

## Social Security

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### Program Operations Manual System (POMS)

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TN 11 (11-12)

## DI 25501.230 Amended Alleged Onset Date

### A. Policy For Amending An Alleged Onset Date (AOD)

An amended alleged onset date is an alleged onset date (AOD) the claimant revises after the field office (FO) sends the claim to the Disability Determination Services (DDS). Based on the technical and medical requirements for the established onset date (EOD), a claimant may want to amend his or her AOD after filing. If a claimant decides to amend his or her AOD, he or she can do so by contacting us via letter, telephone, visiting a field office, or by providing testimony at a hearing. The amended AOD may be earlier or later than the original AOD.

We will allow the claimant to amend his or her AOD any time up to the date of the DDS determination. If a claimant asks about amending his or her AOD, we will explain the criteria and implications of our onset policy to the claimant. However, under no circumstances will we persuade or require the claimant to amend his or her AOD. If the claimant amends his or her AOD, the amended AOD is the starting point for medical development.

**EXAMPLE:** Michael filed a disability insurance benefit (DIB) claim. He alleged disability due to complications from an automobile accident. He alleged an onset date of 04/10/2010, the date he last worked. DDS contacted the claimant and learned the claimant was involved in the automobile accident on 07/15/2010. The claimant reported he had no limitations prior to the automobile accident. The disability examiner spoke to the claimant about the medical criteria necessary to establish an onset date. Michael reported he was not aware of the medical criteria needed to establish an onset date when he initially applied for DIB benefits and wanted to change his AOD to 07/15/2010, the date of the automobile accident. The claimant's amended AOD is 07/15/2010.

### B. Component Roles For Amending An AOD

The field office (FO) and Disability Determination Services (DDS) have the following responsibilities when amending and AOD.

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## **1. Field office (FO) roles regarding amending an AOD**

The FO:

- discusses the claimant's AOD, the criteria, and implications of our Established Onset Date (EOD) policy with the claimant or the claimant's representative, and helps the claimant make an informed decision about onset; as well as
- notifies the DDS of the claimant's amended AOD.

## **2. Disability Determination Services (DDS) roles regarding amending an AOD**

The DDS:

- discusses the claimant's AOD, the criteria, and implications of our EOD policy with the claimant or the claimant's representative, and helps the claimant make an informed decision about onset; as well as
- notifies the FO of the claimant's amended AOD.

## **C. Component Instructions For Amending An AOD**

The FO and DDS take the following actions when a claimant or a claimant's representative amends an AOD.

### **1. Field office (FO) instructions for amending the an AOD**

#### **a. When the claimant or the claimant's representative contacts the FO by telephone or in person about amending the AOD:**

1. Discuss the claimant's AOD and the criteria and implications of our onset policy with the claimant or his or her representative. Help the claimant or his or her representative make an informed decision concerning the AOD by providing guidance concerning onset policy found in DI 25501.200 through DI 25501.470.

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2. Prepare a report of contact documenting your conversation with the claimant or his or her representative on an SSA-5002 (Report of Contact) or similar form, or the Report of Contact (RPOC) screen in the Modernized Claim System (MCS), or the DROC screen in the Modernized Supplemental Security Income Claims System (MSSICS).

The report of contact must include:

- the claimant's original AOD,
  - the claimant's amended AOD,
  - an explanation of the factors that led to a change in the AOD, and
  - a summary of the conversation including the technical and medical factors discussed.
3. Establish a new potential onset date (POD), if appropriate, and explain the amended AOD or new POD.
  4. Alert DDS of the amended AOD or new POD. If the claim is in the Electronic Disability Collect System (EDCS), alert the DDS or the Office or Disability Adjudication and Review (ODAR) of the amended AOD via Updates after Transfer (UAT). If the claim is not in EDCS, forward the documentation to DDS or ODAR for filing in the Modular Disability Folder (MDF).
  5. Record all appropriate findings about the claimant's work using Form SSA-821-BK (Work Activity Report – Employee) and Form SSA-823 (Report of SGA Determination-For SSA Use Only) in accordance with DI 10505.035. Record all appropriate findings about the claimant's self-employment using Form SSA-820 (Work Activity Report: Self-Employed Person) and Form SSA-823 (Report of SGA Determination-For SSA Use Only) in accordance with DI 10505.025.

**b. When the claimant or the claimant's representative contacts the FO in writing**

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When the claimant or the claimant's representative contacts the FO in writing about amending the AOD, take the following actions.

1. Document that you received the letter on an SSA-5002 (Report of Contact) or similar form, or the RPOC screen in MCS or the DROC screen in MSSICS.
2. If the claimant or his or her representative provides insufficient information to make an informed decision about an amended AOD, contact the claimant or his or her representative by telephone and follow the procedures outlined in DI 25501.230C.1.a. through DI 25501.230C.1.c.
3. If the amended AOD is after SGA ceased, document your findings on an SSA-5002.
4. If there is any work after the amended AOD, prepare an SSA-820 (Work Activity Report Self-Employed Person) or SSA-821 (Work Activity Report-Employee). If there is any work after the amended AOD, also prepare an SSA 823 (Report of SGA Determination) in accordance with DI 10505.025.
5. Alert DDS of the amended AOD or new POD. If the claim is in EDCS, alert the DDS or ODAR of the amended AOD via UAT. If the claim is not in EDCS, forward the documentation to DDS or ODAR for filing in the MDF.

**c. When the DDS reports to the FO that the claimant amended his or her AOD**

When the DDS reports to the FO that a claimant amended his or her AOD, the FO will evaluate the amended AOD, prepare an SSA-820 (Work Activity Report Self-Employed Person) or SSA-821 (Work Activity Report-Employee). If there is any work after the amended AOD, also prepare an SSA-823 (Report of SGA Determination). For DIB claims, the FO must verify the claimant has insured status at the amended AOD. The DDS should not establish an EOD prior to the FO recommended POD without contacting the FO to verify the claimant meets the non-medical factors of disability. The FO will fax the work activity report(s) into the CEF.

**2. Disability Determination Services (DDS) Instructions for amending an AOD**

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**a. When the claimant or the claimant's representative contacts the DDS by telephone about amending the AOD**

1. Discuss the claimant's AOD and the criteria and implications of our onset policy with the claimant or his or her representative and help the claimant or his or her representative make an informed decision concerning onset.
2. Document your conversation with the claimant or his or her representative on an SSA-5002 or similar form.

The report of contact must include:

- the claimant's original AOD,
  - the claimant's amended AOD,
  - an explanation of the factors that led to a change in the AOD, and
  - a summary of the conversation including the technical and medical factors discussed.
3. Alert the FO of the claimant's amended AOD in the electronic folder using an assistance request (AR). For more information about ARs, see DI 81010.100B. Telephone the FO if the claim is not fully electronic.

**NOTE:** If the claimant or his or her representative requests an onset date earlier than the FO's POD, request the FO perform an eligibility determination and a substantial gainful activity (SGA) determination back to the claimant's amended AOD before establishing the EOD.

4. Develop medical evidence necessary to establish onset as of the claimant's amended AOD.

**b. When the claimant or the claimant's representative contacts the DDS in writing**

When the claimant or the claimant's representative contacts the DDS in writing about amending the AOD, take the following actions.

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1. Document that you received the letter on an SSA-5002 (Report of Contact) or similar form.
2. If the claimant or his or her representative provides insufficient information to make an informed decision about an amended AOD, attempt to contact the claimant or his or her representative, if appropriate, by telephone to obtain clarification. If you cannot reach the claimant or representative by telephone, send a follow-up letter requesting the claimant or representative contact the DDS. If the claimant or his or her representative does not respond, use the original AOD. Document your conversation with the claimant or his or her representative on an SSA-5002 or similar form. The report of contact must include:

- the claimant's original AOD,
- the claimant's amended AOD,
- an explanation of the underlying technical and medical factors that led to a change in the AOD, and
- technical and medical factors that we must consider.

3. Alert the FO via an AR of the claimant's amended AOD in the CEF.

**NOTE:** If the claimant or claimant's representative requests an onset date earlier than the FO's POD, request the FO perform an entitlement or eligibility determination and an SGA determination back to the claimant's amended AOD before establishing the EOD.

4. Develop medical evidence necessary to establish an EOD as of the claimant's amended AOD.

**NOTE:** If someone other than the claimant or his or her representative requests an amended AOD, refer to GN 00204.003 to determine if the applicant has the right to act on behalf of the claimant.

To Link to this section - Use this URL:

<http://policy.ssa.gov/poms.nsf/lnx/0425501230>

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