

**SYSTEM NUMBER: 60-0012**

**SYSTEM NAME:**

File (Folder) and Hearing Availability and Scheduling Information of Vocational Experts, Medical Experts, Other Health Care Professional and/or Non-Health Care Professional Experts (Medicare), and Verbatim Hearing Reporters, Social Security Administration, Office of Disability Adjudication and Review.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Social Security Administration (SSA), Office of Disability Adjudication and Review (ODAR) regional offices for each hearing office in their jurisdiction.

Contact the systems manager at SSA, ODAR, Division of Field Practices and Procedures, 5107 Leesburg Pike, Falls Church, VA. 22041, or access <http://www.socialsecurity.gov/foia/bluebook> for hearing office address information. Each hearing office maintains and uses hearing and availability information to facilitate the selection of expert witnesses and verbatim hearing reporters.

**CATEGORIES OF PERSONS COVERED BY THE SYSTEM:**

This system covers vocational experts, medical experts, other health care professional and/or non-health care professional experts (Medicare), and verbatim hearing reporters who have contracted with ODAR, under a blanket purchase agreement (BPA), to provide expert witness and hearing reporter services in disability and non-disability hearing cases and who are within the hearing office service area.

**CATEGORIES OF RECORDS MAINTAINED IN THE SYSTEM:**

As applicable, this system will contain personally identifiable information and contact information for all vocational experts, medical experts, other health care professional and/or non-health care professional experts (Medicare), and verbatim hearing reporters contracted under a BPA with ODAR to provide expert witness and verbatim reporter services in disability and non-disability cases, and who are within the hearing office service area. For example, the system will contain name, Social Security number (SSN), employer identification number, business address(es), and telephone numbers; e.g., business, fax, and cell phone. The system also will contain business information such as primary specialty, usage records (e.g., documentation of

occasions on which each expert and hearing reporter provided services to ODAR), BPA number, contract beginning and ending dates, renewal date, termination date, and termination reason.

Additionally, ODAR regional offices and/or hearing offices will maintain a folder for each expert and verbatim hearing reporter, which may contain a copy of the BPA, professional qualifications, travel orders, invoices, correspondence and other written records, such as reports of contact by telephone or letter.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Sections 205, 1631(d)(1), (42 U.S.C. 405 and 1383), Titles XI and XVIII of the Social Security Act, and Section 413(b) of the Federal Coal Mine Health and Safety Act (the Coal Act), as amended.

#### **PURPOSE(S):**

The File (Folder) and Hearing Availability and Scheduling Information of Vocational Experts, Medical Experts, Other Health Care Professional and/or Non-Health Care Professional Experts (Medicare), and Verbatim Hearing Reporters system of records enables us to have electronic access to information concerning vocational experts, medic experts, other health care professional and/or non-health care professional experts (Medicare), and verbatim hearing reporters contracted under a BPA with ODAR to provide expert witness and verbatim reporter services in disability and non-disability hearing cases.

We also will use the information maintained in this system of records to carry out our administrative management responsibilities. For example, we will use the information in connection with budgetary planning, service and usage assessment, contract renewals, and to develop statistical or summary reports. Additionally, we will use the information in this system to assist in collecting erroneous payments made to persons who provide services in disability and non-disability hearing cases.

#### **ROUTINE USES OF RECORDS COVERED BY THE SYSTEM OF RECORDS, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Routine use disclosures are indicated below; however, we will not disclose any information defined as “return or return information” under 26 U.S.C. 6103 of the Internal Revenue Code (IRC) unless authorized by the IRC, the Internal Revenue Service (IRS), or IRS regulations.

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record or a third party acting on the subject’s behalf.
2. To the Office of the President in response to an inquiry the Office of the President made at the request of the subject of the record or a third party acting on the subject’s behalf.

3. To the Department of Justice (DOJ), a court or other tribunal, or another party before such court or tribunal when:

(a) SSA or any of our components; or

(b) any SSA employee in his or her official capacity; or

(c) any SSA employee in his or her individual capacity when DOJ (or SSA) has agreed to represent the employee; or

(d) The United States or any agency thereof, when we determine that the litigation is likely to affect the operations of SSA or any of our components, is a party to litigation or has an interest in such litigation, and we determine that the use of such records by DOJ, a court or other tribunal, or another party before such court or tribunal is relevant and necessary to the litigation. In each case, however, we must determine that such disclosure is compatible with the purpose for which we collected the records.

4. To contractors and other Federal agencies, as necessary, to assist us in efficiently administering our programs. We will disclose information under this routine use only in situations in which we may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. To the General Services Administration and the National Archives and Records Administration (NARA) under 44 U.S.C. 2904 and 2906, as amended by the NARA Act of 1984, information that is not restricted from disclosure by Federal law for their use in conducting records management studies.

6. To student volunteers, persons working under a personal services contract, and others when they need access to information in our records in order to perform their assigned duties.

7. To the Secretary of Health and Human Services or to any State, information required in writing by the Secretary for the purpose of administering any program administered by the Secretary, if records or information of such type were so disclosed under applicable rules, regulations, and procedures in effect before the date of enactment of the Social Security Independence and Program Improvements Act of 1994.

8. To the appropriate Federal, State, and local agencies, entities, and persons when (1) We suspect or confirm a compromise of the security or confidentiality of information; (2) we determine that, as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, risk of identity theft or fraud, or risk of harm to the security or integrity of this system or other systems or programs that rely upon the compromised information; and (3) we determine that disclosing the information to such agencies, entities, and persons will assist us in our efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy any harm. We will use this routine use to respond only to those incidents involving an unintentional release of our records.

9. To the Department of Treasury for the purpose of, and to the extent necessary, to assist in collecting erroneous payments made to persons who provide services in disability and non-disability hearing cases.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

We will store records in this system in paper and electronic form.

**RETRIEVABILITY:**

We will retrieve records alphabetically by name, BPA number, and hearing office.

**SAFEGUARDS:**

We retain paper and electronic files with personal identifiers in secure storage areas accessible only to our authorized employees and contractors. We limit access to data with personal identifiers from this system to only authorized personnel who have a need for the information in the performance of their official duties. We annually provide all of our employees and contractors with appropriate security awareness and training that includes reminders about the need to protect personally identifiable information and the criminal penalties that apply to unauthorized access to, or disclosure of, personally identifiable information. *See 5 U.S.C. 552a(i)(1)*. Employees and contractors with access to databases maintaining personally identifiable information must sign a sanction document annually, acknowledging their accountability for inappropriately accessing or disclosing such information.

**RETENTION AND DISPOSAL:**

For purposes of records management dispositions authority, we follow the NARA and Department of Defense (DOD) 5015.2 regulations (DOD Design Criteria Standard for Electronic Records Management Software Applications). We will maintain records for 2 years after expiration of the contract at which time we will shred the records.

**SYSTEM MANAGER(S) AND ADDRESS(ES):**

Social Security Administration, ODAR, 5107 Leesburg Pike, Falls Church, VA 22041.

**NOTIFICATION PROCEDURES:**

Persons can determine if this system contains a record about them by writing to the system manager at the above address and providing their name, SSN, or other information in this system of records that will identify them. Persons requesting notification by mail must include a

notarized statement to us to verify their identity or they must certify in the request that they are the person they claim to be and understand that the knowing and willful request for, or acquisition of, a record pertaining to another person under false pretenses is a criminal offense.

Persons requesting notification of records in person should provide the same information, as well as provide an identity document, preferably with a photograph, such as a driver's license. Persons lacking identification documents sufficient to establish their identity must certify in writing that they are the person they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another person under false pretenses is a criminal offense.

Persons requesting notification by telephone must verify their identity by providing identifying information that parallels the information in the record about which they are requesting notification. If we determine that the identifying information the person provides by telephone is insufficient, the person will be required to submit a request in writing or in person. If a person requests information by telephone on behalf of another person, the subject person must be on the telephone with the requesting person and us in the same telephone call. We will establish the subject person's identity (his or her name, SSN, address, date of birth, and place of birth, along with one other piece of information, such as mother's maiden name) and ask for his or her consent to provide information to the requesting person. These procedures are in accordance with our regulations (20 CFR 401.40 and 401.45).

#### **RECORD ACCESS PROCEDURES:**

Same as notification procedures. Requesters also should reasonably specify the record contents they are seeking. These procedures are in accordance with our regulations (20 CFR 401.40(c)).

#### **CONTESTING RECORD PROCEDURES:**

Same as notification procedures. Requesters also should reasonably identify the record, specify the information they are contesting and the corrective action sought, and the reasons for the correction, with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with SSA Regulations (20 CFR 401.65(a)).

#### **RECORD SOURCE CATEGORIES:**

We obtain information covered by this system of records from the persons covered by the system or our officials.

#### **EXEMPTIONS CLAIMED FOR THIS SYSTEM:**

None.