

Claimant Representatives at the Disability Determination Services Level

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Office of Audit Report Summary

Objective

Our objective was to analyze certain characteristics of claims with representatives at the disability determination services (DDS).

Background

A claimant may appoint a qualified individual to represent him/her in pursuing his/her claim. This individual, a representative, may be an attorney or a non-attorney and must not be disqualified or suspended from acting as a representative in dealings with the Social Security Administration (SSA) or prohibited by any law from acting as a representative. Attorneys must be in good standing with the court in which they were admitted to practice and non-attorneys must be of good character and capable of giving valuable help.

To ensure claimants receive competent services from their representatives and improve the efficiency of its administrative process, SSA formulated the *Rules of Conduct and Standards of Responsibility for Representatives*. For example, a representative must assist a claimant in complying, as soon as practicable, with SSA or the DDS' requests for information or evidence.

Our Findings

We found some differences between claims with a representative and claims without a representative. The degree to which representatives assist claimants can vary greatly.

Our 275 sample cases had 379 DDS-level determinations because 104 had a representative for both the initial claim and reconsideration levels.

Of the 379 determinations, in

- 84, we found no evidence the representative assisted with the claim. However, there was no indication that DDS staff ever contacted 26 of the 84 representatives. Also, 10 of the 84 representatives were paid fees.
- 154, the representative assisted with filing the claim but did not assist the DDS with claim development in the disability determination.
- 141, the representative assisted throughout the claims process.