid to children of Vietnam veterans for disabilities resulting from spina bifida will not be considered income or resources in determining eligibility for or the amount of benefits under any Federal or federally assisted program. These regulations update the lists of exclusions from income and resources under the SSI program that are in statutes other than the Social Security Act.

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

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

Agency Contact: Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AE79**3908. PRIVACY AND DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION (711P)****Priority:** Substantive, Nonsignificant**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 describe the role and function of the Privacy Officer; describe safeguards against inappropriate disclosure of personal information by electronic means (e.g., through the Internet); revise our special procedures on access to medical records; permit disclosures to certain government agencies for various administrative purposes related to income-maintenance and health-maintenance programs; permit disclosures of Social Security number information to Government agencies under specific circumstances; and clarify our rules on disclosure under legal process from courts.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

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

Agency Contact: Tom Price, Social Insurance Specialist, Social Security Administration, Office of Disclosure Policy, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-6011

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**3909. 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; 5 USC 5514**CFR Citation:** 20 CFR 422**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: 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

Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
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RIN: 0960-AE89**3910. PRIVATE COLLECTION AGENCIES (USING PRIVATE COLLECTION AGENCIES TO HELP SSA COLLECT DELINQUENT TITLE II DEBTS OWED BY FORMER BENEFICIARIES) (722P)****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; 31 USC 3718**CFR Citation:** 20 CFR 422**Legal Deadline:** None

Abstract: This initiative will enable the Social Security Administration (SSA) to refer delinquent title II debts owed by former beneficiaries to private collection agencies for further debt collection efforts.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

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

Agency Contact: Edward Johns, Financial Management Analyst, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401
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RIN: 0960-AE90**3911. CHARGING INTEREST (CHARGING INTEREST ON DELINQUENT DEBTS) (723P)****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; 31 USC 3717

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CFR Citation: 20 CFR 422

Legal Deadline: None

Abstract: Under this initiative, the Social Security Administration (SSA) will charge interest and penalties on qualifying, delinquent title II debts owed by former beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: 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

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RIN: 0960-AE91

3912. WORK ACTIVITY STANDARD AS A BASIS FOR REVIEW OF AN INDIVIDUAL'S DISABLED STATUS (TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT) (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: 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 (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 been entitled to 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 work activity at the level of substantial gainful activity.)

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Geoffrey Funk, Social Insurance Specialist, Social Security Administration, Office of Employment Support Programs, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 965-9010

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

3913. TESTIMONY BY EMPLOYEES AND THE PRODUCTION OF RECORDS IN LEGAL PROCEEDINGS (732P)

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 31 USC 9701; 42 USC 1306; 42 USC 902(a)(5)

CFR Citation: 20 CFR 403

Legal Deadline: None

Abstract: The Social Security Administration (SSA) is proposing to establish procedures governing the appearance of SSA employees as witnesses and the production of official documents in legal proceedings, to which SSA is not a party, in response to requests for such documents or testimony. The proposed rule provides procedures, requirements and information concerning how SSA will handle these matters and expressly prohibits any disclosure or testimony except as approved by the Commissioner. The proposed rule would conserve and ensure more efficient use of SSA resources in meeting the Agency's mission, promote consistency in decisions, minimize the possibility of involving SSA in issues not related to its mission, maintain the impartiality of SSA, protect sensitive and confidential information and the deliberative processes of SSA, and enhance SSA's ability to respond

efficiently to requests involving such legal proceedings. When published in final, the rule would replace other regulations currently applicable to SSA under 45 CFR part 2.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Brad Howard, Attorney, Social Security Administration, Office of the General Counsel, 6401 Security Boulevard, Baltimore, MD 21235-6401 Phone: 410 966-1817

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-AE95

3914. ASSIGNMENT OF SOCIAL SECURITY ADMINISTRATION NUMBERS (SSN) FOR NON-WORK 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

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change would be to reduce the possibility of fraud through misuse of SSNs. We are still evaluating the public comments received.

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: Nancy Grace, Social Insurance Specialist, Social Security Administration, Office of Program Benefits, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-7911

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

3915. 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.

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

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

Robert J. Augustine, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 966-5121

RIN: 0960-AF14

3916. • 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; 20 CFR 404.311; 20 CFR 404.312; 20 CFR 404.313; 20 CFR 404.317; 20 CFR 404.335; 20 CFR 404.336; 20 CFR 404.337; 20 CFR 404.338; 20 CFR 404.352; 20 CFR 404.409; 20 CFR 404.410; 20 CFR 404.411; 20 CFR 404.412; 20 CFR 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 age 67.

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

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

Lois A. Berg, Social Insurance Specialist, Social Security Administration, Office of Process and Innovation Management, 6401 Security Boulevard, Baltimore, MD 21235-6401
Phone: 410 965-1713

RIN: 0960-AF16

SOCIAL SECURITY ADMINISTRATION (SSA)

Completed Actions

3917. FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND AND DISABLED; EVALUATING OPINION EVIDENCE (624F)

Priority: Other Significant

CFR Citation: 20 CFR 404.1502; 20 CFR 416.927; 20 CFR 404.1512; 20 CFR 404.1513; 20 CFR 404.1519; 20 CFR 404.1527; 20 CFR 416.902; 20 CFR

416.912; 20 CFR 416.913; 20 CFR 416.919

Completed:

Reason	Date	FR Cite
Final Action	03/07/00	65 FR 11866
Final Action Effective	04/06/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Lawrence V. Dudar

Phone: 410 965-5995

RIN: 0960-AE56

3918. 20 CFR PARTS 401, 402, 404, 410, 416 AND 422—REVISED AS OF APRIL 1, 1999; CORRECTION (745F)

Priority: Substantive, Nonsignificant

CFR Citation: 20 CFR 401.20; 20 CFR 402.35; 20 CFR 404.401; 20 CFR 404.403; 20 CFR 404.450; 20 CFR

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Completed Actions

404.457; 20 CFR 404.1275; 20 CFR 404.1408; 20 CFR 404.1410; 20 CFR 410.240; 20 CFR 410.601; 20 CFR 416.428; 20 CFR 416.702; 20 CFR 416.929; 20 CFR 416.993; 20 CFR 416.1104; 20 CFR 416.1202; 20 CFR 416.1323; 20 CFR 416.1336; 20 CFR 416.1442; 20 CFR 416.1801; 20 CFR 416.2045; 20 CFR 416.2096; 20 CFR 422.125; 20 CFR 422.130; 20 CFR 422.135

Completed:

Reason	Date	FR Cite
Final Action	03/30/00	65 FR 16811
Final Action Effective	03/30/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel T. Bridgewater
Phone: 410 965-3298**RIN:** 0960-AF04**3919. ASSESSING ATTORNEY REPRESENTATIVES FOR DIRECT PAYMENT (763P)****Priority:** Other Significant**CFR Citation:** 20 CFR 404.1700 et seq**Completed:**

Reason	Date	FR Cite
Merged With RIN 0960-AD23	03/01/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Lawrence V. Dudar
Phone: 410 965-5995**RIN:** 0960-AF08**3920. • EXTENSION OF EXPIRATION DATES FOR SEVERAL BODY SYSTEM LISTINGS (764F)****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 425; 42 USC 902(a)(5); PL 104-193, sec 211(b)**CFR Citation:** 20 CFR 404.1500**Legal Deadline:** None**Abstract:** SSA adjudicates claims at the third step of its sequential evaluation process for evaluating disability using

the Listing of Impairments (the Listings) under the Social Security and supplemental Security Income programs. This final rule extends the dates on which several body system listings will no longer be effective.

Timetable:

Action	Date	FR Cite
Final Action	12/03/99	64 FR 67719
Final Action Effective	12/03/99	

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**RIN:** 0960-AF15

[FR Doc. 00-6927 Filed 04-21-00; 8:45 am]

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