



**LAWYERS FOR
CIVIL RIGHTS
BOSTON**

April 9, 2020

Commissioner Andre Marshall Saul
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Re: Extending Deadlines for Disability Benefits

Dear Commissioner Saul:

Lawyers for Civil Rights writes expressing concern for the failure of the Social Security Administration to adapt its procedures to the COVID-19 crisis. We urge the Administration to automatically extend deadlines for, at least, an additional 90 days to allow a reasonable time for claimants to respond as the coronavirus pandemic unfolds.

We have firsthand experience with the Administration's insistence in continuing normal operations despite the pandemic. Lawyers for Civil Rights has received urgent letters from Vocational Disability Examiners, dated February 27, 2020 to March 29, 2020, sent to the following anonymized clients that we represent:

- J.N.B. was contacted by Ms. Carney;
- J.R. was contacted by Ms. Rudolph;
- E.Y.M. was contacted by Ms. Hossain;
- N.E. was contacted by Ms. Bazarian;
- O.F.S. was contacted by Mr. Carrigg; and
- L. L. was contacted by Ms. Hardenbrook.

All these clients were warned that their claim could be denied if they did not promptly send to the Boston or Worcester medical review office the same documents that they had already provided to the local field office.

Unless immediate procedural changes are made, vulnerable claimants will receive the Administration's standard letters threatening immediate adverse action under unreasonable ten-day deadlines. The Administration's continued reliance on these demand letters while the COVID-19 epidemic unfolds suggests an alarming disregard for the challenges that low-income families are currently experiencing.

In the past, it was possible to request one or two reasonable extensions of the ten-day deadline. Now, under a more stringent policy, only one extension will be



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allowed. Without issuing an alert to the applicants or their representatives, the Administration has started denying claims where requested documentation was not provided within 20 days.

It defies common sense to send applicants routine form letters demanding the rapid submission of medical records, function reports, and work histories at a time of massive societal disruption. Many families with income low enough to be eligible for Supplemental Security Income have lost employment and are unable to buy food for their children. They are quarantining and sheltering at home under strict orders from the public health authorities. The Administration is well aware that many applicants for disability benefits suffer from mental illness and severe trauma. It is unreasonable to impose a deadline that they cannot possibly meet.

At a time when applicants are not able to confer with their representatives, and when their otherwise-occupied healthcare providers are not available to draft supportive medical opinion letters, we expect the Administration to make reasonable changes to their procedures to reflect these difficulties. A 90-day extension of the deadlines would not be disruptive and would avoid the premature closing of meritorious claims.

Thank you for your prompt attention.

Sincerely,

A handwritten signature in black ink that reads "Laura Maslow-Armand".

Laura Maslow-Armand, Esq.
Health Disparities Project Director