

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.

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## 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

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## 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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