



News Release

SOCIAL SECURITY

Commissioner Barnhart Unveils New Social Security Disability Determination Process

Jo Anne Barnhart, Commissioner of Social Security, issued a final rule establishing a new disability determination process. The new process, built upon Social Security's electronic disability claims process, will shorten decision times and pay benefits to people who are obviously disabled much earlier in the process.

"The changes we are making in the disability process will greatly improve the quality of service that Social Security provides to millions of disabled workers and their families," Commissioner Barnhart said. "The new process uses 21st century technology and creates accountability at every step. It reflects my goals of improving the accuracy, consistency and fairness of our process and ensuring that we make the right decision as early in the process as possible."

The new disability process provides for:

- A quick disability determination process for those who are obviously disabled. Favorable decisions would be made in such cases within 20 days after the claim is received by the state disability determination agency.
- A new Medical-Vocational Expert System (MVES) to enhance the expertise needed to make accurate and timely decisions. The MVES will be composed of a Medical-Vocational Expert Unit and a national network of medical, psychological and vocational experts who meet qualification standards established by the Commissioner.
- A new position -- the Federal Reviewing Official -- that will review state agency determinations upon the request of the claimant. This will eliminate the reconsideration step of the current appeals process.
- Retention of the right to request a de novo hearing and decision from an Administrative Law Judge if the claimant disagrees with the decision of the Federal Reviewing Official.
- Closing the record after the Administrative Law Judge issues a decision, with provision for certain good cause exceptions to this rule.
- A new body -- the Decision Review Board -- to review and correct decisional errors and ensure consistent adjudication at all levels of the disability determination process. The current Appeals Council will be phased out gradually.

Social Security plans to phase in the new process on a region-by-region basis beginning with the Boston Region this summer. The Boston Region is comprised of the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

The new disability process is the result of a collaborative effort that began during a discussion Commissioner Barnhart had with President Bush early in her term. On September 25, 2003, Commissioner Barnhart presented Congress with an approach to improving the disability process. Since then, Commissioner Barnhart and Agency staff conducted hundreds of meetings with interested groups and individuals. Social Security also carefully considered nearly 900 suggestions received during a 90-day public comment period that followed publication of a proposed regulation to improve the disability process on July 27, 2005.

"The comments we received during our extensive outreach effort and in response to our proposed rule were extremely helpful and deeply appreciated," said Commissioner Barnhart. "I was very impressed with the professionalism, time and effort that the interested parties put into their suggestions. I believe we have improved the final rule as a result."

The preamble to the final rule explains the changes that were made to the proposed regulation as a result of the comments the Agency received. To ensure that discussions and improved understanding continue even after implementation of the final rule, the preamble also notes that Social Security plans to continue to meet with interested parties as the new process is rolled out.

In conjunction with the changes in the disability determination process, Social Security is conducting several demonstration projects aimed at helping people with disabilities who are interested in working. These projects support the President's New Freedom Initiative and provide for work incentives and opportunities earlier in the process. In these demonstrations, the Agency will test providing cash supports, various forms of medical benefits, and employment supports such as transportation assistance. Social Security will look at how making these available will help people with disabilities successfully work.

"From the beginning, I have been committed to developing a disability determination process that provides the level of service the American people expect and deserve," Commissioner Barnhart said. "I am confident that this rule will do just that."

NOTE TO CORRESPONDENTS: For more information on the new disability determination process, go to www.socialsecurity.gov/disability-new-approach.

The final rule is on public display at the Office of the Federal Register.

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