

115TH CONGRESS
2D SESSION

H. R. 7276

To prohibit the Social Security Administration from reinstating the reconsideration level of appeal for disability determinations in the 10 prototype States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2018

Mr. BRENDAN F. BOYLE of Pennsylvania introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To prohibit the Social Security Administration from reinstating the reconsideration level of appeal for disability determinations in the 10 prototype States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITING SSA FROM REINSTATING THE RE-**
4 **CONSIDERATION LEVEL OF APPEAL FOR DIS-**
5 **ABILITY DETERMINATIONS IN THE 10 PROTO-**
6 **TYPE STATES.**

7 (a) IN GENERAL.—The Commissioner of Social Secu-
8 rity shall not reinstate reconsideration of an initial dis-

1 ability determination by the Disability Determination
2 Services of Alabama, Alaska, Colorado, Louisiana, Michi-
3 gan, Missouri, New Hampshire, New York, Pennsylvania,
4 or California (Los Angeles North and Los Angeles West
5 Branches).

6 (b) IMPROVING THE RECONSIDERATION LEVEL OF
7 REVIEW FOR DISABILITY DETERMINATIONS.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the
10 Commissioner of Social Security shall submit to the
11 applicable committees a detailed plan to—

12 (A) improve the reconsideration level of re-
13 view for disability determinations; and

14 (B) decrease case processing time for ini-
15 tial disability determinations and appeals.

16 (2) INPUT FROM STAKEHOLDERS AND OTHER
17 EXPERTS.—For purposes of developing the plan de-
18 scribed in paragraph (1), the Commissioner of Social
19 Security shall include information and input from—

20 (A) the Chairman of the Administrative
21 Conference of the United States;

22 (B) disability advocates and stakeholders
23 through a National Disability Forum, as well as
24 other outreach methods;

1 (C) data collected from the 1997 Disability
2 Redesign Prototype model, including the elimi-
3 nation of the reconsideration step of the admin-
4 istrative review process for disability determina-
5 tions in the 10 prototype States; and

6 (D) scholarly experts as well as peer-re-
7 viewed disability or administrative review stud-
8 ies published by academic or non-profit research
9 institutions.

10 (c) DEFINITIONS.—In this section:

11 (1) APPLICABLE COMMITTEE.—The term “ap-
12 plicable committees” means the Committee on Ways
13 and Means of the House of Representatives, the
14 Committee on Appropriations of the House of Rep-
15 resentatives, the Committee on Appropriations of the
16 Senate, and the Committee on Finance of the Sen-
17 ate.

18 (2) INITIAL DISABILITY DETERMINATION.—The
19 term “initial disability determination” means a de-
20 termination made by a State Disability Determina-
21 tion Services office in regards to whether an indi-
22 vidual is disabled for purposes of any benefits under
23 title II or XVI of the Social Security Act based on
24 such individual’s status as disabled.

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