

Responses to the Consortium for Citizens with Disabilities

Phone Numbers for Field Offices

CCD: Please publish field office phone numbers more prominently. Currently, the national 800 number is in two much more visible spots (symbolized with red “x”s below) and the local number (shown with a green star) is more difficult to find on the field office locator tool. With wait times on the 800 number exceeding 90 minutes, allowing people to more easily contact their local offices is critical to improving customer service.

Social Security Office Locator

Find the Office for this ZIP Code.
ZIP: 11733
[Zip Code Look Up](#)

Using our online services, you can:
• Apply for most types of benefits
• Estimate your future benefits
• Do so much more
To learn more, visit [What You Can Do Online](#)

Phone:
Toll-Free: 1213

Social Security Office Information

Address: 78 OAK STREET
HAYUGUNNY NY 11772

Phone: 1-800-

TTY: 1-

Hours: Monday Closed
Tuesday Closed
Wednesday Closed
Thursday Closed
Friday Closed
Saturday 12:00 AM - 12:01 AM
Sunday Closed

Office Closings and Emergencies

Hide Additional Office Information
All local Social Security offices will be closed to the public for in-person service starting Tuesday, March 17, 2020. This decision protects the population we serve, older Americans, people with underlying medical conditions and our employees during the Coronavirus (COVID-19) pandemic. For limited service, please contact the office directly at 865- 1391.

SSA Response: We have updated the field-office-locator page. The field office general inquiry line is more visible and is located in the phone field. We also added the fax line, which allows our customers to send their documents and forms directly to their local field office. See below

Social Security
The Official Website of the U.S. Social Security Administration

Social Security Office Locator

We are OPEN to receive your calls
On Tuesday, March 17, 2020, we suspended face-to-face service to the public in our field offices and hearings offices nationwide until further notice. However, we are still able to provide critical services via phone, fax and online.

Find the Office for this ZIP Code.
ZIP: 21228
[Zip Code Look Up](#)

Using our online services, you can:
• Apply for most types of benefits
• Estimate your future benefits
• Do so much more
To learn more, visit [What You Can Do Online](#)

National 800 Number
Toll-Free: 1-800-772-1213

Social Security Office Information

Address: Office is temporarily closed
LAKESIDE BLDG, STE 110
8865 STANFORD BLVD
COLUMBIA, MD 21045

Office: 1-877-445-0504

TTY: 1-800-325-0778

Fax: 1-833-371-0608

Hours: Your local field office representative is available to take your call Monday thru Friday from 9AM-4PM.

Office Closings and Emergencies

Show Additional Office Information

DDS Daily Operating Status

CCD: We have requested, and understand that the Office of Disability Operations is considering, creating a web page on ssa.gov indicating the daily operating status of all state agencies (DDSs). We assume that SSA is already aware of whether DDSs are completely closed, having all employees telework, or operating under a different arrangement; allowing claimants, representatives, advocates, and others to access this information would be helpful as well.

SSA Response: Most DDSs are now operational, but may experience periodic closures related to the COVID-19 emergency. To determine the current operating status in a specific state DDS, we recommend calling the DDS. If attempts to reach a specific DDS by telephone are unsuccessful (e.g., no answer or no returned call within 24 hours if leaving a message), we recommend contacting the appropriate SSA Regional Communications Director (RCD) for assistance. Our list of RCDs is available here: www.ssa.gov/agency/rcds.html.

DDS Daily Operating Status Part II

CCD: With many DDSs completely closed, it is difficult for DDS staff to obtain evidence submitted by mail or fax, and to generate CDs with claimants' records to inform claimants and their representatives. Unfortunately, SSA has not yet provided claimants or representatives with the ability to view their electronic files or upload evidence electronically. SSA should prioritize these IT modernizations so that the agency can more efficiently process disability claims at the initial and reconsideration levels.

SSA Response: The agency is exploring technology to allow claimants and representatives to access their electronic folders.

Reminder of Representation for Claimant or Beneficiary

CCD: It would also be useful for front-line staff to receive a reminder that when a claimant or beneficiary is represented, POMS <https://secure.ssa.gov/apps10/poms.nsf/lnx/0203910050> requires SSA to contact the representative rather than the claimant, with very limited exceptions. Compliance with this rule has been an issue well before the pandemic, but it is especially important now.

SSA Response: We appreciate this feedback. We will remind our front-line employees about the appointment of representation, use of associated forms, and appropriate contacts with representatives.

Email Address for the PSCs

CCD: We appreciate that the Office of Disability Operations created an email address for representatives to send documents to the Representative Call Center (RCC). However, it would be useful for SSA to have similar email addresses for representatives to send documents to the Program Service Centers (PSCs) since the RCC email address cannot be used for any other unit or module. The PSCs often need documentation, such as information about workers' compensation benefits, to effectuate decisions. With field offices closed, it is more important than ever for PSCs to have adequate channels of communications.

SSA Response: Representatives should continue to fax material to the PSCs using the existing channels they have relied on for service in the past. Our staff continues to upload the faxed documentation and take action as necessary on the respective cases. We want to keep those existing communication

channels intact during the pandemic to ensure that we handle the flow of work into our processing centers efficiently.

SSI & Economic Impact Payment

CCD: We appreciate that SSA has publicized the fact that economic impact payments are excluded from SSI resource determinations for 12 months. However, since many SSI recipients will have those payments deposited into bank accounts and may have balances exceeding \$2000, it would be useful to send an emergency message reminding SSA staff how to properly develop any alerts that are generated, and how to provide due process to SSI recipients before and after suspending benefits for alleged excess resources.

SSA Response: The Agency recently issued a comprehensive emergency message (EM) on the SSI income and resource treatment of CARES Act recovery rebates (also known as economic impact payments). While the EM is sensitive and we cannot share externally, it:

- Instructs technicians to exclude any retained rebate amounts from resources for up to 12 months;
- Provides procedures for deducting retained rebate amounts from bank account balances we receive from financial institutions as part of the Access to Financial Institutions (AFI) process; and
- Provides links to relevant POMS on AFI, financial accounts verification, and receipt/retention of excluded funds.

This EM will help prevent staff from erroneously suspending payments to SSI recipients whose bank account balances exceed the statutory limit due to receipt of a CARES Act recovery rebate.

Teleservice and COVID-19

CCD: We are also concerned that people who contact SSA's teleservice center or otherwise indicate that they would like to file a claim may not have that inquiry recorded as a protected filing date, especially if the individual is told that no appointments are available to take their claim. This could deprive people of benefits, especially those like SSI or survivors' benefits where online claims are not available. An Emergency Message reminding staff of how to document inquiries and how to locate those inquiries and use them as the protected filing date for a claim would help ensure that people do not miss out on benefits for which they are entitled.

SSA Response: We continue to establish protective filing dates using the 800 Number System when individuals are unable to schedule an appointment. Our claim system interfaces with the 800 Number System and alerts the technician of the existence of a protective filing when taking a claim. We also issued an Operational Bulletin regarding the disaster procedures for establishing appointments in the 800 Number System.

CDRs and Pending Appeals

CCD: SSA should consider allowing people whose benefits are suspended pending appeal of a Continuing Disability Review finding or other agency action to request benefit continuation even if they are past the deadline to do so, by writing and making publicly available sub regulatory guidance indicating that the pandemic provides good cause for granting late requests.

SSA Response: We understand the COVID-19 national pandemic has affected us all in one way or another. For this reason, we continue to apply good cause provisions liberally during the COVID-19 pandemic for late filing of appeals or requests for benefit continuation. The instruction to field offices is to be flexible where possible in allowing claimants additional time to submit needed evidence or forms.

Non-Disability Hearings

CCD: SSA has announced that the agency “will not conduct any non-disability hearings.” We urge you to reconsider. Please offer telephone hearings to people whose benefits are reduced, suspended, or terminated pending their hearings, and those who have not yet received benefits on non-disability claims such as retirement and survivors’ benefits. Claimants and beneficiaries should not be required to accept telephone hearings but should be allowed to have them if they so desire. We note that Section 1631(c)(2) of the Social Security Act states that determinations in SSI non-disability cases “shall be made within ninety days after the individual requests the hearing” and we encourage SSA to follow the law unless a claimant or beneficiary wishes to waive the deadline in order to have a video or in-person hearing when SSA begins to offer them again. If it is believed that this statutory deadline cannot be met because of difficulties within the agency, we urge SSA to reinstate any benefits that have been terminated or denied after 90 days until such time as a hearing and decision can be offered as the statute envisions. This deadline in the SSI program is a reflection of Congress’ recognition of the essential role that SSI plays for people that otherwise face what the Supreme Court in *Goldberg v. Kelly* called “brutal need” in emphasizing the right to a due process hearing.

SSA Response: We suspended work on paper cases and, as non-disability cases are paper, we cannot currently process them. We do not currently have a viable method to move paper cases between staff members since all are working from home, nor to share the record with claimants and/or representatives. We are actively pursuing alternatives to get such cases in an electronic format that will allow us to do this in the future, but we do not yet have an alternative process that we can implement now.

Regarding the 90 day statutory rule for processing Title XVI non disability cases, this deadline can be extended for good cause “where delays occur through no fault of the Commissioner” (20 CFR 416.1453(c)(2)(ii)). The changes to our work process required due to the COVID-19 pandemic qualifies as a valid basis for this exception.

Chief Judge Bulletin

CCD: OHO issued a Chief Judge’s Bulletin (CJB) regarding procedures during the pandemic on April 3, 2020. However, the Bulletin has not been published with other CJBs at <https://secure.ssa.gov/apps10/reference.nsf/instructiontypecode!openview&restricttocategory=CJB>. Advocates were told in the same phone call that the April 3 CJB was both too general to be of use to claimants and representatives and too “sensitive” to be publicly released. This strains credulity. SSA issued a “Dear Colleague” letter on April 14 indicating that telephone hearings are not mandatory. Although we appreciate this pronouncement, we have several concerns.

- The “Dear Colleague” is an insufficient replacement for the CJB. At this point, claimants and representatives are left without recourse if an ALJ denies a request to postpone a telephone hearing until video and in-person hearings begin again, requires a claimant to show cause for not appearing at a hearing to avoid dismissal, or even dismisses a case without sending a notice of good cause. HALLEX allows all of these things, and though OHO leadership have said ALJs are

being directed not to do them, that is difficult for claimants and representatives to know or share with hearing office staff without having the CJB.

- The “Dear Colleague” letter says “we will grant postponements **as appropriate**” (emphasis added). It does not explain when OHO believes it is inappropriate to grant postponements, and indicates that ALJs might feel justified in denying postponement requests. We have been informed that OHO leadership feel that the Q&As on the ssa.gov/coronavirus page are a better reflection of the directions ALJs have been given, but the discrepancy between the Dear Colleague letter and the Q&As underscores the importance of publishing the actual directions ALJs have received.

SSA Response: The Chief Judge’s Bulletin (CJB) is for agency use only. We are continuing to emphasize flexibility with postponement requests due to the ever-changing environment during the health crisis.

SSA Hearing Notices

CCD: SSA’s notices of hearings are also unnecessarily confusing and anxiety-producing. Many say “Due to COVID-19 restrictions all scheduled hearings will be held by telephone therefore, all parties involved will appear by telephone.” Language explaining that it is possible to opt-out of telephone hearings and describing how to do so is often missing; when it appears it is usually on a different page of the notice. OHO leadership have said that changing the notices would require OMB approval but have not indicated they are taking steps to obtain that approval.

SSA Response: Our notices are consistent with the regulations. Changes would be required in both notices and forms to meet their concerns, and would be problematic for us, related to the regulatory authority we have to require telephone hearings conducted in extraordinary circumstances. Due to the rapid changes in our business processes, changes to these notices are not feasible. The “Q and A” available on ssa.gov, as well as the COVID enhanced outreach we will be doing with claimants and representatives prior to holding telephone hearings should address their concerns.

Postponed Scheduled Hearings

CCD: There is also inconsistency in how hearing offices accept requests to postpone scheduled hearings until in-person or video hearings become available. Some hearing offices are requiring letter requests to postpone, others just a phone call. Some are still sending out notices of telephone hearings even when claimants have indicated a desire to wait for in-person hearings. There are ALJs who are denying postponement requests for hearings scheduled for next month, saying that in-person hearings may restart by then and instructing claimants to reapply for postponements closer to their hearing dates if necessary; there are other hearing offices telling claimants that there will be nothing but telephone hearings for three months or more. Until OHO develops and publishes uniform procedures, confusion and inefficiency will persist. We understand that OHO is working with OMB on procedures, and encourage you to involve advocates in the development of these procedures to ensure they are accessible and understandable to claimants and representatives who have a variety of needs and limitations.

SSA Response: Our typical protocol with such issues is to start at the local level with HOCALJs, and raise them to RCALJs if the issue persists. We have continued to emphasize the importance of consistent messaging to all of our Regions, but if there are specific examples of where this is happening en masse, we would appreciate hearing about those specific examples.

Faxing Documents

CCD: Finally, some representatives have been told that OHO could not send any of the barcodes used as cover sheets when faxing documents to claimants' electronic files and which contain information used to upload documents electronically. If accurate, OHO must find a way for claimants and representatives to submit evidence, requests for on the record decisions and critical case designation, and other important documents to the claims file. If not, SSA should explain how representatives can request bar codes for cases where they've recently been appointed or the ALJ hearing request has just been made.

SSA Response: On May 8, 2020, we implemented the new ability to generate and mail barcodes remotely when needed. We have informed OHO staff of this update, and representatives can contact their local hearing office for further assistance.

Faxing and SSA's iAppeals Council

CCD: The Appeals Council receives many documents and requests for review by fax; they use actual fax machines rather than a fax-to-computer system, and this is now a problem because the machines are out of paper and their memories appear to be full. We are encouraging claimants and representatives to use SSA's iAppeals system whenever possible and mail if necessary, but claimants who are unaware of these options may be sending their requests for review into technological void. We urge you to have the Appeals Council devise a way to accept faxed documents, ideally using a desktop faxing system so that staff do not have to manually load paper into fax machines and scan the faxes they receive.

SSA Response: The Appeals Council continues to receive requests for review and other submissions through all channels (i.e., iAppeals, ERE, FECS, mail, and FAX). As always, we encourage electronic filing through iAppeals, ERE, and FECS. While there are delays in processing of mail and FAX submissions while our staff are working from home, we have established desktop faxing capacity (FAX to email). We are now able to address faxed requests, even as we continue to limit our staff's physical presence in our offices. We will consider good cause explanations related to the current situation for late requests for review under the criteria set forth in 20 CFR 404.911 and 416.1411 and for late submitted evidence.

Certified Administrative Records

CCD: An average of approximately 1500 cases are filed against SSA in federal district court each month, and it is the Appeals Council's responsibility to prepare the Certified Administrative Record in each case. However, they have not done any since staff began teleworking. Claimants who wish to request their administrative records on CDs to determine whether their Appeals Council denials should be appealed to federal court are also having trouble making those requests to the Appeals Council because of problems with the Council's phone and fax lines, and are not being sent CDs with their records even if they mail in a request. We understand that SSA is working with its contractors, the Department of Justice, and the federal courts on these issues and urge you to come to a solution as soon as possible so that cases may be adjudicated in a timely fashion.

SSA Response: In response to COVID-19, and to protect our employees, we have very limited presence in our offices. Nevertheless, we continue to answer telephone inquiries through our Congressional and Public Affairs Branch at (877) 670-2722 or (703) 605-8000. While there is a delay in our responses to mailed and faxed requests for extensions of time to file civil actions, we have now established desktop faxing capacity (FAX to email) and are able to address faxed requests, even as we continue to limit our staff's physical presence in our offices. However, until we are back in our offices, we expect delays in

fulfilling requests to burn and mail CDs of the administrative record. In the interim, we will explore alternative methods for responding to these requests.

Remands

CCD: When a federal court does remand a case to SSA, the case is first sent to the Appeals Council and then to a hearing office for a subsequent hearing if needed. Prior to the pandemic, the Appeals Council had been mailing court remands to hearing offices. We would like confirmation that an alternative method is being used so that SSA is promptly complying with federal court orders.

SSA Response: The Appeals Council now has an electronic process for mailing court remand notices and remand orders.