

Social Security

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BASIC (07-08)

DI 11020.050 Field Office (FO) Authorization of Childhood Disability Benefits (CDB) Involving Substantial Gainful Activity (SGA), and Technical Denials

The following types of CDB claims do not require a disability determination. They are adjudicated in the FO. Route non-Electronic Disability Collect System (EDCS) paper folders to the Processing Center (PC) or, if benefits are denied, retain them in the FO per DI 11010.370 Field Offices (FO) Retaining and Shipping Paper Modular Disability Folders (MDF). The FO notifies the claimant of the denial.

References:

DI 81020.075 Field Office (FO) Determinations

NL 00603.001 General Notice Policy - Title II and Title XVI

Such CDB denials include cases where:

- A nonmedical factor of entitlement is not met (e.g., relationship or dependency);
- There is an allegation of traumatic onset of disability after attainment of age 22, or an allegation of nontraumatic onset after age 23, and no prior entitlement to CDB (Prepare and release the appropriate denial notice with an explanation that no benefits can be paid because the alleged onset is after age 22, see NL 00601.020 "Disallowance Notices." Include paragraph 301(A) per NL 00708.100 "Numbered Paragraphs");
- An applicant has never been entitled to CDB and the onset date cannot be established prior to age 22 because SGA was performed after age 22. (When processing an SGA denial through EDCS, see DI 81010.020 and DI 81010.140D. For the appropriate SSA-831-U3 entries, see DI 11010.205 "Completing the SSA-831");

- A prior determination has been made (on or after January 6, 1986) that the claimant was not disabled prior to age 22, there is no potential for reopening (e.g., no new and material evidence is submitted), and the 1972 amendments do not apply. If a court's decision affirms a decision by an Administrative Law Judge or the Appeals Council, that was made before January 6, 1986, but the court's decision was made after January 6, 1986, see the fifth bullet in DI 11020.070, "Subsequent CDB Claims to be Sent to the DDS";
- The current claimant was previously medically denied after age 22 (i.e., for DIB or CDB), there is no potential for reopening, there are no changes in the disability evaluation criteria resulting from the Social Security Disability Benefits Reform Act of 1984 (P.L. 98-460), and no changes to the Listing of Impairments (see DI 27516.010 "Guides for Determining Applicability of Res Judicata");
- There is an allegation that the claimant is again under a disability that began after the 84th month since the last (non-SGA) termination of CDB and the parent is receiving Disability Insurance Benefits (DIB), Retirement Insurance Benefits (RIB), or is deceased (prepare and release model letter "V" per NL 00705.065 "Model Letter "V" — CDB Reentitlement — Alleged Onset Date After End Of 7 Years After Prior Cessation");
- A CDB claim is filed on the record of a grandparent and the parent was alive or previously found not to be disabled in or after the month the grandparent-child relationship must be established; or
- A claimant filing on the record of a Medicare Qualified Government Employee (MQGE) is age 63 or over and did not have a prior period of disability which ended (non-SGA) within 84 months before the current disability began.

To Link to this section - Use this URL:

<http://policy.ssa.gov/poms.nsf/lnx/0411020050>

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