

SOCIAL SECURITY ADMINISTRATION**Office of the Commissioner****20 CFR Ch. III****Semiannual Unified Regulatory Agenda**

AGENCY: Social Security Administration.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Social Security Administration (SSA) is publishing its spring 2009 regulatory agenda pursuant to Executive Order 12866 "Regulatory Planning and Review," 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S.C. sections 601 to 612 (1988).

FOR FURTHER INFORMATION CONTACT: Please direct all general comments and inquiries to the Office of Regulations, Social Security Administration, 6401 Security Boulevard, Room 137, Altmeyer Building, Baltimore, Maryland 21235. For comments on specific regulatory actions, please contact the individual identified in the agenda as the point of contact for that action.

SUPPLEMENTARY INFORMATION: The information provided in the agenda presents for public review a forecast of the rulemaking activities that SSA expects to undertake in the foreseeable future. We focus primarily on those actions expected to result in publication of Notices of Proposed Rulemaking or of Final Rules within the next 12 months. At this time, SSA has no regulatory actions that are likely to have a significant economic impact on a substantial number of small entities.

A fully searchable e-Agenda for SSA can be viewed in its entirety at www.reginfo.gov. The spring 2009 regulatory agenda for the Social Security Administration follows.

Dated: February 26, 2009.

NAME: Dean Landis,
Associate Commissioner, Office of Regulations.

The 59 Regulatory Agendas

Social Security Administration - PreRule

Title	Regulation Identifier Number
Revising Aspects of SSA's Vocational Rehabilitation Program (929A)	0960-AF80
Revised Medical Criteria for Evaluating Skin Disorders (3514A)	0960-AG91

Social Security Administration - Proposed Rule

Title	Regulation Identifier Number
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Title: Revising Aspects of SSA's Vocational Rehabilitation Program (929A)

Abstract: We propose to amend our regulations to remove obsolete provisions in 20 CFR 404.2101 to 20 CFR 404.2121 and 20 CFR 416.2201 to 20 CFR 416.2227 relating to the referral of disabled or blind beneficiaries for vocational rehabilitation (VR) services. We also are proposing to revise the regulations for our VR Cost Reimbursement Program to better integrate some aspects of these rules with those of the Ticket to Work and Self-Sufficiency Program. The Ticket to Work and Work Incentives Improvement Act of 1999 (Ticket Improvement Act) eliminated the provisions of the Social Security Act that stated that beneficiaries receiving disability or blindness benefits be referred to State VR agencies for appropriate services. The Ticket Improvement Act also provides these beneficiaries with expanded options for access to employment, VR, and other support services.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1630; 20 CFR 404.2101 to 404.2127; 20 CFR 416.101; 20 CFR 416.110; 20 CFR 416.1030; 20 CFR 416.1701; 20 CFR 416.1710; 20 CFR 416.2201 to 416.2227 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 1320b-19; 42 USC 422(d)(1); 42 USC 1382d

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG91

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Title: Revised Medical Criteria for Evaluating Skin Disorders (3514A)

Abstract: Sections 8.00 and 108.00, Skin Disorders, of appendix 1 to subpart P of part 404 of our regulations describe skin disorders that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We plan to publish an Advance Notice of Proposed Rulemaking (ANPRM) to determine whether we need to propose changes 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.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	06/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AD78

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Title: Revised Medical Criteria for Evaluating Endocrine System Disorders (436P)

Abstract: Sections 9.00 and 109.00, Endocrine Systems Disorders, of appendix 1 to subpart P of part 404 of our regulations describe those endocrine impairments that are considered severe enough to prevent a person from doing any gainful activity, for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations.

We are proposing to revise the criteria in these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	08/11/2005	70 FR 46792
ANPRM Comment Period End	10/11/2005	
NPRM	11/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AE63

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Title: Title VI (Civil Rights Act 1964), Title IX (Education Amendments 1972), Rehabilitation Act 1973, and Age Discrimination Act 1975 in Programs/Activities Receiving Financial Assistance by SSA (617P)

Abstract: Effective March 31, 1995, the Social Security Independence and Program Improvements Act (SSIIPIA) established the Social Security Administration (SSA) as an independent agency. Under section 106(b) of SSIIPIA, the Department of Health and Human Services (HHS) regulations in effect immediately prior to March 31, 1995, which relate to SSA functions continue to apply to SSA until modified, suspended, terminated, or repealed. These proposed rules will modify, suspend, terminate or repeal regulations in 20 CFR part 431, based primarily upon HHS regulations at 45 CFR parts 80, 81, 94, 86, and 91. Upon SSA's rules becoming final regulations, the HHS regulations will cease to apply to SSA.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 20 USC 1681; 29 USC 794; 42 USC 902(a)(5); 42 USC 2000d; 42 USC 6101

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AE78

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Title: Enforcement of Nondiscrimination in Social Security Programs or Activities (661P)

Abstract: These proposed regulations would 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.

Priority: Substantive, Nonsignificant
 Major: No
 CFR Citation: 20 CFR 432 (To search for a specific CFR, visit the [Code of Federal Regulations](#))
 Legal Authority: 29 USC 794; 42 USC 902
 Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2009	

Regulatory Flexibility Analysis Required: No
 Federalism: No
 Public Comment URL: www.regulations.gov
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Government Levels Affected: No

Social Security Administration (SSA)

RIN: 0960-AF35

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Title: Revised Medical Criteria for Evaluating Neurological Impairments (806P)

Abstract: Sections 11.00 and 111.00, Neurological Impairments, of appendix 1 to subpart P of part 404 of our regulations describe neurological impairments that are considered severe enough to prevent an individual from doing any gainful activity, or for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant
 Major: No
 CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))
 Legal Authority: 42 USC 402; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 42 USC 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)
 Legal Deadline: None

Agenda Stage of Rulemaking: Proposed Rule
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
ANPRM	04/13/2005	70 FR 19356
ANPRM Comment Period End	06/13/2005	
NPRM	01/00/2010	

Regulatory Flexibility Analysis Required: No
 Small Entities Affected: No
 Energy Affected: No
 Public Comment URL: www.regulations.gov
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Government Levels Affected: No
 Federalism: No

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 Social Security Administration (SSA)

RIN: 0960-AF58

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Title: Revised Medical Criteria for Evaluating Respiratory System Disorders (859P)

Abstract: Sections 3.00 and 103.00, Respiratory System, of appendix 1 to subpart P of part 404 of our regulations describe respiratory system disorders that are considered severe enough to prevent an individual from doing any gainful activity, or for a child claiming SSI payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
ANPRM	04/13/2005	70 FR 19358
ANPRM Comment Period End	06/13/2005	
NPRM	11/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF69

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Title: Revised Medical Criteria for Evaluating Mental Disorders (886P)

Abstract: We propose to update and revise the rules that we use to evaluate mental disorders of adults and children who apply for, or receive, disability benefits under title II and Supplemental Security Income payments based on disability under title XVI of the Social Security Act. The rules we plan on revising are sections 12.00 and 112.00 in appendix 1 to subpart P of part 404 of our regulations (the listings). These listings include such impairments as affective disorders, schizophrenic disorders, intellectual disabilities, and autistic disorders.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.941; 20 CFR 404.1500, app 1; 20 CFR 404.1503; 20 CFR 404.1520 to 404.1520a; 20 CFR 404.1528; 20 CFR 404.1615; 20 CFR 416.903; 20 CFR 416.920a; 20 CFR 416.928; 20 CFR 416.1015; 20 CFR 416.1441 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 401(j); 42 USC 402; 42 USC 404(f); 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 42 USC 405(h); 42 USC 405(j); 42 USC 416(i); 42 USC 421; 42 USC 421(a); 42 USC 421(i); 42 USC 421(m); 42 USC 422(c); 42 USC 423; 42 USC 423(i); 42 USC 425; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382(c); 42 USC 1382(h); 42 USC 1383; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d); 42 USC 1383(i); 42 USC 1383(p); 42 USC 1383b

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
ANPRM	03/17/2003	68 FR 12639
ANPRM Comment Period End	06/16/2003	
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF88

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Title: Revised Medical Criteria for Evaluating Hematological Disorders (974P)

Abstract: Sections 7.00 and 107.00, Hematological Disorders of appendix 1 to subpart P of part 404 of our regulations describe hematological disorders that are considered severe enough to prevent a person from performing any gainful activity, or for a child claiming SSI payments under title XVI, that cause marked and severe functional limitation. We are proposing to revise the criteria in these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF97

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Title: Exclusion of Certain Military Pay From Deemed Income and Resources (978P)

Abstract: These proposed rules would exclude additional military pay for combat service from countable income and resources when we determine the eligibility of children and spouses of military personnel for Supplemental Security Income (SSI). The exclusions ensure that the SSI benefits of children and spouses of military personnel are not adversely affected by the deployment of their family members to a combat zone. In determining an individual's eligibility for SSI, under certain conditions we would not count the combat pay of an ineligible parent or spouse as income. Also under certain conditions, for 9 months following the month of receipt of any retroactive payment, we would exclude from deemed resources the unspent portion of that payment as resources.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 416.1124; 20 CFR 416.1160; 20 CFR 416.1161; 20 CFR 416.1202 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 902(a)(5); 42 USC 1381a; 42 USC 1382 to 1382b; 42 USC 1382c(f); 42 USC 1382j; 42 USC 1382 note; 42 USC 1383; 42 USC 1383B

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG21

 [View Related Documents](#)

Title: New Medical Criteria for Evaluating Language and Speech Disorders (2962P)

Abstract: We are proposing new rules for evaluating language and speech disorders by adding a new body system to the Listing of Impairments in appendix 1 to subpart P of part 404 of our regulations. These new rules would apply to adults and children who apply for, or receive, disability benefits under titles II and XVI of the Social Security Act.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	04/13/2005	70 FR 19351
ANPRM Comment Period End	06/13/2005	
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG22

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Title: Additional Insured Status Requirements for Certain Alien Workers (2882P)

Abstract: The proposed rule will revise our regulations on insured status to include an additional requirement under section 211 of Public Law 108-203--the Social Security Protection Act of 2004 (SSPA). An alien worker to whom we did not assign a Social Security Number (SSN) before January 1, 2004, must meet one of two additional requirements in order to be found entitled to title II benefits based on that alien's earnings record. One is assignment of an SSN and authorization to work in the United States. Alternatively, the work at issue must have been performed while the alien was admitted to the United States as a visitor for business (Department of Homeland Security (DHS) nonimmigrant classification "B-1") or as a crewman on a vessel or aircraft (DHS nonimmigrant classification "D-1" or "D-2"), and the business engaged in or service performed as a crewman was within the scope of the terms of such individual's admission to the United States. If an alien worker whose SSN was originally assigned on or after January 1, 2004, does not meet either of these requirements, then he or she is not fully or currently insured and is not entitled to benefits even if the alien worker appears to have the required number of quarters of coverage in accordance with the other insured status provisions. This additional insured status requirement affects the entitlement of certain alien workers and any person seeking a benefit on the record of an alien who is subject to this law. An alien worker who was properly assigned an SSN before January 1, 2004, is not subject to section 211 of the SSPA.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.110; 20 CFR 404.120; 20 CFR 404.130; 20 CFR 404.315; 20 CFR 404.1912; 20 CFR 404.1931
(To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 414(c); 42 USC 423(a)(1)(C); PL 108-203, sec 211

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	09/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG28

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Growth Impairments (3163P)

Abstract: Section 100.00, Growth Impairments, of appendix 1 to subpart P of part 404 of our regulations describe growth impairments that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise the criteria in this section to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 402; 42 USC 405(a) to 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)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	09/08/2005	70 FR 53323
ANPRM Comment Period End	11/07/2005	
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG38

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Musculoskeletal Disorders (3318P)

Abstract: Sections 1.00 and 101.00, Musculoskeletal System, of appendix 1 to subpart P of part 404 of our regulations describe those musculoskeletal impairments that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise the criteria in these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG45

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Title: SSI Trusts and Transfers of Resources (791P)

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 416 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 1382a(a); 42 USC 1382b(c); 42 USC 1382b(e); PL 106-169, sec 205; PL 106-169, sec 206; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

Related RINs: Related to 0960-AF22

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Social Security Administration (SSA)

RIN: 0960-AG65

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Digestive Disorders (3441P)

Abstract: Sections 5.00 and 105.00, Digestive Systems, of appendix 1 to subpart P of part 404 of our regulations describe those digestive disorders that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise the criteria in these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	12/12/2007	72 FR 70527
ANPRM Comment Period End	02/11/2008	
NPRM	10/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG69

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Title: Clarify Applicability of Res Judicata and Collateral Estoppel

Abstract: This proposed rule would clarify the applicability of res judicata and collateral estoppel in the administrative review process.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.950; 20 CFR 404.957; 20 CFR 416.1450; 20 CFR 416.1457 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 401(j); 42 USC 402; 42 USC 404(f); 42 USC 405; 42 USC 405 note; 42 USC 416(i); 42 USC 421; 42 USC 421 note; 42 USC 422(c); 42 USC 4233; 42 USC 423 note; 42 USC 425; 42 USC 902(a)(5); 42 USC 902 note; 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1382h note; 42 USC 1383; 42 USC 1383b

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG71

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Immune (HIV) System Disorders (3466P)

Abstract: Sections 14.00 and 114.00, Immune System, of appendix 1 to subpart P of part 404 of our regulations describe immune system diseases that are considered severe enough to prevent an individual from doing any gainful activity, or for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise the criteria in these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
ANPRM	03/18/2008	73 FR 14409
ANPRM Comment Period End	05/19/2008	
NPRM	10/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG72

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Title: Amendments to Procedures for Certain Determinations and Decisions

Abstract: In certain circumstances, a claimant who has requested a hearing before an administrative law judge (ALJ) may receive a wholly favorable determination based on a prehearing case review or a wholly favorable decision by an attorney advisor. A claimant who receives this kind of wholly favorable determination or decision may request that his hearing proceed by filing a written request within 30 days of the date that the notice of the determination or decision was mailed. If a claimant has not asked that this hearing proceed within this time, an ALJ will dismiss the claimant's request for a hearing. Claimants rarely appeal wholly favorable determinations and decisions, and they are often confused when they receive notice that their hearing request was dismissed months after they receive their favorable determination or decision. To lessen potential for confusion and to streamline our administrative process, we propose to eliminate this 30-day time period while preserving the claimants' right to have a hearing in these cases. It is possible that a claimant will receive a partially favorable determination in the prehearing case review process. For these cases, we propose to notify the claimant that we will continue with the ALJ hearing unless all parties to the hearing tell us in writing that we should dismiss the hearing request. Finally, we propose to notify claimants who receive a wholly favorable ALJ decision without a hearing and who do not want to dismiss their hearing request of their right to appeal their decision to the Appeals Council.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.941; 20 CFR 404.942; 20 CFR 416.1441; 20 CFR 416.1442; 20 CFR 404.948; 20 CFR 404.950; 20 CFR 404.960; 20 CFR 404.970; 20 CFR 416.1448; 20 CFR 416.1450; 20 CFR 416.1460; 20 CFR 416.1470 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG74

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Cardiovascular Disorders (3477P)

Abstract: Sections 4.00 and 104.00, Cardiovascular System, of appendix 1 to subpart P of part 404 of our regulations describe those cardiovascular disorders that are considered severe enough to prevent a person from doing any gainful activity, or in for a child claiming Supplemental Security Income payments under title XVI, that cause marked and severe functional limitations. We are proposing to revise the criteria in these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant
 Major: No
 CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations.](#))
 Legal Authority: Not Yet Determined
 Legal Deadline: None

Agenda Stage of Rulemaking: Proposed Rule
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
ANPRM	04/16/2008	73 FR 20564
ANPRM Comment Period End	06/16/2008	
NPRM	10/00/2009	

Regulatory Flexibility Analysis Required: No
 Federalism: No
 Energy Affected: No
 Public Comment URL: www.regulations.gov
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Government Levels Affected: Undetermined

Social Security Administration (SSA)

RIN: 0960-AG77

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Title: Amendments to Rules Regulating United States Social Security System Coverage Under International Totalization Agreements (3497P)

Abstract: We propose to modify our rules regulating U.S. Social Security System coverage under international totalization agreements to incorporate our long-standing interpretation and practices regarding Social Security coverage under totalization agreements. The proposed changes would: (1) exempt from U.S. Social Security taxes work performed in the U.S. by multinational U.S. citizens for another country other than Canada or Italy, to which they also hold citizenship and which is party to a totalization agreement with the United States; (2) establish factors to be considered when issuing certificates of coverage under the U.S. Social Security system; (3) tax income earned from the exercise of stock options and deferred salary payments based on where the services for the payment were rendered, regardless of when or where the deferred payment or stock options are made or exercised; and, (4) specify that an employee must be outside of a country for at least six months and be covered by U.S. Social Security between two assignments within the same country in order to qualify for a certificate of coverage.

Priority: Substantive, Nonsignificant
 Major: No
 CFR Citation: 20 CFR 404.1913; 20 CFR 404.1914; 20 CFR 404.1916 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))
 Legal Authority: 42 USC 405; 42 USC 433; 42 USC 902
 Legal Deadline: None

Agenda Stage of Rulemaking: Proposed Rule
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
NPRM	06/00/2009	

Regulatory Flexibility Analysis Required: No Government Levels Affected: No
 Federalism: No
 Energy Affected: No
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Social Security Administration (SSA)

RIN: 0960-AG78

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Title: Civil Monetary Penalties, Assessments, and Recommended Exclusions (3496P)

Abstract: The mission of the Social Security Administration, Office of the Inspector General (SSA/OIG), is to protect SSA programs and operations from fraud, waste, and abuse. As part of its mission, SSA/OIG was delegated authority to enforce part of section 1140 of the Social Security Act, 42 USC 1320b-10. However, SSA retained authority to enforce section 1140(a)(2)(A), which prohibits a person, for a fee, from reproducing, reprinting or distributing any item consisting of a form, application, or other publication of the Social Security Administration. This proposed rule would delegate the authority to enforce violations of this section to SSA/OIG. SSA would retain authority to approve the reproduction, reprinting or distribution of an SSA form, SSA application, or other SSA publication. In addition, this regulation would clarify what constitutes service of an enforcement action under sections 1129 and 1140 of the Act.

Priority: Substantive, Nonsignificant Agenda Stage of Rulemaking: Proposed Rule
 Major: No Unfunded Mandates: No
 CFR Citation: 20 CFR 498 (To search for a specific CFR, visit the [Code of Federal Regulations](#))
 Legal Authority: 42 USC 902(a)(5); 42 USC 1320a-8; 42 USC 1320b-10
 Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No Government Levels Affected: No
 Small Entities Affected: Business Federalism: No
 Energy Affected: No
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Social Security Administration (SSA)

RIN: 0960-AG80

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Title: Reestablishing Appeals Council Level Provisions in the Boston Region and Related Technical Changes (3502P)
Abstract: We propose to eliminate the Decision Review Board (DRB) portion of part 405 of our rules, which we now use for initial disability claims arising in our Boston region. Instead, we propose to allow claimants in the Boston region who are dissatisfied with the administrative law judge's (ALJ) action to request Appeals Council review. If the Appeals Council denies the request for review of an ALJ's decision, or the Appeals Council issues a decision, and the claimant is dissatisfied with our final decision, the claimant may file a civil action in Federal court. We intend to make the Appeals Council process in the Boston region parallel to the Appeals Council process in the rest of the country to the greatest extent possible. However, we are keeping the current rules in part 405 that apply to hearings before an ALJ in the Boston region. The hearing rules in part 405 differ in some respects from the rules in parts 404 and 416, so some provisions regarding Appeals Council review of ALJ actions arising in the Boston region must reflect those differences. We also propose to make several technical changes to reflect changes to the disability process implemented in previous final rules.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.970; 20 CFR 404.976; 20 CFR 404.1502; 20 CFR 404.1512; 20 CFR 404.1513; 20 CFR 404.1519k; 20 CFR 404.1519m; 20 CFR 404.1519s; 20 CFR 404.1520a; 20 CFR 404.1526; 20 CFR 404.1527; 20 CFR 404.1529; 20 CFR 404.1546; 20 CFR 404.1601; 20 CFR 404.1624; 20 CFR 405.1; 20 CFR 405.5; 20 CFR 405.10; 20 CFR 405.20; 20 CFR 405.240; 20 CFR 405.320; 20 CFR 405.360; 20 CFR 405.371; 20 CFR 405.372; 20 CFR 405.373; 20 CFR 405.381; 20 CFR 405.382; 20 CFR 405.383; 20 CFR 405.401; 20 CFR 405.405; 20 CFR 405.410; 20 CFR 405.415; 20 CFR 405.420; 20 CFR 405.425; 20 CFR 405.427; 20 CFR 405.430; 20 CFR 405.440; 20 CFR 405.445; 20 CFR 405.450; 20 CFR 405.501; 20 CFR 405.505; 20 CFR 405.510; 20 CFR 405.515; 20 CFR 405.701; 20 CFR 405.705; 20 CFR 405.710; 20 CFR 405.715; 20 CFR 405.720; 20 CFR 405.725; 20 CFR 416.902; 20 CFR 416.912; 20 CFR 416.913; 20 CFR 416.919k; 20 CFR 416.919m; 20 CFR 416.919s; 20 CFR 416.920a; 20 CFR 416.924; 20 CFR 416.926; 20 CFR 416.926a; 20 CFR 416.927; 20 CFR 416.929; 20 CFR 416.946; 20 CFR 416.1001; 20 CFR 416.1024; 20 CFR 416.1470; 20 CFR 416.1476; 20 CFR 422.130; 20 CFR 422.140; 20 CFR 422.201 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 401(j); 42 USC 402; 42 USC 404(f); 42 USC 405; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d)-(h); 42 USC 405(j); 42 USC 405(s); 42 USC 405 note; 42 USC 416(i); 42 USC 421; 42 USC 421(a); 42 USC 421(i); 42 USC 421(m); 42 USC 421 note; 42 USC 422(c); 42 USC 423; 42 USC 423(i); 42 USC 423 note; 42 USC 425; 42 USC 432; 42 USC 902(a)(5); 42 USC 902 note; 42 USC 1320b-1; 42 USC 1320b-13; 42 USC 1381; 42 USC 1381a; 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1382h note; 42 USC 1383; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d)(1); 42 USC 1383(p); 42 USC 1383b

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	09/00/2009	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No

Government Levels Affected: No
Federalism: No

Energy Affected: No
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Social Security Administration (SSA)

RIN: 0960-AG84

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Title: Failure to Cooperate in Initial Disability Claims (3479P)

Abstract: These proposed rules would amend our regulations to provide that we may find that, in the absence of contrary evidence, an individual is not disabled or blind during the initial claims process when the individual fails or refuses to submit medical and other evidence we need and request, or to appear at a consultative examination we arrange. The proposed revisions would ensure consistency among adjudicators at all levels.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1516; 20 CFR 404.1518; 20 CFR 416.916; 20 CFR 416.918 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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(j); 42 USC 421(m); 42 USC 422(c); 42 USC 423; 42 USC 425; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d)(1); 42 USC 1383(p); 42 USC 1383b

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG87

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Title: Disability Determinations by State Agency Disability Examiners (3510P)

Abstract: We propose to amend our rules to permit disability examiners in our State agencies to make fully favorable determinations without requiring the input of a medical or psychological consultant in certain claims for disability benefits under title II (Social Security Disability Insurance) and title XVI (Supplemental Security Income) of the Social Security Act.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1512; 20 CFR 404.1527; 20 CFR 404.1529; 20 CFR 404.1546; 20 CFR 404.1615; 20 CFR 404.1619; 20 CFR 416.912; 20 CFR 416.927; 20 CFR 416.929; 20 CFR 416.946; 20 CFR 416.1015; 20 CFR 416.1019 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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; 42 USC 421 note; 42 USC 421(a); 42 USC 421(i); 42 USC 421(m); 42 USC 422(c); 42 USC 423; 42 USC 423 note; 42 USC 425; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1382h note; 42 USC 1383; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d)(1); 42 USC 1383(p); 42 USC 1383b

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	08/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG89

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Title: How We Collect and Consider Evidence of Disability (3487P)

Abstract: We propose to change what we ask for in medical source statements to address your limitations and restrictions from your medically determinable impairment(s) rather than your capacities; that is, what you cannot do because of, instead of what you still can do despite, your impairment(s). This would allow medical sources to describe the limiting effects of your impairment(s) as they do in their own records, making it easier to provide the information we need to evaluate whether you are disabled. We propose to clarify that this change applies to all levels of our administrative process and, for title XVI childhood

cases, make these regulations more closely reflect the language in the childhood disability regulations. We also propose to give adjudicators additional methods to resolve inconsistent or insufficient evidence to help avoid unnecessary or unproductive steps in the adjudication process and improve efficiency. Currently, when inconsistent or insufficient evidence prevents us from determining whether you are disabled, we first must recontact your treating medical sources for additional information. We also propose to clarify that we consider a review of the longitudinal evidence available in your case record, to emphasize our responsibility to consider how your impairment(s) changes over time. This long-standing policy will not change the outcome of disability determinations or decision; however, it will make our policy more transparent.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1502; 20 CFR 404.1512; 20 CFR 404.1513; 20 CFR 404.1519a; 20 CFR 404.1519n; 20 CFR 404.1520; 20 CFR 404.1520b (New); 20 CFR 404.1527; 20 CFR 404.1545; 20 CFR 416.902; 20 CFR 416.912; 20 CFR 416.913; 20 CFR 416.919a; 20 CFR 416.919n; 20 CFR 416.920; 20 CFR 416.920b (New); 20 CFR 416.927; 20 CFR 416.945
(To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG92

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Title: Federal Old-Age, Survivors and Disability Insurance Benefits: Nonpayment of Benefits to Prisoners and Certain Other Inmates (3525P)

Abstract: We propose to amend our regulations relating to the nonpayment of monthly Social Security benefits under title II of the Social Security Act (Act) to prisoners and certain other inmates. The proposed changes are based on amendments made to the Act since we last updated our regulations on nonpayment of benefits to prisoners on December 11, 1984.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.367; 20 CFR 404.401; 20 CFR 404.468; 20 CFR 404.472 (New); 20 CFR 404.473 (New); 20 CFR 404.474 (New); 20 CFR 404.902 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 401(j); 42 USC 402; 42 USC 403; 42 USC 404(a); 42 USC 404(e); 42 USC 404(f); 42 USC

405(a) to 405(h); 42 USC 405(j); 42 USC 405 note; 42 USC 416; 42 USC 421; 42 USC 421 note; 42 USC 422(c); 42 USC 423; 42 USC 424a; 42 USC 425; 42 USC 428(a) to 428(e); 42 USC 902(a)(5); 42 USC 902 note; 48 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG95

 [View Related Documents](#)

Title: Federal Old-Age, Survivors and Disability Insurance Program; Clarification of Rules Involving Family Relationships (3546P)

Abstract: We propose to make technical changes to rules for determining family relationships when an insured's dependent or survivor seeks benefits under title II of the Social Security Act (Act). We also propose to correct a cross-reference in three of our regulations. These proposed changes would modify current regulatory language to accurately reflect the corresponding provisions of the Act.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.330 and 404.331; 20 CFR 404.335 and 404.336; 20 CFR 404.340; 20 CFR 404.723; 20 CFR 404.728 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG96

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Title: Wage Reports (809P)

Abstract: We propose to amend our rules to allow employers to electronically file their annual wage reports. Our current rules provide that we will return wage reports to the filer if they contain a certain percentage of unidentified or incorrectly identified wage items. We propose to eliminate this threshold and add general language indicating that we will return wage reports for corrections and resubmission if the reports do not meet our format and processing requirements. Finally, we propose to remove obsolete sections and replace outdated references and instructions to reflect current reporting requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1216; 20 CFR 404.1220; 20 CFR 404.1225; 20 CFR 404.1237 to 404.1299; 20 CFR 422.114; 20 CFR 422.120 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 405; 42 USC 410; 42 USC 418; 42 USC 435; 42 USC 902(a)(5); 42 USC 1320b-1; 42 USC 1320b-13

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

Related RINs: Previously Reported as 0960-AF38

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Social Security Administration (SSA)

RIN: 0960-AG97

 [View Related Documents](#)

Title: Temporary Authorization for Federal Disability Examiners to Adjudicate Hearing Requests On-The-Record (3526P)

Abstract: We propose to modify, on a temporary basis, our prehearing procedures in claims for Social Security disability benefits and Supplemental Security Income payments based on disability or blindness under sections 404 and 416 of our regulations. These proposed rules would authorize certain Federal disability examiners to issue decisions that are wholly favorable to claimants without further review by an attorney advisor or administrative law judge (ALJ). These proposed rules would expedite the processing of cases at the hearing level without delaying or infringing on the right to a hearing before an ALJ. This temporary modification would remain in effect for a period not to exceed five years.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.941 and 404.942; 20 CFR 416.1441 and 416.1442 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 401(j); 42 USC 404(f); 42 USC 405(a) and 405(b); 42 USC 405(d) to 405(h); 42 USC 405(j); 42 USC 421; 42 USC 421 note; 42 USC 423(i); 42 USC 425; 42 USC 902(a)(5); 42 USC 902 note; 42 USC 1383; 42 USC 1383b

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG98

 [View Related Documents](#)

Title: Clarifications to Rules Governing the Implementation and Coverage of International Totalization Agreements (3552P)

Abstract: We propose to amend our rules to make clear that we can accept foreign verification of records from totalization agreement countries. Additionally, we propose to clearly provide that a determination of whether to issue a certificate of coverage under international totalization agreements is not an initial determination subject to further administrative review. These clarifications would conform our regulations to our agreements and long-standing operational policies and practices.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.707(b); 20 CFR 404.903 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AE48

 [View Related Documents](#)

Title: Supplemental Standards of Ethical Conduct for Employees of the Social Security Administration (601F)

Abstract: We intend to issue regulations that supplement the Office of Government Ethics Standards of Ethical conduct for Employees of the Executive Branch, which became effective February 3, 1993. This final rule specifies procedural and substantive requirements that are necessary to address ethical issues unique to the Social Security Administration.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 5 CFR ch LXXXI (New) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC app, Ethics in Government Act of 1978; 5 USC 7301; 5 USC 7353

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/11/2005	70 FR 7192
NPRM Comment Period End	03/14/2005	
NPRM Comment Period Reopened	05/04/2005	70 FR 23065
Comment Period End	06/03/2005	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AE59

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Title: Dedicated Accounts and Installment Payments for Certain Past Due Supplemental Security Income Benefits (622F)

Abstract: These final rules will adopt, with minor changes, the interim final rules published in the Federal Register on December 20, 1996 (61 FR 67203). The interim final rules reflected the PRWORA amendments to the Social Security Act concerning dedicated accounts and installment payments for certain past-due Supplemental Security Income benefits. Section 213 of the PRWORA requires representative payees of children under age 18 who are to receive past-due SSI benefits that exceed 6 times the maximum Federal Benefit Rate (FBR) to establish dedicated accounts in financial institutions. Section 221 of the PRWORA requires, with certain exceptions, that past-due SSI benefits which equal or exceed 12 times the maximum FBR be paid in installments. In addition, these final rules reflect conforming provisions to section 302 of the Social Security Protection Act of 2004 that was effective May 2005, which provides for the direct payment of representative fees by SSA from any past due benefits that may be payable to an individual. Finally, these final rules reflect the conforming provisions of section 7502 of the Deficit Reduction Act of 2005, enacted February 8, 2006, which changes the formula for the payment of past due benefits for SSI recipients from 12 times the FBR plus any federally administered State supplementation to 3 times the FBR plus any federally administered State supplementation.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 416.545 to 416.546; 20 CFR 416.640 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 31 USC 3720A; 42 USC 902(a)(5); 42 USC 1320b-17; 42 USC 1381 to 1381a; 42 USC 1382(c); 42 USC 1382(e); 42 USC 1383(a) to 1383(d); 42 USC 1383(g)

Legal Deadline: Interim Final Rules were published on December 20, 1996.

Action	Source	Description	Date
Other	Statutory	Interim Final Rules were published on December 20, 1996 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) only)	11/22/1996

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/20/1996	61 FR 67203
Interim Final Rule Comment Period End	02/18/1997	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF47

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Title: Revisions to the Medical/Vocational Guidelines (823F)

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404, subpart P, app 2; 20 CFR 404.1564; 20 CFR 416.964 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 402; 42 USC 405(a) to 405(b); 42 USC 405(d) to 405(h); 42 USC 416(i); 42 USC 421(a); 42 USC 421(j); 42 USC 423; 42 USC 425; 42 USC 902(a)(5)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/07/2003	68 FR 40213
NPRM Comment Period End	09/05/2003	
Final Action	02/00/2010	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF78

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Title: Stepchild Entitlement and Termination Requirements (934F)

Abstract: We will amend our regulations to incorporate the changes to the entitlement and termination requirements for stepchild's benefits introduced by the Contract with America Advancement Act of 1996. The statutory changes allow a stepchild to be considered dependent upon an insured stepparent for purposes of entitlement to benefits as a stepchild, only if he or she is receiving at least one-half support from the insured stepparent. The changes also require benefit termination when the stepchild's natural parent and the insured stepparent divorce. We will extend the termination requirement to include: (1) a divorce that ends the marriage between a stepchild's adoptive parent and the insured stepparent; and (2) a prospective annulment that ends the marriage between a stepchild's natural or adoptive parent and the stepparent. We also will include in the regulations our longstanding policy that a stepchild's benefits are terminated when the marriage between the stepchild's parent and the stepparent is annulled from the beginning (ab initio). These rules will reflect enacted legislation and provide accurate and complete guidelines for determining entitlement to benefits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.352; 20 CFR 404.363 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/12/2003	68 FR 47877
NPRM Comment Period End	10/14/2003	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF92

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Title: Administrative Review Process; Incorporation-by-Reference of Oral Findings of Fact and Rationale in Wholly Favorable Written Decisions (964F)

Abstract: These rules will implement interim final rules that allow an Administrative Law Judge (ALJ) to enter a wholly favorable, oral decision into the record of a hearing. The rules also provide that an ALJ may subsequently issue a written decision, incorporating by reference the findings and reasons stated orally at the hearing.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.953; 20 CFR 416.1453 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/20/2004	
Interim Final Rule	10/20/2004	69 FR 61594
Interim Final Rule Comment Period End	12/20/2004	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No
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 Social Security Administration (SSA)

RIN: 0960-AG20

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Hearing Loss (2862F)

Abstract: Sections 2.00 and 102.00, Special Senses and Speech, of appendix 1 to subpart P of part 404 of our regulations describe hearing loss that is considered severe enough to prevent a person from doing any gainful activity, or for a child claiming Supplemental Security Income (SSI) payments under title XVI, that causes marked and severe functional limitations. We are revising these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
ANPRM	04/13/2005	70 FR 19353
ANPRM Comment Period End	06/13/2005	
NPRM	08/13/2008	73 FR 47103
NPRM Comment Period End	10/14/2008	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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 Social Security Administration (SSA)

RIN: 0960-AG50

 [View Related Documents](#)

Title: Sixty-Month Period of Employment Requirement for Government Pension Offset Exemption (3022F)

Abstract: To implement section 418 of the Social Security Protection Act of 2004, we will revise our regulations to explain that a State or local government worker will be subject to the Government Pension Offset (GPO) provision under title II of the Social Security Act, if any part of the last 60 months of government service was not covered by Social Security. We also will replace the words "receiving" and "received" with the word "payable" when referring to the eligibility to or payout from a government pension. This wording change will make the regulatory and statutory language consistent and help clarify when the GPO is applicable. In addition, we will revise our regulations to reflect a separate 60-month requirement that was made applicable to Federal employees by a 1987 law.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.408a (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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 416(l); 42 USC 422(c); 42 USC 423(e); 42 USC 424a; 42 USC 425; 42 USC 902(a)(5); 42 USC 1320a-8a; 48 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/03/2007	72 FR 43202
NPRM Comment Period End	10/02/2007	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

Related RINs: Previously Reported as 0960-AG33

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Social Security Administration (SSA)

RIN: 0960-AG56

 [View Related Documents](#)

Title: Revisions to Rules on Representation of Parties (3396F)

Abstract: We will revise our rules on representation of parties in parts 404, 408, 416, and 422 to reflect changes in representatives' business practices, beneficiaries' use of the Internet, and to become more efficient in processing claims for benefits. These rules will:

- o Recognize entities as representatives;
- o Mandate the use of Form SSA-1696 to appoint a representative or revoke or withdraw an appointment of a representative;
- o Mandate the use of Form SSA-1696 to waive a fee or direct payment of the fee;
- o Define the roles of a principal representative and a professional representative;
- o Require professional representatives to use our electronic services as they become available;
- o Authorize principal representatives to sign and file a claim for benefits for a claimant with us;
- o Require professional representatives to submit certain requests for reconsideration and hearings before an administrative law judge electronically;
- o Require a representative to keep paper copies of certain documents that we may require;
- o Add new definitions or revise existing definitions for: "disqualify," "electronic media," "Federal agency," "Federal program," "fee petition," "initial disability claim," "person," "principal representative," "professional representative," and "representative;"
- o Add new affirmative duties and prohibited actions for representatives; and
- o Change references in the representative sanctions rules to reflect a recent delegation of authority and a recent agency reorganization.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.612; 20 CFR 404.901; 20 CFR 404.903; 20 CFR 404.909; 20 CFR 404.910; 20 CFR 404.933; 20 CFR 404.934; 20 CFR 404.1700 to 404.1799; 20 CFR 408.1101; 20 CFR 416.315; 20 CFR 416.1401; 20 CFR 416.1403; 20 CFR 416.1409; 20 CFR 416.1410; 20 CFR 416.1433; 20 CFR 416.1434; 20 CFR 416.1500 to 416.1599; 20 CFR 422.203; 20 CFR 422.515 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 405(a); 42 USC 406(a)(1); 42 USC 810(a); 42 USC 902(a)(5); 42 USC 1010; 42 USC 1383(d)

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	09/08/2008	73 FR 51963
NPRM Comment Period End	11/07/2008	
Final Action	02/00/2010	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG57

 [View Related Documents](#)

Title: Revised Medical Criteria for Evaluating Malignant Neoplastic Diseases (3429F)

Abstract: Sections 13.00 and 113.00, Malignant Neoplastic Diseases, of appendix 1 to subpart P of part 404 of our regulations describe malignant neoplastic diseases that are considered severe enough to prevent a person from doing any gainful activity, or for a child claiming SSI payments under title XVI, that cause marked and severe functional limitations. We are revising these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	04/28/2008	73 FR 22871
NPRM Comment Period End	06/27/2008	
Final Action	12/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG58

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Title: Use of Date of Written Statement as Filing Date (3431F)

Abstract: This final rule would change the protective filing date for title II applications from 6 months to 60 days to mirror the policy in titles VIII and XVI.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.630 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/17/2008	73 FR 76573
NPRM Comment Period End	02/17/2009	
Final Action	09/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG61

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Title: Setting the Time and Place for a Hearing Before an Administrative Law Judge (3481F)

Abstract: We will amend our rules to clarify that the agency is responsible for setting the time and place for a hearing before an administrative law judge (ALJ). Consistent with our regulations at other levels of the administrative process, we plan to use "we" or "us" in the rules addressing the scheduling of hearings. These changes will ensure greater flexibility in scheduling both in person and video teleconference hearings, increase efficiency in the hearing process, and reduce the number of pending hearings. The number of cases awaiting a hearing has reached historic proportions, and efforts toward greater efficiency are critical to addressing this problem.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 20 CFR 404.932; 20 CFR 404.936; 20 CFR 404.938; 20 CFR 404.950; 20 CFR 416.1432; 20 CFR 416.1436; 20 CFR 416.1438; 20 CFR 416.1450(b) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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 note; 42 USC 421; 42 USC 421 note; 42 USC 423(i); 42 USC 425; 42 USC 902(a)(5); 42 USC 902 note; 42 USC 1383; 42 USC 1383b

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	11/10/2008	73 FR 66564
NPRM Comment Period End	01/09/2009	
Final Action	07/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG62

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Title: Payment of Benefits to Aliens Residing Outside the United States (909F)

Abstract: We are revising our rules to remove Vietnam and Democratic Kampuchea (now Cambodia) from the list of countries to which social security benefits may not be sent under restrictions imposed by the Department of the Treasury (Treasury). Removing these restrictions allows social security benefits to accrue for aliens entitled to benefits for months in which they reside in either Vietnam or Cambodia, provided they are not subject to other nonpayment provisions. The revisions are necessary to reflect published Treasury regulations that have removed the restrictions on sending Federal payments to individuals living in these countries.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.460 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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 416(i); 42 USC 422(c); 42 USC 423(e); 42 USC 424a; 42 USC 425; 42 USC 902(a)(5); 42 USC 1320a-8a; 48 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	10/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No
 Public Comment URL: www.regulations.gov
 Related RINs: Previously Reported as 0960-AF70
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 Social Security Administration (SSA)

RIN: 0960-AG66

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Title: Technical Revisions to the Supplemental Security Income (SSI) Regulations on Income and Resources (3485F)
 Abstract: We amend our Supplemental Security Income (SSI) regulations by making technical revisions to our rules on income and resources to conform with previous changes to the Social Security Act. We also amend the SSI home exclusion rules to extend the home exclusion to individuals who leave a home because of domestic abuse. We also update our "conditional-payment" rule to eliminate the liquid resource requirements as a prerequisite to receiving conditional payments.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 416.1110(b); 20 CFR 416, subpart K, app; 20 CFR 416.1210(v) (New); 20 CFR 416.1212; 20 CFR 416.1235; 20 CFR 416.1236(a); 20 CFR 416.1240 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 26 USC 24; 42 USC 410(j)(3); 42 USC 902(a)(5); 42 USC 1382(d); 42 USC 1382a; 42 USC 1382b; 42 USC 4031; 42 USC 7385e

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/09/2008	73 FR 74663
NPRM Comment Period End	02/09/2009	
Final Action	09/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG82

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Title: Authorization of Representative Fees (3508F)

Abstract: We plan to revise our rules regarding payment of representative fees to allow representatives, in certain cases, to charge and receive a fee for their services from certain third parties without requiring our approval. We also plan to eliminate the requirement that we approve fees for legal guardians or court-appointed representatives providing representational services in claims before us if a court has already authorized their fees. Lastly, we plan to define "legal guardians or court-appointed representatives."

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1703; 20 CFR 404.1720; 20 CFR 416.1503; 20 CFR 416.1520 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 405(a); 42 USC 406(a)(1); 42 USC 902(a)(5); 42 USC 1383(d)

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
NPRM	08/26/2008	73 FR 50260
NPRM Comment Period End	09/25/2008	
Final Action	09/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Social Security Administration (SSA)

RIN: 0960-AG94

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Title: Repeal of Rule Regarding Work for a Communist Organization (3540F)

Abstract: We are rescinding the rule that excludes from our definition of "employment" any work performed for a communist organization. Congress repealed the law on which this rule was based in 1968. This change would not have any appreciable effect on social security benefits or coverage.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1035 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 402(v); 42 USC 405(a); 42 USC 409 to 411; 42 USC 429(a) to 431; 42 USC 902(a)(5); 48 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	06/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG52

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Title: Amendments to the Administrative Law Judge, Appeals Council, and Decision Review Board Appeals Levels (3401F)

Abstract: We will include in parts 404 and 416 of our rules many of the hearing level procedures now in place for disability cases in the Boston region. This change will expand those rules nationwide and apply them to hearings on both disability and non-disability matters. We expect these rules will make the hearings process more efficient and help us reduce the hearings backlog. We also will amend our rules governing the final level of the administrative review process to make proceedings at that level more appellate in nature, to establish procedures for appeals to that level, and to change the name of the body that will hear such appeals from the "Appeals Council," or the "Decision Review Board" in the Boston region, to the "Review Board."

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: No

CFR Citation: 20 CFR 404.900; 20 CFR 404.901; 20 CFR 404.911; 20 CFR 404.924; 20 CFR 404.925; 20 CFR 404.928; 20 CFR 404.929; 20 CFR 404.933; 20 CFR 404.935; 20 CFR 404.936; 20 CFR 404.938 to 404.940; 20 CFR 404.943; 20 CFR 404.944; 20 CFR 404.946; 20 CFR 404.948 to 404.953; 20 CFR 404.955 to 404.961; 20 CFR 404.966 to 404.977; 20 CFR 404.979; 20 CFR 404.981 to 404.984; 20 CFR 404.989; 20 CFR 404.992; 20 CFR 404.993; 20 CFR 404.999c; 20 CFR 405.1; 20 CFR 405.5; 20 CFR 405.10; 20 CFR 405.20; 20 CFR 405.25; 20 CFR 405.30; 20 CFR 405, app to A; 20 CFR 405.230; 20 CFR 405.301; 20 CFR 405.305; 20 CFR 405.310; 20 CFR 405.315 to 405.317; 20 CFR 405.320; 20 CFR 405.325; 20 CFR 405.330 to 405.334; 20 CFR 405.340; 20 CFR 405.350; 20 CFR 405.351; 20 CFR 405.360; 20 CFR 405.365; 20 CFR 405.366; 20 CFR 405.370 to 405.373; 20 CFR 405.380 to 405.383; 20 CFR 405.401; 20 CFR 405.405; 20 CFR 405.410; 20 CFR 405.415; 20 CFR 405.420; 20 CFR 405.425; 20 CFR 405.427; 20 CFR 405.430; 20 CFR 405.440; 20 CFR 405.445; 20 CFR 405.450; 20 CFR 405.501; 20 CFR 405.505; 20 CFR 405.510; 20 CFR 405.515; 20 CFR 405.601; 20 CFR 405.701; 20 CFR 405.705; 20 CFR 405.710; 20 CFR 405.715; 20 CFR 405.720; 20 CFR 405.725; 20 CFR 416.1400; 20 CFR 416.1401; 20 CFR 416.1411; 20 CFR 416.1424; 20 CFR 416.1425; 20 CFR 416.1428; 20 CFR 416.1429; 20 CFR 416.1433; 20 CFR 416.1435; 20 CFR 416.1436; 20 CFR 416.1438 to 416.1440; 20 CFR 416.1443; 20 CFR 416.1444; 20 CFR 416.1446; 20 CFR 416.1448 to

416.1453; 20 CFR 416.1456 to 416.1461; 20 CFR 416.1466 to 416.1477; 20 CFR 416.1479; 20 CFR 416.1481 to 20 CFR 416.1484; 20 CFR 416.1489 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 401(j); 42 USC 405(a); 42 USC 405(b); 42 USC 405(d)-(h); 42 USC 421; 42 USC 423(i); 42 USC 425; 42 USC 902(a)(5); 42 USC 405 note; 42 USC 421 note; 42 USC 902 note; 42 USC 405(s); 42 USC 423(a); 42 USC 423(b); 42 USC 1383; 42 USC 1383b

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	10/29/2007	72 FR 61218
NPRM Comment Period End	12/28/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG55

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Title: Nonpayment of Benefits to Fugitive Felons and Probation or Parole Violators (2222F)

Abstract: To implement section 203 of the Social Security Protection Act of 2004 (SSPA), we will revise our regulations on the payment of benefits under titles II and XVI of the Social Security Act. Section 203 requires that title II benefits will not be paid to a person who is a fugitive felon or probation or parole violator, unless good cause is shown. Section 203 also adds a good cause exception to the title XVI fugitive felon ineligibility provision. In addition, we will make other changes required by this legislation, such as removing the reference to high misdemeanors in the state of New Jersey. Finally, we will clarify our interpretation of the statutory language.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 404.401; 20 CFR 404.479 NEW; 20 CFR 416.202; 20 CFR 416.1339 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 402 to 404(a); 42 USC 404(e); 42 USC 405(a); 42 USC 405(c); 42 USC 416(l); 42 USC 423(e); 42 USC 424a; 42 USC 425; 42 USC 902(a)(5); 42 USC 1310(b); 42 USC 1320a-8a; 42 USC 1381a; 42 USC 1382 to 1382c; 42 USC 1382h(a); 42 USC 1383; 42 USC 1383c; 48 USC 1681 note; 48 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/05/2005	70 FR 72411
NPRM Comment Period End	02/03/2006	
Final Action	09/00/2010	

Regulatory Flexibility Analysis Required: No
 Small Entities Affected: No
 Energy Affected: No
 Public Comment URL: www.regulations.gov
 Related RINs: Previously Reported as 0960-AG12
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Government Levels Affected: No
 Federalism: No

Social Security Administration (SSA)

RIN: 0960-AG86

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Title: Dismissing a Hearing Due to Abandonment (3434P)

Abstract: We propose to allow an administrative law judge to dismiss a hearing when the hearing office is unable to locate the claimant in order to schedule the hearing and further efforts to locate the claimant are unsuccessful.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.957; 20 CFR 416.1457 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AF85

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Title: Mandatory Exclusion of Health Care Providers and Representatives From Participating in Programs Administered by SSA, Including Representative Payment (954F)

Abstract: This final rule will exclude representatives and health care providers convicted of fraud and other crimes or activities connected to the title II or title XVI programs, or who are assessed a civil monetary penalty for making false or misleading statements related to our programs, from participation in those programs. The minimum exclusion period is 5 years, but exclusions can be permanent.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1503b; 20 CFR 416.903b (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/02/2004	69 FR 40338
NPRM Comment Period End	08/31/2004	
Withdrawn	02/20/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG29

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Title: Age as a Factor in Evaluating Disability (3183F)

Abstract: We are withdrawing the proposed rules of November 4, 2005. If we subsequently decided to regulate in this area, we will publish rules in the Federal Register.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 2; 20 CFR 404.1562 to 404.1563; 20 CFR 404.1568; 20 CFR 416.962; 20 CFR 416.963; 20 CFR 416.968 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 221(a); 42 USC 221(i); 42 USC 222(c); 42 USC 402; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 416i; 42 USC 423; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382(h); 42 USC 1382b(a); 42 USC 1382b(c); 42 USC 1382c; 42 USC 1383(a); 42 USC 1383(c)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/04/2005	70 FR 67101
NPRM Comment Period End	01/03/2006	
Withdrawn	02/20/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG41

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Title: Consultative Examination--Annual Onsite Review of Medical Examiners (3338F)

Abstract: We are amending our regulations to change the threshold amount to require the State disability determination services (DDSs) to perform an onsite review of consultative examination (CE) providers from \$100,000 to \$150,000. These changes reflect the impact of inflation since 1991, the year the threshold amounts were originally implemented.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1519s; 20 CFR 416.919s (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 421(a)(1)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/20/2007	72 FR 13053
NPRM Comment Period End	05/21/2007	
Withdrawn	02/20/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG63

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Title: Reduction of Relevant Time Period for Past Relevant Work (3436P)

Abstract: This rule will reduce the time period for determining past relevant work from 15 to 5 years when adjudicating claims for benefits.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	01/22/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG70

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Title: Eliminate Re-Interviewing of Representative Payees (3476F)

Abstract: We improved the operational efficiency of field offices by reducing the number of individuals who must be interviewed, face-to-face, in the office. Specifically, eliminated the requirement to re-interview individuals who are currently serving as a representative payee and were already interviewed face-to-face as part of that process, and who are now applying to be payee for another individual.

Priority: Other Significant Agenda Stage of Rulemaking: Completed Action
Major: No Unfunded Mandates: No
CFR Citation: 20 CFR 404.2024; 20 CFR 416.624 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))
Legal Authority: 42 USC 405(a); 42 USC 405(j); 42 USC 405(k); 42 USC 902(a)(5)
Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/11/2008	73 FR 12923
NPRM Comment Period End	05/12/2008	
Final Action	11/10/2008	73 FR 66520
Final Action Effective	12/10/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG73

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Title: Amendments to Application Filing Date Requirements for Certain Military Members of the Uniformed Service (3474P)
Abstract: These proposed rules would allow casualty reports prepared by the United States armed forces to serve as statements of intent to claim benefits and preserve filing dates for all benefits. The changes to sections 404.630 and 416.340 shall apply to all servicemembers entitled to receive benefits. These changes would simplify the benefits determination process and ensure that veterans receive those benefits to which they are entitled. Additionally, these rules provide a technical correction replacing the Soldiers' and Sailors' Civil Relief Act of 1940 with the Servicemembers' Civil Relief Act where applicable. This proposed change would update our regulations to reflect legislative changes.

Priority: Other Significant Agenda Stage of Rulemaking: Completed Action
Major: No Unfunded Mandates: No
CFR Citation: 20 CFR 404.340; 20 CFR 404.370; 20 CFR 404.621; 20 CFR 404.630; 20 CFR 404.802 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))
Legal Authority: 42 USC 402(i); 42 USC 402(j); 42 USC 402(o); 42 USC 402(p); 42 USC 402(r); 42 USC 405(a); 42 USC 416(i)(2); 42 USC 423(b); 42 USC 428(a); 42 USC 902(a)(5); 42 USCC 1382; 42 USC 1383(a); 42 USC 1383(d); 42 USC 1383(e)
Legal Deadline: None

Regulatory Plan:
Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
Withdrawn	01/27/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Social Security Administration (SSA)

RIN: 0960-AG75

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Title: Clarification of Evidentiary Standard for Determinations and Decisions (3491F)

Abstract: These final rules clarify that we apply the preponderance of the evidence standard to determinations and decisions that we make at all levels of our administrative review processes. We made these changes to provide clear articulation of the standard we apply when we make those determinations and decisions. These final rules do not change our policy that the Appeals Council applies the substantial evidence standard when it reviews an administrative law judge's decision to determine whether to grant a request for review.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 404.901; 404.902; 404.917; 404.920; 404.941; 404.942; 404.948; 404.953; 404.979; 404.984; 408.1001; 408.1002; 408.1020; 416.1401; 416.1402; 416.1417; 416.1420; 416.1441; 416.1442; 416.1448; 416.1453; 416.1479; 416.1484; 422.130; 422.203; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 205(a), 702(a)(5), 810(a), and 1631(d)(1) of the Social Security Act

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/13/2008	73 FR 33745
NPRM Comment Period End	08/12/2008	
Final Action	12/18/2008	73 FR 76941
Final Action Effective	01/20/2009	

Regulatory Flexibility Analysis Required: No Government Levels Affected: No
 Small Entities Affected: No Federalism: No
 Energy Affected: No
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Social Security Administration (SSA)

RIN: 0960-AG83

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Title: Clarifying Education as a Vocational Factor (3480P)

Abstract: We propose to revise our regulations to remove references to vocational skill level from specific sections pertaining to education. We also propose to add language regarding the relationship between skill level and education. Additionally, we propose to clarify the definitions of "education" and "limited education" and introduce a rebuttable presumption that a claimant's education level is commensurate with his or her formal schooling. We believe these changes will result in greater clarity for our adjudicators and reduce the misapplication of our current policy.

Priority: Substantive, Nonsignificant Agenda Stage of Rulemaking: Completed Action
 Major: No Unfunded Mandates: No
 CFR Citation: 20 CFR 404.1564; 20 CFR 416.964 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: 42 USC 401(j); 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 421(m); 42 USC 422(c); 42 USC 423; 42 USC 425; 42 USC 902(a)(5); 42 USC 1382; 42 USC 1382c; 42 USC 1382h; 42 USC 1383(a); 42 USC 1383(c); 42 USC 1383(d)(1); 42 USC 1383(p); 42 USC 1383b
 Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	01/26/2009	

Regulatory Flexibility Analysis Required: No Government Levels Affected: No
 Small Entities Affected: No Federalism: No
 Energy Affected: No
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Social Security Administration (SSA)

RIN: 0960-AG90

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Title: Amendments to Rules on Fee Payments and Sanctions (3513P)

Abstract: These proposed rules would modify our rules on fee payment, fee agreements, and fee petitions. We plan to clarify how bankruptcy proceedings and fee waivers affect claims. We also propose to strengthen our sanctions process and to consolidate our rules on Representation of Parties to make it easier for the public to understand and use them.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Regulatory Plan:

Statement of Need:

Legal Basis:

Alternatives:

Costs and Benefits:

Risks:

Timetable:

Action	Date	FR Cite
Withdrawn	01/26/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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RIN: 0960-AG93

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Title: Expiration Date Extension for Musculoskeletal Body System Listing (3539F)

Abstract: This final rule extends the expiration date for the Musculoskeletal System Listing of Impairments until February 18, 2011. We use the body system listings at the third step of the sequential evaluation process when we evaluate a claim for disability benefits under title II and title XVI of the Social Security Act. This extension will ensure that we continue to have the medical evaluation criteria in the listings needed to adjudicate disability claims. Other than extending the effective date, we have not revised the listing.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 404.1500, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	02/02/2009	74 FR 5807

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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