

Index

ABILITY TO REPRESENT CLAIMANTS

Attorney and Non-Attorney Representation (this index)

ABILITY TO WORK

Disability (this index)

ABROAD

Generally, see index headings beginning:
“**Foreign**”

ABSENCE

Supplemental Security Income (this index)

Survivor’s Benefits (this index)

Time limitation, absence of earnings entry after expiration of, **12:33 to 12:38**

ABSOLUTE COVERAGE GROUPS

State and local government employees, **4:56; 4:57**

ACCELERATED PAYMENTS

Generally, **31:32 to 31:44**

Critical cases, **31:41 to 31:44**

Expedited payment, **31:32 to 31:35**

Preliminary certification of payment, **31:36 to 31:40**

ACCEPTANCE OF INCORRECT BENEFITS

Supplemental security income, waiver of overpayments, **35:153**

Waiver of overpayment, **33:72 to 33:74; 35:153**

ACCEPTANCE OR REJECTION

Cardiovascular system impairments, rejection of adult’s claim for impairments, **42:32; 42:33**

Incorrect benefits. **Acceptance of Incorrect Benefits** (this index)

Medicare Advantage (MA) Program (this index)

ACCESS TO RECORDS

Freedom of Information Act (this index)

Privacy Act (this index)

ACCOUNTANTS

Covered employment, accountants as individuals qualifying as common law employees, **5:4**

ACCOUNTS AND ACCOUNTING

Covered employment, accountants as individuals qualifying as common law employees, **5:4**

FICA Taxes (this index)

ACCOUNTS AND ACCOUNTING—Cont’d

Fiscal Year (this index)

Payment and Payment Procedures (this index)

Self-employment, accounting year in which agricultural income taxed, **10:35**

Supplemental Security Income (this index)

Taxes (this index)

ACKNOWLEDGMENT

Child’s benefits, **16:27 to 16:29**

Judicial review, acknowledgment of mailed process, **56:13**

ACQUIESCENCE

Generally as to approval or consent. **Consent or Approval** (this index)

Construction and interpretation, social security acquiescence rulings, **1:18**

Nonacquiescence (this index)

Rulings, Social Security Administration (SSA), **1:18**

ACTORS

Covered employment, actors as individuals qualifying as common law employees, **5:17**

Wages, **7:52**

ACTUARIAL CONSIDERATIONS

Reduction, Deduction, or Offset of Benefits (this index)

ADDICTION

Substance Abuse or Addiction (this index)

ADDITIONAL INFORMATION

Post-retirement earnings, **28:61**

ADDRESS CHANGE

Effect of, **35:58**

Payment and payment procedures, **31:2; 31:3; 35:57; 35:58**

Supplemental security income, change of recipient’s address, **35:57; 35:58**

ADJUSTABLE OVERPAYMENTS

Foreign employment, foreign affiliate employee coverage agreement, **3:19**

ADJUSTABLE UNDERPAYMENTS

Foreign employment, foreign affiliate employee coverage agreement, **3:18**

ADJUSTMENTS

Computation of benefits, family maximum, **25:17 to 25:22**
 Contract payments. **Foreign State or Country** (this index)
 Earnings, substantial gainful activity, **40:11 to 40:20**
 Federal taxation of benefits, **34:42 to 34:44**
 Maximum family benefits, computation of benefits, **25:17 to 25:22**
 Overpayments, generally, **33:26 to 33:28**
 Reduction period. **Reduction, Deduction, or Offset of Benefits** (this index)
Technical Adjustments (this index)

AD LITEM GUARDIAN

Guardian Ad Litem (this index)

ADMINISTRATION OF PROGRAMS

Generally, **1:31**
 Trust funds, **1:32**

ADMINISTRATIVE LAW JUDGES

ALJ complaint procedure, **52:31 to 52:34**
 ALJ duties, Unrepresented claimant's right to fair hearing, **52:119 to 52:126**
 Appeals Council review process, ALJ complaint procedure, **52:32**
 Assignment to cases, **52:25; 52:26; 53:60**
 Authority, **58:40; 58:41**
 Case assignment to judges, **52:25**
Civil Monetary Penalties (this index)
 Civil rights investigation process, ALJ complaint procedure, **52:34**
 Complaint procedure
 generally, **52:31**
 Appeals Council review process, **52:32**
 civil rights investigation process, **52:34**
 Division of Quality Service, **52:33**
 Decisions
 generally, **53:1 et seq.**
 boilerplate, avoidance of, **53:14**
 comprehensive and analytical findings, **53:11**
 decision following Appeals Council remand, **53:5**
 disciplinary proceedings against representative, decision on charges, **46:28**
 finality, **53:2**
 form and content, **53:10 to 53:14**
 hearing judge unavailable to issue decision, **53:4**

ADMINISTRATIVE LAW JUDGES—Cont'd

Decisions—Cont'd
 language and style, **53:13; 53:14**
 nondisability issue, claim denied on, **53:3**
 notice, form and content, **53:12**
 on the record decisions, **52:16 to 52:19**
 recommended decision, **53:7**
 time for issuing decision, **53:8**
 Disciplinary proceedings against representative, decision on charges, **46:28**
Discovery (this index)
 Disqualification, **52:27**
 Division of Quality Service, ALJ complaint procedure, **52:33**
 Duty to fully and fairly develop record, **52:23; 52:24**
 Examination of witnesses. **Witnesses** (this index)
 Fairly develop record, **52:23**
 effect of representation, **52:24**
 Finality of determinations, **54:54**
 Hearings, generally, **52:22 to 52:34**
 Introductions and opening statement, **52:57**
 Medicare Part D, plan enrollee's right to ALJ review, **66:31**
 Notice and knowledge
 decisions, form and content, **53:12**
 disqualification, **52:29**
 hearings before. **Hearings** (this index)
 Remand to, **53:59; 53:60**
 Request that ALJ withdraw, **52:28**
 Res judicata, waiver, **54:76; 54:77**
 Roles and responsibilities, **52:22 to 52:34**
 Roles and responsibilities, **52:22; 58:40; 58:41**
 Special situations, assignment to cases, **52:26**
 Unrepresented claimant's right to fair hearing, factors relating to SSA and Administrative Law Judges, **52:118 to 52:126**
 Unrepresented claimant's right to fair hearing, Generally, **52:118 to 52:126**
 Waiver of objection to ALJ, time for raising objection, **52:30**
Witnesses (this index)

ADMINISTRATIVE PROCEDURE ACT

Review of Social Security Administration actions under, **58:12**

ADMINISTRATIVE PROCEEDINGS

Appeals Council Review
 generally, **53:15 to 53:25**
 appearance, **53:46**
 checklist, ALJ errors, **53:17**
 denial of request, **53:38; 53:39**

ADMINISTRATIVE PROCEEDINGS—Cont'd

Appeals Council Review—Cont'd
 deposition of review, generally, **53:53 to 53:56**
 dismissal of request, **53:35 to 53:37**
 due process issues, evidence considered, **53:50**
 evidence, generally, **53:41; 53:42; 53:48 to 53:51**
 extension for good cause, time for filing, **53:28**
 filing request for review, generally, **53:26; 53:28**
 finality of decision, **53:56**
 form brief, procedure for conducting review, **53:45**
 form request, **53:30 to 53:33; 53:36; 53:42; 53:44; 53:47**
 hearing before Appeals Council, **53:24**
 how to fill in Form HA-520-UA, form request for review, **53:31**
 letter request for review, **53:32; 53:33**
 notice of decision to review, **53:40**
 notice requirement, review on own motion, **53:22**
 oral argument, procedure for conducting review, **53:46; 53:47**
 panel conducting review, **53:52**
 place or location, where to file request for review, **53:34**
 procedure for conducting review, generally, **53:40 to 53:52**
 procedures to test elimination of the request for Appeals Council review, **53:25**
 receipt of additional evidence after denial of request, **53:39**
 remand to ALJ, deposition of review, **53:54; 53:55**
 requesting review, generally, **53:26 to 53:39**
 review on own motion, **53:21 to 53:23**
 scope of review, **53:18**
 standard of review, **53:19; 53:20**
 substantial evidence, **53:20**
 time for filing request for review, **53:27; 53:28**
 time limit, review on own motion, **53:23**

Attorney and Non-Attorney Representation (this index)

Attorneys' and Representatives' Fees (this index)

Civil Monetary Penalties (this index)

Decision and review, court remand, generally, **53:57 to 53:64**

Discovery (this index)

Exhaustion of remedies as prerequisite to judicial review. **Finality** (this index)

Hearing procedures. **Hearings** (this index)

Initial determinations
 generally, **50:15 et seq.**

ADMINISTRATIVE PROCEEDINGS—Cont'd

Initial determinations—Cont'd
 effect of, **50:16**
 notice of initial determinations, below
 Title II administrative actions, **50:17; 50:18**
 Title XVI administrative actions, **50:19; 50:20**

Judges. **Administrative Law Judges** (this index)

Judicial Review (this index)

Medicare (this index)

Notice of initial determinations
 generally, **50:21 to 50:23**
 content, **50:22**
 foreign language notices, **50:23**

Payment and payment procedures, interim payments in administrative delay cases, **31:6**

Reconsideration (this index)

Remand
 ALJ, remand to, **53:59; 53:60**
 assignment of ALJ, remand to ALJ, **53:60**
 assumption of jurisdiction by Appeals Court, **53:63**
 decision and review, generally, **53:57 to 53:64**
 filing exceptions to ALJ decision, **53:61**
 final decision after remand, **53:64**
 issues considered after remand, **53:58**
 rejection of exceptions, **53:62**

Reopening and Revising Determinations (this index)

Representation. **Attorney and Non-Attorney Representation** (this index)

Res Judicata (this index)

Revised determinations. **Reopening and Revising Determinations** (this index)

Title II administrative actions, **50:17; 50:18**
 Title XVI administrative actions, **50:19; 50:20**

ADMINISTRATIVE PROCESS
 Disability, process when claimant fails or refuses to undergo consultative examinations, **37:63**

ADMINISTRATIVE REGULATIONS
Rules and Regulations (this index)

ADMIRALTY
Seamen (this index)

ADOLESCENTS
Children and Minors (this index)

ADOPTED CHILDREN
Child's Benefits (this index)

**ADOPTION ASSISTANCE PROGRAM
PAYMENTS**

Fringe benefits and other compensation, **9:73**

ADULT IMPAIRMENTS

Cardiovascular system, **42:27 to 42:42**
 Digestive system impairments, **42:53 to 42:60**
 Endocrine system impairments, **42:66 to 42:68**
 Genitourinary impairments, **42:71 to 42:73**
 Hematological disorders, **42:76 to 42:81**
 Malignant neoplastic diseases, **42:191 to 42:198**
 Mental disorders, **42:117 to 42:143**
 Musculoskeletal system, **42:166 to 42:189**
 Neurological impairments, **42:203 to 42:221**
 Skin disorders, **42:250 to 42:257**
 Special senses and speech impairments, **42:259 to 42:267**

**ADVANCED AGE, INDIVIDUALS OF
Disability (this index)**

ADVANCES AND ADVANCEMENTS

Supplemental Security Income (this index)
 Wages, **7:46; 7:67**

ADVICE AND ADVISORS

Medical sources, disagreement among concerning treatment, **38:15**

ADVISORY COMMITTEES

Disability, member or consultant of advisory committee established under Federal Advisory Committee (FACA), **40:30**

AFFIDAVITS AND STATEMENTS

Age, proof of
 generally, **21:23**
 nonparent, affidavit by to prove birth and age of child, **21:25**
 parent's, affidavit by parent to prove birth and age of child, **21:24**
 physician's, affidavit by attending physician to prove birth and age of child, **21:26**
 statement regarding nature and source of knowledge of claimant's age, **21:27**
 Attorneys' fees, petition under Social Security Act, **49:60**
 Correction of records, statement of disagreement, **48:68**
 Discovery, affidavits and depositions, **52:42**
 FICA taxes, reporting tips to employer, **69:34; 69:35; 69:38**
 Marital status, proof of
 statement of facts showing valid common law marriage, **21:69**

AFFIDAVITS AND STATEMENTS—Cont'd

Marital status, proof of—Cont'd
 statement of Marital Relationship [Form SSA-754], **21:67**
 statement Regarding Marriage [Form SSA-753], **21:68**
 valid written contract, statement to prove nonceremonial marriage by, **21:70**
 Motion to dismiss, form of affidavit in opposition to, **55:19**

AGE

Age 72 Benefits (this index)
 Applying for benefits, effect of age of claimant, **30:51**
Children and Minors (this index)
Disability (this index)
 Effect on benefit computation. **Age of Beneficiary, Effect on Benefit Computation** (this index)
 Listing of impairments, age as factor for child claimant, meeting or equaling listed impairment, **42:16**
Medicare (this index)
 Mother's and father's benefits, proof of age, **17:28**
Old Age (this index)
 Post-retirement earnings, age of claimants, **28:5 to 28:7**
 Proof of age. **Age, Proof of** (this index)
Retirement and Retirement Benefits (this index)
 Self-employment after age 70, deduction overpayments, **33:104**
Supplemental Security Income (this index)

AGE, PROOF OF

Generally, **21:1 et seq.**
 Affidavits and statements
 generally, **21:23**
 nonparent, affidavit by to prove birth and age of child, **21:25**
 parent's, affidavit by parent to prove birth and age of child, **21:24**
 physician's, affidavit by attending physician to prove birth and age of child, **21:26**
 statement regarding nature and source of knowledge of claimant's age, **21:27**
 Appearance of claimant as evidence of age, **21:29**
 Attainment of particular age, **21:2**
 Automatically convincing evidence, **21:13**
 Beneficiary, age of. **Age of Beneficiary, Effect On Benefit Computation** (this index)
 Birth certificates
 generally, **21:5**
 corrected birth certificates, **21:6**

INDEX

AGE, PROOF OF—Cont'd

- Birth certificates—Cont'd
 - delayed birth certificates, **21:21**
- Census records
 - federal census records, below
 - state census records, **21:20**
- Claimants age 73 or older, **21:36**
- Evidence of age
 - generally, **21:4 et seq.**
 - affidavits and statements, **21:23 to 21:27**
 - appearance of claimant as evidence of age, **21:29**
 - automatically convincing evidence, **21:13**
 - birth certificates, **21:5; 21:6**
 - corrected birth certificates, **21:6**
 - delayed birth certificates, **21:21**
 - family bible or other family record, **21:14**
 - federal census records, **21:16 to 21:19**
 - hospital birth records, **21:7**
 - immigration and naturalization records, **21:22**
 - Indian census rolls, **21:10**
 - newspaper records, **21:28**
 - notification of birth registration, **21:8**
 - preferred evidence, **21:4 to 21:11**
 - public records of birth, **21:5 to 21:10**
 - registration of births of United States citizens born abroad, **21:9**
 - religious records of age, **21:11**
 - school records, **21:15**
 - state census records, **21:20**
- Family bible or other family record, **21:14**
- Federal census records
 - generally, **21:16**
 - illustrative cases, **21:18**
 - obtaining federal census records, **21:19**
 - particular census record, use of, **21:17**
- Foreign-born claimants, **21:37; 21:38**
- Holocaust survivors, **21:39; 21:40**
- Hospital birth records, **21:7**
- Immigration and naturalization records, **21:22**
- Indian census rolls, **21:10**
- Medicare** (this index)
- Mother's and father's benefits, for, **17:28**
- Newspaper records, **21:28**
- Nonparent, affidavit by to prove birth and age of child, **21:25**
- Notification of birth registration, **21:8**
- Parent's affidavit to prove birth and age of child, **21:24**
- Physician, affidavit by attending physician to prove birth and age of child, **21:26**

AGE, PROOF OF—Cont'd

- Preferred evidence
 - generally, **21:4**
 - birth certificates, **21:5; 21:6**
 - corrected birth certificates, **21:6**
 - hospital birth records, **21:7**
 - Indian census rolls, **21:10**
 - notification of birth registration, **21:8**
 - proof of age in absence of preferred evidence, **21:31**
 - proof of age when preferred evidence is available, **21:30**
 - public records of birth, **21:5 to 21:10**
 - registration of births of United States citizens born abroad, **21:9**
 - religious records of age, **21:11**
 - Probative value of evidence, determination of disregarding of material discrepancies in evidence, **21:35**
 - material discrepancies in evidence, **21:32 to 21:35**
 - proof of age in absence of preferred evidence, **21:31**
 - proof of age when preferred evidence is available, **21:30**
 - resolution of material discrepancies in evidence, **21:33; 21:34**
 - Public records of birth, **21:5 to 21:10**
 - Registration of births of United States citizens born abroad, **21:9**
 - Religious records of age, **21:11**
 - School records, **21:15**
 - State census records, **21:20**
 - Statement regarding nature and source of knowledge of claimant's age, **21:27**
 - When evidence of age required, **21:1**
- ### AGE 72 BENEFITS
- Generally, **14:8 to 14:21; 14:8 to 14:21**
 - Amount and payment, **14:11 to 14:18**
 - Amount and payment of benefits
 - generally, **14:11 to 14:18**
 - marital status, determination of, **14:18**
 - monthly insurance benefits, treatment of age 72 benefits as, **14:17**
 - periodic governmental pension benefits, **14:12 to 14:14**
 - reduction because of periodic governmental pension benefits, **14:12 to 14:14**
 - suspension because of public assistance payments, **14:15**
 - suspension because of residence outside U.S., **14:16**

AGE 72 BENEFITS—Cont'd

- Duration, **14:19**
- Duration of benefits, **14:19**
- Entitlement to benefits
 - generally, **14:8 to 14:10**
 - residency in U.S. requirement
 - generally, **14:9; 14:10**
 - five-year continuous residency requirement, **14:10**
- Marital status, determination of, **14:18**
- Monthly insurance benefits, treatment of age 72 benefits as, **14:17**
- Payment of benefits. Amount and payment of benefits, above
- Periodic governmental pension benefits, **14:12 to 14:14**
- Public assistance payments, suspension because of, **14:15**
- Reduction because of periodic governmental pension benefits, **14:12 to 14:14**
- Residency
 - entitlement to benefits, above
 - suspension because of residence outside U.S., **14:16**
- Suspension of benefits
 - public assistance payments, suspension because of, **14:15**
 - residence outside U.S., suspension because of, **14:16**
- Transitionally insured claimants
 - generally, **14:20; 14:21**
 - surviving spouse of transitionally insured worker, benefits awarded to, **14:21**
- Transitionally Insured Claimants, **14:20**
- Transitionally Insured Claimants, insured worker, **14:21**

AGENCIES

States (this index)

AGENCY

- Compensation paid to agent-drivers, **7:49**
- Covered Employment** (this index)
- Employer** (this index)
- FICA Taxes** (this index)
- Self-Employment** (this index)

AGE OF BENEFICIARY, EFFECT ON BENEFIT COMPUTATION

- Generally, **27:1 to 27:41**
- Amount of delayed retirement credit, **27:29 to 27:32**

AGE OF BENEFICIARY, EFFECT ON BENEFIT COMPUTATION—Cont'd

- Delayed retirement credit
 - generally, **27:29 to 27:41**
 - amount of credit, factors determining, **27:29 to 27:32**
 - applicable percentage, determining amount of credit, **27:31**
 - dependents' benefits, effect of delayed retirement credit on, **27:39**
 - effect of delayed retirement credit on other benefits, **27:37 to 27:41**
 - family maximum, effect of increased widow's, widower's and surviving divorced spouse's benefits on, **27:41**
 - increment month, determining amount of credit, **27:32**
 - percentage credit for individuals who attained age 62
 - after 1986, **27:36**
 - after 1979 but before 1987, **27:35**
 - before 1979, **27:34**
 - simultaneous entitlement rule, effect of delayed retirement credit, **27:37**
 - special minimum, effect of delayed retirement credit where benefits based on, **27:38**
 - time when determination of credits is made, **27:33**
 - widows, widowers, and surviving divorced spouses, effect of delayed retirement credit, **27:40; 27:41**
- Dependents' benefits, effect of delayed retirement credit on, **27:39**
- Family maximum, effect of increased widow's, widower's, and surviving divorced spouse's benefits on family maximum, **27:41**
- Increase in benefits for persons postponing retirement until after age 65. Delayed retirement credit, above
- Increment month, delayed retirement credit earned for, **27:32**
- Percentage credit for individuals who attained age 62. Delayed retirement credit, above
- Simultaneous entitlement rule, effect of delayed retirement credit on, **27:37**
- Special minimum as basis for benefit, effect of delayed retirement credit on, **27:38**
- Time determination of delayed retirement credit is made, **27:33**
- Widows, widowers, and surviving divorce spouses, effect of delayed retirement credit on, **27:40; 27:41**

INDEX

AGREEMENTS

Contracts and Agreements (this index)

AGRICULTURE

Cash remuneration, **8:1 to 8:3**

Child's benefits, evidence of support, **16:79**

Covered employment

agricultural commodities buyers as individuals
qualifying as common law employees, **5:42**

dairy or agricultural workers as individuals
qualifying as common law employees, **5:5**

foreign agricultural workers, **2:22**

share-farming agreements, **2:27**

Ditches, canals, reservoirs, or waterways, services
performed in connection with operation or
maintenance of, **8:17**

Domestic service on farm operated for profit, pay-
ment for, **8:6; 8:20**

Employer's periodic deposits, FICA, **70:10**

Farm crew leaders, self-employment status, **10:9**

Farm landlord, disability, substantial gainful activ-
ity, **40:37**

FICA Taxes (this index)

Fringe benefits, FICA tax payments, agricultural
employees, **9:76**

Insured status, **13:29; 13:30**

Noncash payment, **8:4; 8:5**

Post-retirement earnings, **28:20; 28:24**

Self-Employment (this index)

Share arrangements, covered employment, **2:27**

Social security numbers, Federal Crop Insurance
Act, **12:14**

Timber, salvaging of, **8:13**

Unmanufactured state, services performed in con-
nection with processing of agricultural or
horticultural commodity in, **8:18**

Wages

generally, **8:1 et seq.**

cash remuneration, **8:1 to 8:3**

constructive payment, **7:72**

cultivating or harvesting, generally, **8:11 to 8:16**
ditches, canals, reservoirs, or waterways, services
performed in connection with operation or
maintenance of, **8:17**

domestic service on farm operated for profit, pay-
ment for, **8:6; 8:20**

noncash payment, **8:4; 8:5**

timber, salvaging of, **8:13; 8:14**

unmanufactured state, services performed in con-
nection with processing of agricultural or
horticultural commodity in, **8:18; 8:19**

AIDS

HIV Infection (AIDS) (this index)

AIRCRAFT AND AIR CARRIERS

American aircraft, covered employment, **2:3**

Covered employment, **6:28**

Employer status, **6:28**

ALCOHOLISM

Substance Abuse and Addiction (this index)

ALIENS

Covered Employment (this index)

Deportation (this index)

Federal taxation of benefits, nonresident aliens'
gross income, **34:40**

Immigration and Naturalization (this index)

Medicare, limitations on coverage of alien absent
from United States, **64:4**

Self-employment tax, nonresidents, **71:23**

Social security numbers, evidence of alien status,
12:10

Supplemental Security Income (this index)

Suspension of Benefits (this index)

ALIMONY

Anti-assignment provision exceptions, **34:18 to**
34:31

Receipt of benefits, effect of, **34:58 to 34:60**

Supplemental security income, **35:177**

ALLOCATIONS

Earnings records, **12:59**

FICA Taxes (this index)

Post-retirement earnings, **28:30; 28:31**

ALLOWANCE

Travel expenses exceeding travel allowance, **9:8**

ALL WRITS ACT

Review, as basis for review of SSA actions, **58:21**

ALTERATION

Generally, see **Amendment**

ALTERNATIVE LOOKBACK RULE

State and local government employees, coverage,
4:30 to 4:32

AMBIGUITIES

Construction of statutes, **1:16**

AMBULANCE SERVICE

Medicare (this index)

AMBULATORY FUNCTION

Musculoskeletal system, **42:176**

AMBULATORY SURGICAL SERVICES

Medicare, **64:102; 64:103**

AMENDMENT

Correction of Records (this index)
Medicare (this index)
 Pleadings, judicial review, **56:28**
Post-Judgment Remedies (this index)
 Social Security Act, **1:25**

AMERICAN AIRCRAFT

Foreign state or country, covered employment, **2:3**

AMERICAN SAMOA

FICA taxes on government employees' services in American Samoa, **70:33**
 State and local government employees, coverage, **4:6**

AMOUNT

Age 72 Benefits (this index)
Attorneys' and Representatives' Fees (this index)
 Child's benefits, **16:8**
Civil Monetary Penalties (this index)
Computation Of Benefits (this index)
 Delayed retirement credit, factors determining amount, **27:29 to 27:32**
Disability (this index)
Medicare (this index)
Overpayments (this index)
Post-Retirement Earnings (this index)
Primary Insurance Amount (this index)
Reduction, Deduction, or Offset of Benefits (this index)
Retirement and Retirement Benefits (this index)
Spouse's Benefits (this index)
Supplemental Security Income (this index)
Survivor's Benefits (this index)
 World War II veterans, benefits, **14:55**

AMOUNT IN CONTROVERSY

Medicare (this index)

AMPUTATIONS

Musculoskeletal system, **42:182**

AMYOTROPHIC LATERAL SCLEROSIS (ALS)

Neurological impairments, **42:216**

ANEMIA

Listing of impairments, anemia, hematological disorders, **42:77**

ANGINA

Ischemic heart disease in adults, **42:31**

ANNUAL LIMITS

Post-retirement earnings, **28:4 to 28:6**
 Wages, **7:79 to 7:82**

ANNUITIES

Fringe benefits and other compensation, retirement and deferred compensation payments, **9:42**
 Reduction or setoff as to benefits payable in, **26:52**
 Retirement and deferred compensation payments, annuity plans, **9:42**
Supplemental Security Income (this index)

ANSWER

Generally, **56:25 to 56:27**
 Judicial review, good cause for remand before SSA's answer is filed, **55:78**
 Motion to dismiss, **56:27**
 Timely answer by SSA, **56:25**
 Transcript of record, filing by SSA, **56:26**

ANTI-ASSIGNMENT PROVISION

Assignment or Attachment of Benefits (this index)

ANTICIPATED SERVICES

Attorneys' fees, services compensable under EAJA, **49:123**

ANXIETY DISORDERS

Generally, **42:134; 42:155**

APPEAL AND REVIEW

Generally, **50:1 et seq.**
 Generally as to court review. **Judicial Review** (this index)
Appeals Council RF (this index)
 Applications
 circuit court, appeal to, **57:17**
 claim applying for benefits, reviewability of decision made on, generally, **30:43**
 notice requirement, blind SSI applicants and recipients, **50:8**
Attorney and Non-Attorney Representation (this index)
Attorney Interview with Client (this index)
Attorneys' and Representatives' Fees (this index)
 Blind SSI applicants and recipients, notice requirement, **50:8**
Circuit Courts (this index)
Civil Monetary Penalties (this index)
 Correction of records, **48:67**
 Delivery, electronic service delivery, **50:2**
 Demand or request. Requests, below
 Departmental Appeals Board Review, **58:51**
Disability (this index)

APPEAL AND REVIEW—Cont'd

Disciplinary proceedings representative. **Attorney and Non-Attorney Representation** (this index)

Earnings records, correction of, **12:74**

Electronic service delivery, **50:2**

Enforcement procedures of IRS, generally, **72:32 to 72:35**

Expedited appeals process
generally, **50:48 to 50:56**
agreement on use of, **50:54 to 50:56**
constitutionality issue, existence of, **50:49**
effect of agreement, **50:56**
extension of time for filing request, **50:52**
filing
extension of time for filing request, **50:52**
place or location, where to file request, **50:53**
time to file request, **50:51; 50:52**

Medicare (this index)
place or location, where to file request, **50:53**
refusing to sign or withdrawing from agreement, **50:55**

requests
generally, **50:50**
extension of time for filing request, **50:52**
place or location, where to file request, **50:53**
time to file request, **50:51; 50:52**
signatures, refusing to sign or withdrawing from agreement, **50:55**
time to file request
generally, **50:51**
extension of time for filing request, **50:52**
withdrawal, refusing to sign or withdrawing from agreement, **50:55**

Extension of time
expedited appeals process, extension of time for filing request, **50:52**
good cause extension, timeliness of request for review, **50:12**
reconsideration, requesting, **50:31**

Face-to-face interviews, **50:6**

Filing. Expedited appeals process, above

Foreign countries, totalization of benefits, **24:44**

Foreign languages translations, **50:5**

Freedom of Information Act (this index)

Good cause, timeliness of request for review
examples of, **50:14**
existence of good cause, determination of, **50:13**
extension of time, **50:12**

Interview face-to-face, **50:6**

Jeopardy assessment or levy procedures, **72:52**

APPEAL AND REVIEW—Cont'd

Judicial Review (this index)

Languages, foreign languages translations, **50:5**

Limitation of time. **Judicial Review** (this index)

Magistrate Judges (this index)

Medicare Part D (this index)

Medicare (this index)
Notice requirement, **50:7; 50:8**

Overpayments (this index)
Persons who may appeal, **50:3**
Prerecoupment review, overpayments, **33:11**
Presentation and consideration of information, **50:4**

Privacy Act (this index)

Reconsideration (this index)

Reopening and Revising Determinations (this index)

Representative payments, notice and protest of determinations, **32:22**

Representatives. **Attorney and Non-Attorney Representation** (this index)

Requests
expedited appeals process, above
reconsideration, **50:30 to 50:36**
timeliness of request for review, below

Service, electronic service delivery, **50:2**

Social Security Act
generally, **58:1 to 58:56**
Administrative Procedure Act, **58:12**
administrative regulations, **58:22**
All Writs Act, **58:21**
Civil Monetary Penalties (this index)
Civil rights actions, **58:17; 58:18**
commerce regulations, **58:20**
Court of Federal Claims jurisdiction, **58:16**
Declaratory Judgment Act, **58:19**
exclusive remedy provision of the SSA, **58:3**
federal question jurisdiction, **58:13; 58:14**
Federal Tort Claims Act, **58:15**
indemnification of SSA employees SSA, **58:4**
judicial review, generally, **58:1; 58:2**
limited scope of judicial review statute, **58:2**

Mandamus (this index)
private remedies, **58:24**
Section 1983 actions, **58:18**
state court jurisdiction, **58:23**
state defendants, federal question jurisdiction over, **58:14**

Supplemental Security Income (this index)
Tax refund offset, recovery of overpayment, **33:24**

Timeliness of request for review
generally, **50:9 to 50:14**

APPEAL AND REVIEW—Cont'd

- Timeliness of request for review—Cont'd
 - examples of good cause, **50:14**
 - existence of good cause, determination of, **50:13**
 - extension of time, good cause extension, **50:12**
 - failure to timely appeal, effect of, **50:11**
 - good cause
 - examples of, **50:14**
 - existence of good cause, determination of, **50:13**
 - extension of time, **50:12**
 - limitations period ending on nonwork days, **50:10**
- Time or date
 - Circuit Court, appeal to. **Circuit Courts** (this index)
 - expedited appeals process, above
 - extension of time, above
 - request for review. Timeliness of request for review, above
- Totalization, benefits from foreign countries, **24:44**
- Translations, foreign languages translations, **50:5**
- Vocational rehabilitation, ticket to work and self sufficiency program, suspension of continuing disability reviews, **44:167**
- Waiver of overpayment, appeal of waiver determination, **33:61**
- Withdrawing from agreement, expedited appeals process, **50:55**

APPEALS COUNCIL

- Administrative Proceedings** (this index)
- ALJ complaint procedure, review process, **52:32**
- Disciplinary proceedings against representative, review of, **46:32**
- Finality of determinations, **54:55**

APPEALS OFFICE

- Conference procedure, **72:34; 72:35**
- Freedom of information, disclosure of information at field offices of, **48:14**
- Requesting Appeal Office consideration, **72:33**
- Settlement at Appeal Office conference, **72:35**

APPENDICES

- Circuit Courts** (this index)

APPLIANCES

- Medicare** (this index)

APPLICATION FOR BENEFITS

- Generally, **30:1 et seq.**
- Age of claimant, effect of, **30:51**

APPLICATION FOR BENEFITS—Cont'd

- Armed forces
 - evidence, **30:81; 30:82**
 - missing service person casualty report, **30:32**
 - Veterans Administration claim as application, form, **30:14**
- Attorney's cover letter, **30:28**
- Authority to sign for claimant, evidence of, **30:19**
- Cancellation of withdrawal, **30:65; 30:66**
- Certified payments, **30:55**
- Change or modification
 - retroactive effect of application, effect of statutory changes, **30:54**
 - scope of application, limiting, **30:6**
- Child's Benefits** (this index)
- Circumstances where no application required, **30:7**
- Convincing evidence of eligibility, **30:77; 30:78**
- Copies, submission of, **30:76**
- Covered employment application requirements, exemption from coverage by reason of religious belief, **5:81**
- Cover letter of attorney, **30:28**
- Date, when application is considered filed, generally, **30:20 to 30:43**
- Death of claimant, effect of, **30:16; 30:17; 30:26; 30:48; 30:63**
- Deceased worker, application filed for disability benefits for, **14:23**
- Disability** (this index)
- Effective period of application, **30:44 to 30:56**
- Effect of filing application, **30:2 to 30:4**
- Eligibility. Qualification or disqualification, below
- Entitlement
 - reentitlement, application required for, **30:8**
 - time, applications filed before entitlement, **30:23**
- Evidence
 - generally, **30:69 to 30:82**
 - authority to sign for claimant, evidence of, **30:19**
 - failure to submit, **30:74**
 - insured person's permanent home, **30:79**
 - military service, **30:81; 30:82**
 - misinformation, **30:37 to 30:39**
 - preferred evidence, below
 - scope of evidence, **30:75 to 30:82**
 - submission of, **30:73; 30:74**
 - where to submit, **30:73**
- False statements as crime, **59:6**
- Filing requirements
 - generally, **30:1 et seq.**
- Supplemental Security Income** (this index)

INDEX

APPLICATION FOR BENEFITS—Cont'd

- Foreign state or country evidence, **30:80**
 - filing of applications with foreign authorities, **30:21**
- Form of application
 - generally, **30:9 to 30:14**
 - prescribed applications, **30:10**
 - private printing of applications, forms or other publications, **30:11**
 - protective filings, **30:27; 30:28**
- Railroad Retirement Board claim as application, **30:13**
- Spanish language applications, **30:12**
- SSA forms or their equivalent, **30:10 to 30:12**
- Supplemental Security Income** (this index)
- Veterans Administration claim as application, **30:14**
 - withdrawal of application, **30:61; 30:66**
- Fraud, eligibility determination
 - generally, **59:7**
 - redetermination
 - generally, **30:67**
 - Inspector General, action by, **30:68**
- Generally, **5:80**
- Hospital, statements filed with, **30:30**
- Immediate filing, advantages of, **30:3**
- Intent to file, determination of, **30:25**
- Limiting period of entitlement, **30:50**
- Limiting scope of application, **30:6**
- Mailing, date of, **30:22**
- Misinformation
 - claim based on misinformation, **30:40 to 30:43**
 - date of application based on, **30:34 to 30:43**
 - elements of claim based on misinformation, **30:41; 30:42**
 - retroactive effect of application, **30:53**
- Missing service person casualty report, **30:32**
- Modification. Change or modification, above
- Nondesigned person, signing by, **30:18**
- Old age and survivors benefits, **30:49**
- Open applications, **30:45**
- Original records and copies, submission of, **30:76**
- Permanent home of insured, evidence, **30:79**
- Preferred evidence
 - convincing evidence of eligibility, **30:78**
 - misinformation, **30:37**
- Previously certified payments, **30:55**
- Printing of applications, forms or other publications, **30:11**

APPLICATION FOR BENEFITS—Cont'd

- Private printing of applications, forms or other publications, **30:11**
- Prospective life of application, **30:44; 30:45**
- Protective filings
 - generally, **30:24 to 30:33**
 - attorney's cover letter, **30:28**
 - forms, **30:27; 30:28**
 - hospital, statements filed with, **30:30**
 - intent to file, determination of, **30:25**
 - missing service person casualty report, **30:32**
 - SSA, statements filed with, **30:24 to 30:28**
 - Supplemental Security Income** (this index)
 - telephone contact, filing date based on, **30:33**
 - written statement, filing date based on, **30:24 to 30:32**
- Purchase of evidence, **30:71**
- Qualification or disqualification
 - convincing evidence of eligibility, **30:77; 30:78**
 - fraud, effect on eligibility. Fraud, above
 - Supplemental Security Income** (this index)
- Railroad Retirement Board
 - form of application, **30:13**
 - protective filing, **30:29**
- Records and reports
 - missing service person casualty report, **30:32**
 - original records and copies, submission of, **30:76**
- Redetermination. Fraud, above
- Reduction of benefits, **30:52**
- Reentitlement, application required for, **30:8**
- Reopened applications, **30:56**
- Request for withdrawal of application, **30:60; 30:61; 30:66**
- Retroactive effect of application, **30:46 to 30:56**
- Returning evidence to claimant, **30:72**
- Reviewability of decision made on claim based on misinformation, **30:43**
- Scope of application, **30:5; 30:6**
- Separation from military service, **30:81**
- Signature
 - generally, **30:15 to 30:19**
 - authority to sign for claimant, evidence of, **30:19**
 - death of claimant, effect of, **30:16; 30:17**
 - nondesigned person, signing by, **30:18**
 - Supplemental Security Income** (this index)
- Spanish language applications, **30:12**
- Statutory changes, effect of, **30:54**
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)
- Telephone contact, filing date based on, **30:33**

APPLICATION FOR BENEFITS—Cont'd

- Time, when application is considered filed generally, **30:20 to 30:43**
- Supplemental Security Income** (this index)
- Veterans Administration claim as application, **30:14**
- Wife's or husband's insurance benefits, **15:2**
- Withdrawal of application, **30:57 to 30:66**
- World War II veterans, **14:54**
- Writing
 - filing date based on written statement, **30:24 to 30:32**
 - Supplemental Security Income** (this index)
 - withdrawal of application, request for, **30:60**

APPLICATIONS

- Appeal and Review** (this index)
- Benefits. **Application for Benefits** (this index)
- Clergy. **Religion and Religious Organizations** (this index)
- Correction of records, **48:65**
- Covered employment application requirements, exemption from coverage by reason of religious belief, **5:81**
- Freedom of Information Act** (this index)
- Gross receipts percentage, permission to use
 - employee, **69:70**
 - employer, **69:69**
- Late applicant, adjustment of benefits with respect to family maximum, **25:22**
- Medicare Part A, hospital insurance without premium, **60:5; 60:20**
- Medicare Part D, application to sponsor a Part D plan, **66:22**
- Post-retirement earnings, **28:26 to 28:53**
- Privacy Act** (this index)
- Reduction, Deduction, or Offset of Benefits** (this index)
- Religious orders, exemption from self-employment tax, **11:33; 11:34; 11:38 to 11:40**
- Social Security Numbers** (this index)
- Waiver of benefits. **Waiver and Estoppel** (this index)

APPOINTMENT

- Attorney and Non-Attorney Representation** (this index)
- Medicare, **68:59; 68:60**

APPORTIONMENT

- Proration** (this index)

APPRENTICESHIP

- Wages, union apprenticeship programs, **7:20**

APPRENTICESHIP PROGRAM

- Covered employment, **6:17**

APPROVAL

- Consent or Approval** (this index)

ARGUMENT OF COUNSEL

- Oral Argument** (this index)

ARMED FORCES

- Application For Benefits** (this index)
- Benefits paid on basis of erroneous report of death as nonrecoverable, **33:8**
- Covered employment, **2:7 to 2:11**
- Determining insured status, generally. **Insured Status** (this index)
- Disability benefits, determination of disability insured status, **13:36; 14:26**
- Earnings records, correction of, **12:49**
- FICA taxes, withholding statement, **70:75**
- Fringe benefits and other compensation, **9:27**
- Pension offset exemption, **26:38**
- Receipt of social security benefits, effect on eligibility for military survivor benefits, **34:69**
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)
- Suspension of benefits for nonresidence, exceptions, **29:25; 29:34**
- Veterans and Veterans' Administration** (this index)
- Wages
 - generally, **7:31 to 7:33**
 - veterans, payments under training program for, **7:21**

ARRANGEMENT FOR CONFERENCE

- Reconsideration, **50:28**

ARTHRITIS

- Listing of impairments, inflammatory arthritis, **42:93; 42:106**

ARTISANS

- Covered employment, individuals qualifying as common law employees, **5:46 to 5:50**

ARTISTS

- Covered employment, individuals qualifying as common law employees, **5:17**
- Wages, **7:52**

ASSESSMENTS

- Generally, **72:44 to 72:67**
- Amounts paid as tax, assessment of, **72:47**
- Attorneys' and Representatives' Fees** (this index)

INDEX

ASSESSMENTS—Cont'd

- Bankruptcy proceedings, immediate assessments, **72:51**
- Deficiency assessments and underpayments
 - generally, **72:26 to 72:31**
 - application of deficiency procedures, **72:26**
 - post-filing of return, underpayment of FICA taxes ascertained after filing, **72:28**
 - reopening closed cases, **72:31**
 - settlement, **72:29; 72:30**
 - what constitutes a deficiency, **72:27**
- Internal Revenue Service procedures, generally, **72:44 to 72:67**
- Jeopardy Assessments** (this index)
- Limitations on assessing deficiencies
 - generally, **72:48**
 - penalties, **72:49**
- Method of assessment
 - generally, **72:45; 72:46**
 - notice and demand for payment, **72:46**
- Receivership proceedings, immediate assessments, **72:51**
- Recording of tax liability, generally, **72:44 to 72:52**
- Review of jeopardy assessment or levy procedures, **72:52**
- Statute of Limitations** (this index)

ASSETS

- Defined, **33:111**
- Supplemental security income, assets not considered resources, **20:7 to 20:13**

ASSIGNMENT OF APPEAL RIGHTS

- Medicare, **68:61; 68:62**

ASSIGNMENT OF HEARING OFFICER

- Disciplinary proceedings against representatives, **46:24**

ASSIGNMENT OF JUDGE

- Administrative law judges, **52:25; 52:26; 53:60**
- Judicial review, **56:9**

ASSIGNMENT OF NUMBER

- Social security numbers, **12:2**

ASSIGNMENT OF OVERPAYMENT CLAIMS AND REFUND CHECKS

- Generally, **72:96**

ASSIGNMENT OR ATTACHMENT OF BENEFITS

- Generally, **34:1 to 34:35**
- Anti-assignment provision, generally, **34:1 to 34:35**

ASSIGNMENT OR ATTACHMENT OF BENEFITS—Cont'd

- Attorneys' fees, collection of delinquent federal taxes by levy against, **34:30**
- Bank deposits, already paid, **34:7; 34:8**
- Bankruptcy estate, **34:17; 34:73**
- Bank setoffs, **34:11**
- Child support
 - garnishment, **34:21 to 34:23**
 - Supplemental Security Income, **35:177**
- Collection procedures
 - appealing SSA's compliance with garnishment orders, **34:26**
 - child support, collection by IRS, **34:27 to 34:31**
 - process to enforce support obligations, **34:24**
 - SSI, interim assistance, **34:31**
- Commingled funds, **34:8**
- Community property as protected, **34:9**
- Deposits already paid, **34:6**
- Enforcement of anti-assignment provision, **34:2**
- Exceptions from anti-assignment provision
 - alimony or child support payments, **34:18 to 34:31**
 - delinquent federal taxes, levy to collect, **34:29; 34:30**
 - interim SSI assistance, **34:31**
- Federal taxation
 - child support, collection by IRS, **34:27 to 34:31**
 - delinquent federal taxes, levy to collect, **34:29; 34:30**
- Garnishment
 - generally, **34:19**
 - alimony, **34:20; 35:177**
 - appealing SSA's compliance with garnishment orders, **34:26**
 - child support, **34:21 to 34:23; 35:177**
 - effect of prohibition on obtaining benefits and payments, **34:14**
 - SSI overpayment, recovery, **35:127**
- Garnishment, scope of notice
 - effect of prohibition on obtaining benefits and payments, **34:15**
- Government assistance, reimbursement, **34:12; 34:13**
- Institutional care, reimbursement, **34:13**
- Legal process, what constitutes, **34:4**
- Medicare** (this index)
- OASDI benefits, deeming, **34:16**
- Persons barred by anti-assignment provision, **34:3; 34:4**
- Persons protected by anti-assignment provision, **34:5**

ASSIGNMENT OR ATTACHMENT OF BENEFITS—Cont'd

- Scope of anti-assignment provision, generally, **34:6 to 34:17**
- Seizure of benefits by creditors, **34:10; 34:11**
- Service of legal process
 - process to enforce support obligations, **34:25**
- Setoff by bank, **34:11**
- Supplemental Security Income** (this index)
- Ticket to work and self sufficiency program, assignment of ticket, **44:160**

ASSISTANCE

- Disability claimants' assistance to obtain needed medical evidence, **37:22**
- Public Assistance** (this index)

ASSISTANTS

- Public officials, coverage for assistants to, **4:16**
- Wages, **7:51**

ASSISTED SUICIDE

- Medicare, exclusions, **67:109**

ASSOCIATIONS AND ORGANIZATIONS

- International Organizations** (this index)
- Self-Employment Tax** (this index)

ASTHMA

- Generally, **42:228**
- Children and minors, **42:244**

ATHLETICS

- Professional baseball team as covered employment, **6:27**

ATTENDANCE

- Child's benefits, elementary or secondary school students, **16:89**
- Disciplinary proceedings against representatives, witnesses at, **46:26**
- Overpayments, refusal to attend personal conference, **33:60**

ATTORNEY AND NON-ATTORNEY REPRESENTATION

- Generally, **46:1 to 46:35**
- Ability and qualification of representative
 - generally, **46:8 to 46:12**
 - attorney qualified as representative, **46:9**
 - federal employees, exclusion as representatives, **46:12**
 - "individual," requirement that representative be, **46:11**
 - non-attorney as representative, **46:10**
 - quality of representation, effect of, **46:7**

ATTORNEY AND NON-ATTORNEY REPRESENTATION—Cont'd

- Answer in disciplinary proceedings, **46:22**
- Appeal and review
 - Appeals Counsel, review of disciplinary proceedings, **46:32**
 - disciplinary proceedings against representatives, below
- Applying for benefits, attorney's cover letter, **30:28**
- Appointment of representative
 - generally, **46:4**
 - form [Form SSA-1696], **46:35**
- Attendance of witnesses at disciplinary hearings, **46:26**
- Authority of representatives
 - generally, **46:13 to 46:16**
 - communication with SSA, **46:15**
 - expiration of representative's authority, **46:16**
 - limitation on representative's authority, **46:14**
- Charges and complaints. Disciplinary proceedings against representatives, below
- Class actions, judicial review of, **55:53**
- Covered employment, attorneys as individuals qualifying as common law employees, **5:6**
- Decisions and opinions. Disciplinary proceedings against representatives, below
- Disciplinary proceedings against representatives
 - generally, **46:16 to 46:35**
 - appeal and review
 - generally, **46:30 to 46:35**
 - Appeals Council, decision of, **46:32**
 - availability of review, **46:30**
 - judicial review, availability of, **46:33**
 - reinstatement of representative, **46:34**
 - time for requesting review, **46:31**
 - assignment of hearing officer, **46:24**
 - attendance of witnesses, **46:26**
 - decision on charges, **46:28**
 - decisions and opinions
 - generally, **46:28**
 - Appeals Council, **46:32**
 - documentary evidence, **46:26**
 - evidence
 - attendance and testimony of witnesses, **46:26**
 - documentary evidence, **46:26**
 - presentation of evidence, **46:27**
 - hearings
 - generally, **46:24 to 46:29**
 - assignment of hearing officer, **46:24**
 - decision on charges, **46:28**
 - evidence, above this group

**ATTORNEY AND NON-ATTORNEY
REPRESENTATION—Cont'd**

- Disciplinary proceedings against representatives—Cont'd
 - hearings—Cont'd
 - notice, **46:25**
 - objections, **46:24**
 - time and place, **46:25**
 - initial referral of alleged violations, **46:18**
 - initiation
 - generally, **46:16 to 46:23**
 - notice requirement, **46:20; 46:21**
 - rules of conduct, **46:17**
 - inquiry letter, **46:19**
 - judicial review, availability of, **46:33**
 - notice requirement, **46:20; 46:21**
 - objections, **46:24**
 - opinions. Decisions and opinions, above this group
 - pleadings
 - answer, **46:22**
 - withdrawal of charges, **46:23**
 - reinstatement of representative, **46:34**
 - review. Appeal and review, above this group
 - rules of conduct, generally, **46:17**
 - sanctions upon findings of prohibitive conduct, **46:29**
 - time and place, **46:25**
 - time for requesting review, **46:31**
 - withdrawal of charges, **46:23**
 - witnesses, **46:26**
- Documentary evidence in disciplinary hearings, **46:26**
- Eligibility. Ability and qualification of representative, above
- Evidence. Disciplinary proceedings against representatives, above
- Expiration of representative's authority, **46:16**
- Federal employees as representatives, exclusion of, **46:12**
- Fees. **Attorneys' and Representatives' Fees** (this index)
- FICA and self-employment tax returns, examination, **72:13**
- Forms, appointment of representative [Form SSA-1696], **46:35**
- Hearings
 - disciplinary proceedings against representatives, above
 - unrepresented claimant's right to fair hearing. **Hearings** (this index)

**ATTORNEY AND NON-ATTORNEY
REPRESENTATION—Cont'd**

- "Individual," requirement that representative be, **46:11**
- Initiation of disciplinary proceedings. Disciplinary proceedings against representative, above
- Judicial review, **55:41; 55:53**
- Limitations and restrictions
 - "individual," requirement that representative be, **46:11**
 - representative's authority, **46:14**
- Musculoskeletal System** (this index)
- Non-attorney representative, **46:10**
- Notice
 - disciplinary action against representative, **46:20; 46:21; 46:25**
 - referral list, **46:3**
 - right to representation, **46:2; 46:3**
- Opinions and decisions. Disciplinary proceedings against representatives, above
- Pleadings. Disciplinary proceedings against representatives, above
- Qualification of representative. Ability and qualification of representative, above
- Quality of representation, effect of, **46:7**
- Referral list, **46:3**
- Reinstatement of representative after disciplinary actions, **46:34**
- Requirements, **46:5**
- Restrictions. Limitations and restrictions, above
- Review. Appeal and review, above
- Right to representation, generally, **46:1 to 46:7**
- Rules of conduct, **46:17**
- Sanctions upon finding that representative has engaged in prohibited conduct, **46:29**
- Successful representation requirement. **Attorneys' and Representatives' Fees** (this index)
- Testimony of witnesses at disciplinary hearings, **46:26**
- Waiver of right to representation, **46:6**
- Withdrawal of charges in disciplinary proceedings, **46:23**
- Witnesses at disciplinary hearings, attendance and testimony of, **46:26**

ATTORNEY INTERVIEW WITH CLIENT

- Generally, **47:1 to 47:14**
- Activities, disability claimants, **47:12**
- Disability claimants
 - generally, **47:8 to 47:12**
 - activities, **47:12**
 - impairments, **47:11**

ATTORNEY INTERVIEW WITH CLIENT

—Cont'd

- Disability claimants—Cont'd
 - job duties, **47:10**
- Explanations
 - legal requirements for obtaining benefits, **47:6**
 - review process, **47:4**
- First steps in preparing case, **47:14**
- Impairments, disability claimants, **47:11**
- Initial contact, **47:1**
- Insured status, **47:7**
- Items claimant should bring, **47:2**
- Job duties, disability claimants, **47:10**
- Medication, **47:9**
- Questionnaire, **47:3; 47:13**
- Review process, generally, **47:4**
- Screening, **47:1**

ATTORNEYS' AND REPRESENTATIVES' FEES

- Generally, **49:1 to 49:144**
- Administrative level, Social Security Act
 - generally, **49:3 to 49:44**
 - administrative review under Social Security Act, below
 - approval requirement, **49:3**
 - direct payment from past-due benefits, **49:66**
 - fee agreement process, **49:24 to 49:42**
 - fee assessment, **49:78; 49:79**
 - fee determinations, **49:16 to 49:19**
 - fee petition, **49:9 to 49:23**
 - limitation on amount, **49:4**
 - penalty, exceeding maximum fees, **49:5; 49:6**
 - power of court to award, **49:8**
 - retainers, **49:7**
 - sample fee agreements, **49:43; 49:44**
 - timely request for administrative review, **49:21; 49:22**
- Administrative level work by attorney, compensable service under EAJA, **49:119**
- Administrative review under Social Security Act
 - generally, **49:20 to 49:22; 49:32 to 49:42**
 - auxiliaries or concurrent claims, **49:40**
 - concurrent claims or auxiliaries, **49:40**
 - decision maker's request for review, **49:34**
 - decision on review, **49:41; 49:42**
 - explanation of services to support fee amount, **49:36**
 - improper party, request for review by, **49:39**
 - notice and opportunity to be heard, **49:38; 49:39**
 - notice of decision on review, **49:42**
 - parameters of review, **49:33; 49:34**

ATTORNEYS' AND REPRESENTATIVES' FEES

—Cont'd

- Administrative review under Social Security Act
 - Cont'd
 - timely request for review, **49:21; 49:22; 49:35; 49:39**
 - who conducts review, **49:37**
- Affidavits, fee petition under Social Security Act, **49:60**
- Amount of fee
 - administrative level limitation on amount, **49:4**
 - assessment, **49:79**
 - benefits amount, evaluative factor in fee determination, **49:18**
 - EAJA, statutory maximum fee, **49:100**
 - fee agreement process, **49:26**
 - judicial level limitation on amount of award, **49:51 to 49:53**
 - Social Security Act, generally, **49:4; 49:26; 49:51 to 49:53**
- Anti-assignment provision and collection of delinquent federal taxes by levy against fees, **34:30**
- Anticipated attorney's services compensable under EAJA, **49:123**
- Appeal and review
 - administrative review, above
 - judicial review, below
- Application under Equal Access to Justice Act
 - generally, **49:85; 49:86**
 - applicant must be party, **49:87**
 - contents of application, generally, **49:85; 49:86**
 - death of claimant, effect on who may file, **49:89**
 - disability onset cases, prevailing party status, **49:93**
 - dismissal, effect on prevailing party status, **49:91**
 - failure to include required contents, **49:86**
 - final judgment requirement, time to file, **49:95**
 - litigation of application, compensable service by attorney, **49:120**
 - prevailing party status
 - generally, **49:90**
 - disability onset cases, **49:93**
 - dismissal, **49:91**
 - remand, effect, **49:92**
 - stipulation to withdraw, **49:91**
 - pro se claimants, **49:88**
 - remand, effect on prevailing party status, **49:92**
 - remand orders
 - Court of Appeals, **49:97**
 - illustrative cases, **49:98**
 - time to file, generally, **49:96 to 49:98**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

- Application under Equal Access to Justice Act
 - Cont'd
 - stipulation to withdraw, effect on prevailing party status, **49:91**
 - time to file
 - generally, **49:94 to 49:99**
 - final judgment requirement, **49:95**
 - orders of settlement, **49:99**
 - remand orders, **49:96 to 49:98**
 - who may file
 - applicant must be party, **49:87**
 - death of claimant, effect, **49:89**
 - pro se claimants, **49:88**
- Approval at administrative level, Social Security Act, **49:3**
- Assessment of fees, Social Security Act
 - generally, **49:78**
 - amount of fees, **49:79**
- Attorney interview with client, **47:5**
- Attorney's services compensable under Equal Access to Justice Act
 - administrative level work, **49:119**
 - former attorney's services, **49:122**
 - litigation of EAJA application, **49:120**
 - other services, **49:124**
 - pro bono services, **49:121**
 - remand, **49:119**
- Availability of qualified attorneys, enhancement of EAJA fees, **49:109**
- "Bad faith" EAJA fees, **49:81**
- Beginning date, effect of representation spanning months or years, cost of living enhancement of EAJA fees, **49:106**
- Billing, reduction of EAJA fees for use of minimum billing units, **49:113**
- Calculation of past-due benefits
 - direct payment from past-due benefits, **49:74 to 49:77**
 - fee petitions, filing prior to calculation of past-due benefits award, **49:58**
- Circuit Court law disregarded, substantial justification for preclusion or denial of EAJA fees, **49:133**
- Compensable services, costs, and expenses under EAJA
 - generally, **49:115 to 49:124**
 - administrative level work by attorney, **49:119**
 - anticipated services by attorney, **49:123**
 - attorney's services
 - generally, **49:119 to 49:124**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

- Compensable services, costs, and expenses under EAJA—Cont'd
 - attorney's services—Cont'd
 - administrative level work, **49:119**
 - anticipated services, **49:123**
 - former attorney's services, **49:122**
 - litigation of EAJA application, **49:120**
 - other services, **49:124**
 - pro bono services, **49:121**
 - remand, **49:119**
 - expert witnesses, **49:116**
 - former attorney's services, **49:122**
 - law students, **49:118**
 - litigation of EAJA application, **49:120**
 - other services of attorney, **49:124**
 - paralegals, **49:117**
 - pro bono services, **49:121**
 - remand, **49:119**
 - time of performance of services, **49:122; 49:123**
- Compromise and settlement. Settlement, below Contents
 - Equal Access to Justice Act, application for fees and costs, **49:85; 49:86**
 - Social Security Act fee petitions
 - administrative level, **49:13 to 49:15**
 - judicial level, **49:59**
- Contingency fee agreements, **49:63; 49:64**
- Cost of living increase, enhancement of EAJA fees
 - generally, **49:102 to 49:107**
 - beginning date, effect of representation spanning months or years, **49:106**
 - calculation, generally, **49:105**
 - cut-off date, effect of representation spanning months or years, **49:107**
 - index for use in measurement, **49:104**
 - proof of entitlement, **49:103**
 - time span of representation involving months or years
 - beginning date, **49:106**
 - calculation, generally, **49:105**
 - cut-off date, **49:107**
- Court-appointed representative, additional information required in fee petition, Social Security Act, **49:14**
- Cut-off date, time span of representation involving months or years, enhancement of EAJA fees, **49:107**
- Date. Time, below
- Delay, costs and fees under EAJA, **49:112; 49:125**
- Denial. Preclusion or denial of EAJA fees, below

ATTORNEYS' AND REPRESENTATIVES' FEES
—Cont'd

Direct payment from past-due Social Security benefits
 generally, **49:66 to 49:79**
 administrative level, **49:66**
 amount of assessment, **49:79**
 assessment of fees, **49:78; 49:79**
 calculation of past-due benefits
 generally, **49:74 to 49:77**
 continuing OASDI benefits, excluded payments, **49:76**
 excluded payments, **49:76; 49:77**
 inclusion of SSI benefits, **49:75**
 interim OASDI benefits, excluded payments, **49:76**
 other benefits, excluded payments, **49:77**
 continuing OASDI benefits excluded, calculation of past-due benefits, **49:76**
 electronic contact requirement, request for direct payment, **49:73**
 excluded payments, calculation of past-due benefits, **49:76; 49:77**
 interim OASDI benefits excluded, calculation of past-due benefits, **49:76**
 judicial level, **49:67**
 nonattorney representation, effect of, generally, **49:69**
 other benefits, exclusion in calculation of past-due benefits, **49:77**
 registration requirement, request for direct payment, **49:73**
 request for direct payment
 electronic contact requirement, **49:73**
 failure to file timely request, **49:72**
 registration requirement, **49:73**
 time to file, **49:71; 49:72**
 retainer, effect, **49:68**
 Secretary's failure to withhold fee, effect, **49:70**
 Social Security Act, generally, **49:66 to 49:79**
 SSI cases
 calculation of past-due benefits, inclusion of SSI benefits, **49:75**
 time to file request for direct payment, **49:71; 49:72**
 Disability onset cases, fees and costs under Equal Access to Justice Act, **49:93**
 Discretionary fee award under EAJA, **49:81**
 Dismissal, effect on prevailing party status, application under Equal Access to Justice Act, **49:91**
 Dual fee awards, relationship between 42 U.S.C.A. 406(b) and EAJA, **49:137; 49:138**

ATTORNEYS' AND REPRESENTATIVES' FEES
—Cont'd

EAJA. Equal Access to Justice Act, below
 Enhancement of EAJA fees
 generally, **49:101 to 49:109**
 cost of living increase
 generally, **49:102 to 49:107**
 beginning date, effect of representation spanning months or years, **49:106**
 calculation, generally, **49:105**
 cut-off date, effect of representation spanning months or years, **49:107**
 index for use in measurement, **49:104**
 proof of entitlement, **49:103**
 time span of representation involving months or years, **49:105 to 49:107**
 fee determinations
 generally, **49:101**
 cost of living increase, **49:102 to 49:107**
 special factors, **49:108; 49:109**
 limited availability of qualified attorneys as special factor, **49:109**
 special factors, **49:108; 49:109**
 Equal Access to Justice Act
 generally, **49:80 et seq.**
 Application under Equal Access to Justice Act, above
 "bad faith" EAJA fees, **49:81**
 Compensable services, costs, and expenses under EAJA, above
 Cost of living increase, enhancement of EAJA fees, above
 costs and expenses as compensable, generally, **49:115**
 denial of fee. Preclusion or denial of EAJA fees, below
 determination of fee amount
 enhancement of fees, **49:101 to 49:109**
 reduction of fees, **49:110 to 49:114**
 statutory maximum, **49:100**
 discretionary fee award, **49:81**
 Enhancement of EAJA fees, above
 evidence, preclusion or denial of fees, **49:129**
 expenses. Compensable services, costs, and expenses under EAJA, above
 expert witnesses, compensable services, costs, and expenses, **49:116**
 fee determinations, **49:100 to 49:114**
 interest, **49:84**
 law students, compensable services, costs, and expenses, **49:118**
 mandatory fee award, **49:82**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

- Equal Access to Justice Act—Cont'd
 - overview of EAJA, **49:80**
 - paralegals, compensable services, costs, and expenses, **49:117**
 - payment in general, **49:83**
 - Preclusion or denial of EAJA fees, below
 - prevailing party status, **49:90 to 49:93**
 - Reduction of EAJA fees, below
 - reduction of fees, **49:110 to 49:114**
 - Relationship between 42 U.S.C.A. 406(b) and EAJA, below
 - remand
 - administrative level work by attorney, compensable service under EAJA, **49:119**
 - prevailing party status, **49:92**
 - time to file, remand orders, **49:96 to 49:98**
 - special factors in fee enhancement, **49:108; 49:109**
 - students, compensable services, costs, and expenses, **49:118**
 - time
 - application for fees and costs, **49:94 to 49:98**
 - compensable services, costs, and expenses, **49:122; 49:124**
 - cost of living increase, **49:105 to 49:107**
 - order of filing fee petitions, relationship between 42 U.S.C.A. 406(b) and EAJA, **49:139; 49:140**
- Evidence
 - Equal Access to Justice Act, preclusion or denial of fees, **49:129**
 - substantial evidence standard distinguished from substantial justification standard, preclusion or denial of EAJA fees, **49:129**
- Exceptions to fee agreement process under Social Security Act, **49:30**
- Excluded payments, calculation of past-due Social Security benefits, **49:76; 49:77**
- Expenses compensable under EAJA. Compensable services, costs, and expenses under EAJA, above
- Expert witnesses, compensable services, costs, and expenses under EAJA, **49:116**
- Fee agreement process
 - generally, **49:24 to 49:31**
 - administrative review
 - generally, **49:32**
 - concurrent claims or auxiliaries, **49:40**
 - decision maker's request for review, **49:34**
 - decision on review, **49:41; 49:42**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

- Fee agreement process—Cont'd
 - administrative review—Cont'd
 - explanation of services, **49:36**
 - grounds for review, **49:33; 49:34**
 - improper party, request for review by, **49:39**
 - notice of decision on review, **49:42**
 - timely request for review, **49:35; 49:39**
 - who conducts review, **49:37**
 - amount of fee, **49:26**
 - exceptions, **49:30**
 - form of agreement
 - generally, **49:27**
 - permissibility of particular provisions, **49:28**
 - signature requirements, **49:29**
 - notice, **49:31; 49:42**
 - Social Security Act, generally, **49:24 to 49:43**
 - statutory requirements, **49:25**
- Fee agreements
 - administrative level under Social Security Act, penalty for exceeding maximum fees, **49:6**
 - process. Fee agreement process, above
 - sample fee agreements, **49:43; 49:44**
 - Social Security Act, generally, **49:6; 49:24 to 49:44**
- Fee assessment
 - generally, **49:78**
 - amount, **49:79**
- Fee determinations
 - administrative level under Social Security Act
 - generally, **49:16 to 49:19**
 - amount of benefits, **49:18**
 - assessment, **49:78; 49:79**
 - evaluative factors, **49:17; 49:18**
 - notice, **49:19**
 - amount of assessment, **49:79**
 - amount of benefits, administrative level under Social Security Act, **49:18**
 - contingency fee agreement as factor for consideration, judicial level under Social Security Act, **49:63; 49:64**
 - enhancement of EAJA fees, above
 - Equal Access to Justice Act, generally, **49:100 to 49:114**
 - evaluative factors, Social Security Act, **49:17; 49:18; 49:62 to 49:65**
 - illustrative cases, judicial level under Social Security Act, **49:65**
 - judicial level under Social Security Act
 - generally, **49:61**

**ATTORNEYS' AND REPRESENTATIVES' FEES
—Cont'd**

- Fee determinations—Cont'd
 - judicial level under Social Security Act—Cont'd
 - contingency fee agreement as factor for consideration, **49:63; 49:64**
 - factors considered, generally, **49:62 to 49:65**
 - illustrative cases, **49:65**
 - “windfall rule,” contingency fee agreement, **49:64**
 - notice, administrative level under Social Security Act, **49:19**
 - reduction of fees, EAJA, **49:110 to 49:114**
 - Social Security Act, generally, **49:16 to 49:19; 49:61 to 49:65**
 - statutory maximum, EAJA, **49:100**
 - “windfall rule,” judicial level under Social Security Act, **49:64**
- Fee petitions
 - administrative level under Social Security Act
 - generally, **49:9**
 - administrative review, **49:20 to 49:22**
 - contents of petition, **49:13 to 49:15**
 - fee determinations, **49:16 to 49:19**
 - judicial review availability, **49:23**
 - third party payment, **49:10**
 - time to file petition, **49:12**
 - who may petition, **49:11**
 - administrative review under Social Security Act
 - generally, **49:20**
 - good cause failure to make timely request for review, **49:22**
 - time to request review, **49:21; 49:22**
 - affidavit and verification, **49:60**
 - calculation of past-due benefits award, filing prior to, **49:58**
 - contents
 - generally, **49:13; 49:59**
 - court-appointed representative, additional information required, **49:14**
 - Form SSA-1560, **49:15**
 - Social Security Act, generally, **49:13 to 49:15; 49:59**
 - court-appointed representative, additional information required, **49:14**
 - fee determinations, **49:16 to 49:19; 49:61 to 49:65**
 - Form SSA-1560, **49:15**
 - good cause failure to make timely request for administrative review, **49:22**
 - judicial level under Social Security Act
 - affidavit and verification, **49:60**

**ATTORNEYS' AND REPRESENTATIVES' FEES
—Cont'd**

- Fee petitions—Cont'd
 - judicial level under Social Security Act—Cont'd
 - calculation of past-due benefits award, filing prior to, **49:58**
 - contents of petition, **49:59**
 - time to file, **49:57; 49:58**
 - verification and affidavit, **49:60**
 - who may file, **49:56**
 - judicial review, availability under Social Security Act, **49:23**
 - relationship between 42 U.S.C.A. 406(b) and EAJA, **49:139 to 49:141**
 - Social Security Act
 - administrative level, **49:9 to 49:15**
 - judicial level, **49:56 to 49:60**
 - relationship between 42 U.S.C.A. 406(b) and EAJA, **49:139 to 49:141**
 - third party, effect of payment by, **49:10**
 - time to file under Social Security Act, **49:12; 49:57; 49:58**
 - time to request administrative review under Social Security Act, **49:21; 49:22**
 - who may petition under Social Security Act, **49:11; 49:56**
- Former attorney's services, compensable under EAJA, **49:122**
- Forms
 - fee agreement process under Social Security Act
 - generally, **49:27**
 - permissibility of particular provisions, **49:28**
 - signature requirements, **49:29**
 - fee petition under Social Security Act, Form SSA-1560, **49:15**
 - Form SSA-1560, contents of fee petition under Social Security Act, **49:15**
 - sample fee agreements under Social Security Act, **49:43; 49:44**
- Good cause failure to make timely request for administrative review of fee petition, Social Security Act, **49:22**
- Increase. Enhancement of EAJA fees, above Insurance, direct payment from past-due benefits, exclusion of continuing or interim OASDI benefits in calculations, **49:76**
- Interest, fees and costs under Equal Access to Justice Act, **49:84**
- Judicial level, Social Security Act
 - generally, **49:45 to 49:65**
 - criminal penalty for excess fees, **49:54**
 - delay in entry of final favorable judgment, **49:53**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

- Judicial level, Social Security Act—Cont'd
 - direct payment from past-due benefits, **49:67**
 - fee award by Secretary, limitation on amount, **49:52**
 - fee determinations, **49:61 to 49:65**
 - fee petitions, **49:56 to 49:60**
 - limitation on amount, **49:51 to 49:53**
 - power of SSA to award, **49:55**
 - remand to Secretary, effect on successful representation requirement, **49:47**
 - services of attorney
 - fees may be allowed, **49:49**
 - fees may not be allowed, **49:50**
 - state law, resort to in unsuccessful cases, **49:48**
 - successful representation requirement, **49:46; 49:47**
- Judicial review
 - EAJA fee denial, effect of appeal on 406(b) petition, **49:141**
 - Social Security Act, availability of judicial review under, **49:23**
- Knowledge. Notices, below
- Law students, compensable services, costs, and expenses under EAJA, **49:118**
- Limitations on amount
 - EAJA, maximum fee, **49:100; 49:101**
 - Social Security Act
 - administrative level, **49:4 to 49:6**
 - judicial level, **49:51 to 49:53**
- Limited availability of qualified attorneys as special factor in enhancement of EAJA fees, **49:109**
- Mandatory fee award, Equal Access to Justice Act, **49:82**
- Maximum fees. Limitations on amount, above
- Medical opinion rejected, preclusion or denial of EAJA fees, **49:134**
- Medicare, **49:2**
- Minimum billing units used, reduction of EAJA fees, **49:113**
- Misconduct
 - claimant's attorney, **49:143**
 - mutual misconduct, **49:144**
 - sanctions in form of fees, **49:142 to 49:144**
 - Secretary of Health and Human Services, **49:142**
 - SSA, **49:142**
- Mutual misconduct, sanctions in form of fees, **49:144**
- Notice
 - enhanced notice requirements where 406(b) petition is filed first, **49:140**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

- Notice—Cont'd
 - Equal Access to Justice Act, **49:140**
 - fee agreement process under Social Security Act, **49:31**
 - fee determinations under Social Security Act, **49:19**
 - Social Security Act, **49:19; 49:31; 49:38; 49:39; 49:42; 49:140**
- Order of filing fee petitions, relationship between 42 U.S.C.A. 406(b) and EAJA, **49:139; 49:140**
- Paralegals, compensable services, costs, and expenses under EAJA, **49:117**
- Partial success in litigation, reduction of EAJA fees, **49:111**
- Past-due Social Security benefits
 - direct payment from past-due Social Security benefits, above
 - fee petitions, filing prior to calculation of award, **49:58**
- Penalties
 - criminal penalty for excess fees, judicial level under Social Security Act, **49:54**
 - sanctions in form of fees, below
 - Social Security Act, generally, **49:5; 49:6; 49:54**
 - violating rules prescribing maximum fees, administrative level under Social Security Act, **49:5; 49:6**
- Petition for fees. Fee petitions, above
- Power of court to award
 - administrative level, Social Security Act, **49:8**
 - judicial level, Social Security Act, **49:55**
- Preclusion or denial of EAJA fees
 - generally, **49:125; 49:126**
 - appeal of EAJA fee denial, effect on 406(b) petition, **49:141**
 - determining Secretary's position, **49:130**
 - Disability Reform Act, substantial justification, **49:133**
 - disregard of Circuit Court law, substantial justification, **49:133**
 - failure of Secretary to oppose EAJA petition, **49:131**
 - medical opinion rejection, substantial justification, **49:134**
 - misapplication or failure to apply regulation, **49:132**
 - miscellaneous factors
 - substantial justification found, **49:136**
 - substantial justification not found, **49:135**

ATTORNEYS' AND REPRESENTATIVES' FEES —Cont'd

- Preclusion or denial of EAJA fees—Cont'd
 - Secretary's position, **49:130; 49:131**
 - substantial evidence standard distinguished from substantial justification standard, **49:129**
 - substantial justification
 - generally, **49:127 to 49:131**
 - Disability Reform Act, **49:133**
 - disregard of Circuit Court law, **49:133**
 - medical opinion rejection, **49:134**
 - misapplication, or failure to apply, regulation, **49:132**
 - miscellaneous factors, **49:135; 49:136**
 - particular actions or decisions, **49:132 to 49:136**
 - special circumstances making fee award unjust, **49:126**
 - substantial justification standard, **49:128; 49:129**
- Prevailing party status, fees and costs under Equal Access to Justice Act
 - generally, **49:90**
 - disability onset cases, **49:93**
 - dismissal, effect, **49:91**
 - remand, **49:92**
 - stipulation to withdraw, effect, **49:91**
- Prior attorney's services, compensable under EAJA, **49:122**
- Pro bono services by attorney, compensable under EAJA, **49:121**
- Pro se claimants, EAJA, **49:88**
- Reduction of EAJA fees
 - generally, **49:110 to 49:114**
 - minimum billing units, **49:113**
 - miscellaneous, **49:114**
 - partial success, **49:111**
 - undue delay, **49:112**
- Refund requirement, dual fee awards, relationship between 42 U.S.C.A. 406(b) and EAJA, **49:137; 49:138**
- Relationship between 42 U.S.C.A. 406(b) and EAJA
 - generally, **49:137 to 49:141**
 - appeal of EAJA fee denial, effect on 406(b) petition, **49:141**
 - dual fee awards, refund requirement, **49:137; 49:138**
 - enhanced notice requirements, **49:140**
 - order of filing fee petitions, **49:139; 49:140**
 - refund requirement, dual fee awards, **49:137; 49:138**

ATTORNEYS' AND REPRESENTATIVES' FEES —Cont'd

- Relationship between 42 U.S.C.A. 406(b) and EAJA—Cont'd
 - settlement of claim for fees, effect on dual fee awards, **49:138**
- Remand
 - Equal Access to Justice Act, above
 - Social Security Act, successful representation requirement, remand to Secretary, **49:47**
- Request for direct payment from past-due benefits
 - electronic contact requirement, **49:73**
 - failure to file timely request, **49:72**
 - registration requirement, **49:73**
 - time to file, **49:71; 49:72**
- Restrictions. Limitations, above
- Retainers
 - administrative level under Social Security Act, **49:7**
 - direct payment from past-due benefits under Social Security Act, effect of retainer, **49:68**
 - Social Security Act, **49:7; 49:68**
- Sample fee agreements under Social Security Act, **49:43; 49:44**
- Sanctions in form of fees
 - claimant's attorney's misconduct, **49:143**
 - mutual misconduct, **49:144**
 - Secretary's misconduct, **49:142**
 - SSA, **49:142**
- Secretary of Health and Human Services
 - determining Secretary's position, **49:130**
 - direct payment from past-due Social Security benefits, failure of Secretary to withhold benefits, **49:70**
 - EAJA, costs and fees under, **49:130; 49:131**
 - failure of Secretary to oppose EAJA petition, **49:130**
 - fee award by Secretary, limitation on amount, **49:52**
 - misconduct by Secretary or SSA, sanctions in form of fees, **49:142**
 - preclusion or denial of EAJA fees, **49:130; 49:131**
 - remand to Secretary, effect on successful representation requirement, **49:47**
 - sanctions in form of fees, misconduct by Secretary or SSA, **49:142**
 - Social Security Act, **49:47; 49:52; 49:70**
- Services compensable under Social Security Act
 - fees may be allowed, **49:49**
 - fees may not be allowed, **49:50**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

Settlement

- application for fees and costs under Equal Access to Justice Act, orders of settlement, **49:99**
- relationship between 42 U.S.C.A. 406(b) and EAJA, effect on dual fee awards, **49:138**

Social Security Act

- generally, **49:1 to 49:79**
- Administrative level, Social Security Act, above
- Administrative review of fee agreement process, above
- approval requirement, administrative level, **49:3**
- Direct payment from past-due Social Security benefits, above
- expenses, **49:50**
- Fee agreement process, above
- Fee agreements, above
- Fee petitions, above
- Forms, above
- Judicial level, Social Security Act, above
- judicial review
 - availability of judicial review, **49:23**
 - EAJA fee denial, effect of appeal on 406(b) petition, **49:141**
- limitation on amount
 - administrative level, **49:4**
 - judicial level, **49:51 to 49:53**
- Medicare cases, **49:2**
- nonattorney representation, effect of, generally, **49:69**
- notice, **49:19; 49:31; 49:38; 49:39; 49:42; 49:140**
- order of filing fee petitions, relationship between 42 U.S.C.A. 406(b) and EAJA, **49:139; 49:140**
- penalties
 - administrative level, exceeding maximum fees, **49:5; 49:6**
 - judicial level, criminal penalty for excess fees, **49:54**
- power of court to award fees, administrative level, **49:8**
- power of SSA to award fees, judicial level, **49:55**
- Relationship between 42 U.S.C.A. 406(b) and EAJA, above
- retainers
 - administrative level, **49:7**
 - direct payment from past-due benefits, effect of retainer, **49:68**
- sample fee agreements, **49:43; 49:44**

ATTORNEYS' AND REPRESENTATIVES' FEES**—Cont'd**

Social Security Act—Cont'd

- Services compensable under Social Security Act, above
- state law, resort to in unsuccessful cases, **49:48**
- successful representation requirement, **49:46; 49:47**
- time
 - administrative review, timely request, **49:21; 49:22**
 - fee petition
 - administrative level, **49:12**
 - judicial level, **49:57; 49:58**
 - order of filing, relationship between 42 U.S.C.A. 406(b) and EAJA, **49:139; 49:140**
 - request for direct payment from past-due benefits, **49:71; 49:72**
- Special circumstances making EAJA fee award unjust, **49:126**
- Special factors in enhancement of EAJA fees, **49:108; 49:109**
- Statutory requirements
 - EAJA, maximum fee, **49:100; 49:101**
 - Social Security Act, fee agreement process, **49:25**
- Stipulation to withdraw, effect on prevailing party status, application under Equal Access to Justice Act, **49:91**
- Substantial justification for preclusion or denial of EAJA fees
 - generally, **49:127 to 49:131**
 - particular actions or decisions, **49:132 to 49:136**
 - substantial justification standard, **49:128; 49:129**
- Successful representation requirement
 - judicial level under Social Security Act, **49:46; 49:47**
 - remand to Secretary under Social Security Act, **49:47**
- Supplemental Security Income cases, generally, **49:1 to 49:79**
- Third party payment of fee, effect under Social Security Act, **49:10**
- Time
 - Equal Access to Justice Act, above
 - Social Security Act, above
- Undue delay, costs and fees under EAJA, **49:112; 49:125**
- Unjust EAJA fee award, special circumstances, **49:126**

ATTORNEYS' AND REPRESENTATIVES' FEES

—Cont'd

- Use of minimum billing units, reduction of EAJA fees, **49:113**
- Verification of fee petition, Social Security Act, **49:60**
- When to file. Time, above
- Who may file, application under Equal Access to Justice Act
 - applicant must be party, **49:87**
 - death of claimant, effect, **49:89**
 - pro se claimants, **49:88**
- Who may petition for fees under Social Security Act
 - administrative level, **49:11**
 - judicial level, **49:56**
- “Windfall rule,” contingency fee agreement, Social Security Act, **49:64**
- Withholding of fee, effect of Secretary’s failure to withhold fees on direct payment from past-due Social Security benefit, **49:70**

AUSTRALIA

- Totalization agreements, **24:42**

AUSTRIA

- Totalization agreements, **24:42**

AUTHORITY AND AUTHORIZATION

- Attorney and Non-Attorney Representation** (this index)
- Freedom of Information Act, safeguards against unauthorized redisclosure or use, **48:48**

AUTHORITY TO PROMULGATE REGULATIONS

- Social Security Administration (SSA), **1:21**

AUTISM SPECTRUM DISORDER

- Generally, **42:137; 42:158**

AUTOMATIC RECOMPUTATIONS

- Cost-of-living and general increases, **24:24**

AUTOMOBILES AND OTHER VEHICLES

- Compensation paid to commission-drivers, **7:49**
- Covered Employment** (this index)
- FICA taxes, withholdings, **69:31**
- Supplemental security income, personal property and other interests, **20:91**
- Trucks** (this index)

AUXILIARY BENEFITS

- Foreign countries, **24:41**

AVAILABILITY OF RECORDS

- Freedom of Information Act** (this index)
- Privacy Act, **48:23 to 48:25**

AVERAGE CURRENT EARNINGS DETERMINATION

- Workers’ compensation reduction, **26:66**

AVERAGE INDEXED MONTHLY EARNINGS

- Cost-of-living and general increases, **24:29**
- Primary insurance amount, method of computation, **23:18**
- Windfall reduction, **24:5**

AVERAGE MONTHLY WAGE METHOD

- Primary insurance amount, computation, **23:23 to 23:26**
- Tables, reference with respect to primary insurance amount, **23:25; 23:26**

AWARDS AND PRIZES

- Backpay** (this index)
- Fringe benefits and other compensation, **9:11; 9:62**
- Supplemental Security Income** (this index)
- Wages, **7:47**

BABY SITTER SERVICES

- Covered Employment** (this index)
- Self-employment business, **10:49**

BACKPAY

- Generally, **9:31 to 9:35**
- Award from employer and union, **9:35**
- Discrimination in employment, **9:32**
- FICA taxes, **69:11**
- Minimum wages unpaid, **9:33**
- No employment relationship existed, **9:34**
- Overtime compensation unpaid, **9:33**
- Union awards, **9:35**

BAD FAITH

- Good Faith** (this index)

BAILMENT

- Covered employment, automobile lease agreement operators as individuals qualifying as common law employees, **5:55**

BAND LEADERS

- Covered employment, **6:21**
- Employer, **6:21**

BANKRUPTCY

- Anti-assignment provision and bankruptcy estate, **34:17; 34:73**
- Covered employment, **6:6**

INDEX

BANKRUPTCY—Cont'd

- Employer, **6:6**
- Inclusion of benefits in estate in bankruptcy, **34:17; 34:73**
- Overpayment, recovery of, **33:40 to 33:43; 35:133**
- Supplemental security income, overpayments, **35:133**
- Taxes** (this index)
- Wages to bankruptcy trustees, **7:55**

BANKS AND BANKING

- Anti-assignment provision
 - deposits, **34:7; 34:8**
 - setoffs by banks, **34:11**
- Payment and Payment Procedures** (this index)

BARBERS

- Covered employment, barbers as individuals qualifying as common law employees, **5:7**

BEAUTICIANS

- Covered employment, beauticians as individuals qualifying as common law employees, **5:7**
- Self-employment business, **10:52**

BED AND BOARD

- Medicare Part A** (this index)
- Medicare** (this index)

BELGIUM

- Totalization agreements, **24:42**

BENCH MARK YEAR

- Primary Insurance Amount** (this index)

BEND POINTS

- Computation of benefits, family maximum, **25:11**
- Maximum family benefits, computation of benefits, **25:11**
- Primary insurance amount, average indexed monthly earnings method of computation, **23:21**

BENEFICIARIES

- Medicare** (this index)
- Old-age, survivors, and disability insurance, request of waiver of benefits, **34:53; 34:54**
- Payment and Payment Procedures** (this index)
- Representative Payments for OASDI Beneficiaries
 - generally, **32:1 to 32:48**
 - adult beneficiaries incapable of managing their benefits, **32:5**
 - applying to be selected as payee, **32:13**
 - beneficiaries under age 18, **32:2**
 - benefits usage, **32:29 to 32:42**
 - considerations, **32:1 to 32:9**

BENEFICIARIES—Cont'd

- Representative Payments for OASDI Beneficiaries
 - Cont'd
 - forms, **32:48**
 - legally incompetent beneficiaries, **32:3**
 - misuse of benefits, **32:43 to 32:47**
 - payees, **32:10 to 32:28**
 - persons or entities who may not serve as payee, **32:11**
 - special rules for creditors, **32:12**

BENEFITS

- As to particular benefits, see more specific entries throughout this index
- Generally, **1:33 to 1:43**
- Attorney interview with client, explaining legal requirements for obtaining benefits, **47:6**
- Computation of Benefits** (this index)

BENIGN BRAIN TUMORS

- Neurological impairments, **42:211**

BILLS AND BILLING

- Attorneys' fees, reduction of EAJA fees for use of minimum billing units, **49:113**
- Medicare** (this index)

BIOLOGICALS

- Medicare** (this index)

BIPOLAR DISORDERS

- Generally, **42:133; 42:154**

BIRTH CERTIFICATES

- Age, Proof of** (this index)
- Social security numbers, **12:17**

BLACK LUNG BENEFITS

- Reduction for public disability benefits, **26:57**

BLINDNESS

- Appeal and review, notice requirement, **50:8**
- Determination of disability insured status
 - generally, **13:38**
 - Rule IV, **14:29**
- Hearings, special notices for blind claimants, **52:8**
- Inability to work, **43:63**
- Medicare Part A, premium hospital insurance, **60:32**
- Onset of disability, **39:34**
- Re-evaluation and termination of disability status
 - Medicaid coverage, **44:149 to 44:157**
 - termination standards. Statutory blindness, below Residual functional capacity, **43:63**

BLINDNESS—Cont'd

- Special senses, generally
 - adults, **42:260 to 42:264**
 - children, **42:269**
- Statutory blindness
 - onset of disability, **39:34**
 - special senses, **42:264**
 - termination of disability status
 - attributable to claimant's actions, **44:80**
 - end of blindness and discontinuance of disability, **44:78; 44:79**
 - OASDI claimants engaging in substantial gainful activity, **44:77**
 - state plan criteria, failure of SSI claimants to meet, **44:79**
- Substantial gainful activity, **40:8**
- Supplemental Security Income** (this index)

BLOOD

- Medicare** (this index)

BLOOD DONORS

- Social security numbers, **12:18**

BLOOD PRESSURE

- Hypertension** (this index)

BLOOD TEST

- Medicare exclusions, **67:17**

BOARD

- Lodging** (this index)
- Room and Board** (this index)

BOATS

- Ships and Vessels** (this index)

BONDS

- Supplemental security income, bonds as liquid resources, **20:44 to 20:46**

BONE FRACTURES

- Musculoskeletal system, **42:181; 42:184**

BONE MARROW FAILURE

- Hematological disorders, **42:79**

BONE MARROW TRANSPLANTATION

- Hematological disorders treated by, **42:80**
- Malignant neoplastic diseases, **42:194**

BONE MASS MEASUREMENT

- Medicare, **64:76; 64:77**

BONES

- Musculoskeletal System** (this index)

BONUSES

- Generally, **7:47**
- Fringe benefits and other compensation, retirement and deferred compensation payments, **9:41**
- Retirement and deferred compensation payments, bonus plans, **9:41**
- Waiver of overpayment, **33:101**

BOOKKEEPERS

- Covered employment, bookkeepers as individuals qualifying as common law employees, **5:4**

BOWELS

- Digestive system impairments, **42:55; 42:62**
- Inflammatory bowel disease, digestive system impairments, **42:55; 42:62**
- Intestinal failure, **42:56**

BRAIN

- Neurological Impairments** (this index)

BRANCH MANAGERS

- Covered employment, branch managers as individuals qualifying as common law employees, **5:29**

BRANCH OFFICES OF SSA

- Freedom of Information Act, location of information available under, **48:13**

BREAK IN ENTITLEMENT

- Post-retirement earnings in grace year following, **28:39**

BREAK IN SERVICE

- Federal government employees, effect of break in service for employees hired before 1984, **4:89**

BREASTS

- Mammography, **64:78; 64:79; 67:10**

BREATHING

- Respiratory System Disorders** (this index)

BRIEFS

- Appeals Council review, **53:45**
- Circuit Courts** (this index)
- District courts, **56:36**

BROADCASTERS

- Covered employment, broadcasters as individuals qualifying as common law employees, **5:17**

BROKERS

- Covered employment, individuals qualifying as common law employees, **5:29**

INDEX

BRONCHIECTASIS

Respiratory system disorders, **42:230**

BROTHER AND SISTER

Covered employment, **2:61**
Partnerships, income from, **11:8**

BULBAR DYSFUNCTION

Neurological impairments, **42:206**

BURDEN OF PROOF

Presumptions and Burden of Proof (this index)

BURIAL AND BURIAL FUNDS

Supplemental Security Income (this index)

BURIAL EXPENSES

Representative payments, purchase of burial insurance, **32:30**

BURNS

Skin disorders, **42:254**

BUSINESS

Agricultural activities, **10:53**
Babysitting, **10:49**
Care for elderly or infirm, **10:50**
Child care, **10:49**
Continuity and regularity requirement, **10:48**
Definition, **10:47**
Fishing boat crewmen working for shares, **10:61**
Foster parenting, **10:51**
Illegal activities, **10:59**
Lending money, **10:58**
Miscellaneous activities, **10:62; 10:63**
Operation of a business by a trust or estate, **10:54**
Real property rentals and sales, **10:56**
Retiree acting as consultant to former employer, **10:60**
Sales, **10:55**
Secretarial services, **10:57**
Trade or Business (this index)
Work as a beautician, **10:52**

BUSINESS EXPENSES

Fringe Benefits and Similar Compensation (this index)

BUSINESS INCOME

Directors' fees, **11:13**
Fiduciaries' earnings, **11:14**
Partnerships (this index)
Self-Employment (this index)

BUYERS

Covered employment
generally, **5:38 to 5:44**
agricultural commodities buyers as individuals
qualifying as common law employees, **5:42**

BUY-IN AGREEMENTS

Medicare (this index)

CADDY FEES

Wages, **7:45**

CADETS

Covered employment, **2:10**

CAFETERIA PLANS

Fringe benefits and other compensation, **9:70**

CALCULATION

Generally as to computation of benefits. **Computation of Benefits** (this index)
Attorneys' and Representatives' Fees (this index)
Computation of Benefits (this index)
Cost-of-living and General Increases (this index)
Foreign countries, **24:42**
Medicare, calculation of increased premiums for Part B supplementary medical insurance, **64:33; 64:34**
Recalculation (this index)
Self-Employment Tax (this index)
Suspension of benefits, calculating six-month period of absence, residence outside U.S., **29:17**
Windfall Reduction (this index)

CANADA

Totalization agreements, **24:42**

CANALS

Agricultural wages for services performed in connection with operation or maintenance of non-profit ditches, canals, reservoirs, or waterways, **8:17**

CANCELLATION

Applying for benefits, cancellation of withdrawal, **30:65; 30:66**
Direct deposit, **31:30**
Earnings records, correction of, **12:72**
Medicare (this index)

CANCER

Colorectal Cancer Screening (this index)
Leukemia (this index)
Neoplastic diseases. **Malignant Neoplastic Diseases** (this index)

CANCER—Cont'd

Oral cancer drugs and Medicare Part B, **64:83; 64:84**

CARDIOVASCULAR SCREENING BLOOD TEST

Medicare exclusions, **67:17**

CARDIOVASCULAR SYSTEM IMPAIRMENTS

Generally, **42:27 to 42:52**

Adults, generally, **42:27 to 42:42**

Angina, ischemic heart disease in adults, **42:31**

Chest discomfort, ischemic heart disease in adults, **42:31**

Children and Minors (this index)

Chronic heart failure

adults, **42:29**

children, **42:48**

Clinical tests, adults, **42:38 to 42:41**

Congenital heart disease, children, **42:47**

Documentation of children's' impairments, **42:44**

Electrocardiograms (ECGs), adults, **42:38**

Equivalence determination, children, **42:52**

Exercise testing, adults, **42:39; 42:40**

Inability to work, **43:60**

Ischemic heart disease in adults, **42:30 to 42:33**

Listing of impairments, generally, **42:27 to 42:52**

Obesity, effect, **42:42**

Onset, **39:38**

Onset date of disability, **39:38**

Other listed impairments, **42:37**

Other specific impairments, **42:51**

Other tests, **42:41**

Purchase of exercise test by SSA, **42:40**

Recurrent arrhythmias

adults, **42:36**

children, **42:49**

Relationship to other impairments, children, **42:46**

Rheumatic heart disease in children, **42:50**

Severity of disability, **41:21**

Silent ischemic heart disease in adults, **42:31**

Treatment of and relationship to functional status

adults, **42:28**

children, **42:45**

lack of treatment, **42:28**

CAREGIVER

Self-employed person, caregiver to elderly or infirm as, **10:50**

CARE PLANS

Medicare (this index)

CARING FOR CHILD

Child Care (this index)

CARRIERS

Medicare (this index)

CARRYBACKS

Employment taxes, civil penalties, **73:13**

CARRYOVERS

Employment taxes, civil penalties, **73:13**

CASHING CHECKS

Generally, **31:19**

CASH OR DEFERRED ARRANGEMENTS

Fringe benefits and other compensation, retirement and deferred compensation payments, **9:45**

CASH OR DEFERRED ARRANGMENTS

Agricultural Labor, Compensation For (this index)

Medium other than cash. **Wages** (this index)

Noncash payments. **Wages** (this index)

Wages (this index)

CASUALTY REPORTS

Applying for benefits, missing service person casualty report, **30:32**

CATCH-UP INCREASES

Cost-of-living and general increases, **24:19; 24:20**

CENSUS RECORDS

Age, Proof of (this index)

CENTRAL NERVOUS SYSTEM

Neurodegenerative disorders of, **42:217**

CEREBRAL PALSY

Neurological impairments, **42:213**

CEREMONIAL MARRIAGES

Marriage (this index)

CERTAINTY AND DEFINITENESS

Construction of statutes, **1:16**

CERTIFICATES AND CERTIFICATION

Birth Certificates (this index)

Covered employment, ministers and members of religious orders filing of certificates of election, **5:78**

Foreign employment, place of application for certification of totalization agreement coverage, **3:38**

Interlocutory appeal to circuit court, **57:6**

Medicare, **64:105**

INDEX

CERTIFICATES AND CERTIFICATION

—Cont'd

- Payment and payment procedures generally, **31:7 to 31:10**
- accelerated payments, preliminary certification of payment, **31:36 to 31:40**
- applying for benefits, previously certified payments, **30:55**

CERTIFICATION OF COVERAGE

APPLICATION UNDER FOREIGN SOCIAL SECURITY SYSTEM

- Foreign employment, totalization agreement, **3:38**

CHANGE OF VENUE

- Judicial review, **55:46**

CHANGE OR MODIFICATION

- Generally as to amendment. **Amendment** (this index)
- Address Change** (this index)
- Adjustments** (this index)
- Application For Benefits** (this index)
- Determination of employee status, right to change job or site, **2:50**
- Foreign affiliate employee coverage agreement, contract coverage terminations, **3:24**
- Payment and Payment Procedures** (this index)
- Post-Judgment Remedies** (this index)
- Reopening and Revising Determinations** (this index)
- Social security numbers, request for change in SSA records, **12:8**
- State and Local Government Employees** (this index)

CHARGES

- Disciplinary proceedings against representative. **Attorney and Non-Attorney Representation** (this index)
- Rates and Charges** (this index)

CHARITABLE ORGANIZATIONS

- Generally as to nonprofit organizations. **Nonprofit Organizations** (this index)

CHARTS

- Flow charts. **Disability** (this index)

CHECKLIST OF ELIGIBILITY FOR BENEFITS

- Generally, **1:39**

CHECKS

- Date of monthly payment, **31:17; 31:18**
- Dating and mailing checks, **31:15; 31:16**
- Exceptions, date of monthly payment, **31:18**

CHECKS—Cont'd

- FICA taxes, payment, **70:45; 70:46**
- Forged checks, **31:51**
- Interception of mailed checks by SSA, **31:16**
- Lost or Stolen Checks** (this index)
- Mutilated checks, **31:54**
- Nonreceipt. See lines throughout this heading
- Overpayments** (this index)
- Same or similar name cases, **31:53**
- Smudged or mutilated checks, **31:54**
- Substitute Checks** (this index)
- Supplemental Security Income** (this index)
- Uncashed checks, **31:20**

CHEST DISCOMFORT

- Ischemic heart disease in adults, **42:31**

CHILD CARE

- Covered employment, child care service workers as individuals qualifying as common law employees, **5:8; 5:9**
- Dropout years, primary insurance amount, years counted in benefit computations, **23:16**
- Self-employment business, **10:49**

CHILDREN AND MINORS

- As to parents, generally. **Parents** (this index)
- Age as factor for child claimant meeting or equaling listed impairment, **42:16**
- AIDS. HIV Infection (AIDS)** (this index)
- Anxiety disorders, **42:155**
- Asthma, **42:244**
- Autism spectrum disorder, **42:158**
- Benefits. **Child's Benefits** (this index)
- Bipolar disorders, **42:154**
- Cardiovascular system impairments generally, **42:43 to 42:52**
- chronic heart failure, **42:48**
- congenital heart disease, **42:47**
- documentation, **42:44**
- equivalence determination, **42:52**
- other specific impairments, **42:51**
- recurrent arrhythmias in children, **42:49**
- relationship to other impairments, children, **42:46**
- rheumatic heart disease in children, **42:50**
- treatment and relationship to functional status, **42:45**
- Child's Benefits** (this index)
- Child Care** (this index)
- Chronic heart failure, **42:48**
- Chronic lung disease of infancy (CLD), **42:243**
- Chronic respiratory disorders, **42:242; 42:243**

CHILDREN AND MINORS—Cont'd

- Communication impairment, **42:224**
- Congenital disorders
 - heart disease, **42:47**
 - multiple body system disorders of children, congenital disorders that affect, below
- Criteria for meeting HIV listing, HIV infection (AIDS), **42:112**
- Cystic fibrosis, **42:245**
- Deductions in benefits. **Reductions and Deductions In Benefits** (this index)
- Depressive disorders, **42:154**
- Developmental disorders, **42:164; 42:165**
- Digestive system impairments
 - generally, **42:61 to 42:65**
 - Gastrointestinal hemorrhaging, **42:65**
 - growth failure due to digestive disorder in children, **42:64**
 - inflammatory bowel disease in children, **42:62**
 - liver disease, chronic liver disease in children, **42:61**
- Disability
 - generally, **14:38 to 14:40**
 - amount and payment of benefits, **14:43**
 - benefits **Disability** (this index)
 - continuity of child's disability, **14:39**
 - duration of benefits
 - commencement of benefits, **14:50**
 - termination of benefits, **14:50**
 - listing of impairments, below
 - onset date
 - generally, **39:29**
 - "child-in-care" provision at issue, **39:30**
 - reentitlement cases, **39:31**
 - reduction or offset of benefits, **26:5; 26:18; 26:19**
 - re-entitlement to benefits, **14:40**
- Documentation
 - cardiovascular system impairments, **42:44**
 - HIV infection, **42:114; 42:115**
- Down syndrome, congenital disorders that affect multiple body system disorders, **42:273**
- Duration of benefits. Disability, above
- Eating disorders, **42:160**
- Endocrine system impairments, **42:69; 42:70**
- Epilepsy, **42:223**
- Equaling listed impairment. Listing of impairments, below
- Equivalence determination, cardiovascular system impairments, **42:52**
- Family maximum benefits, **25:16; 25:20**
- Foster parenting, self-employment business, **10:51**

CHILDREN AND MINORS—Cont'd

- Functional limitations, HIV infection (AIDS), **42:113**
- Genitourinary impairments, **42:74; 42:75**
- Growth impairments of children
 - chronic respiratory disorder, growth failure due to, **42:248**
 - digestive disorders in children, **42:64**
 - low birth weight and failure to thrive, generally, **42:271**
- Hematological disorders, **42:82; 42:83**
- HIV infection (AIDS)
 - generally, **42:108**
 - criteria for meeting HIV listing, HIV infection (AIDS), **42:112; 42:113**
 - documenting HIV infection, **42:114; 42:115**
 - treatment, **42:109**
- Impulse-control disorders, **42:157**
- Inflammatory (rheumatoid) arthritis, non-HIV immune system disorders, **42:106**
- Intellectual disorder, **42:162; 42:163**
- Leukemia, malignant neoplastic diseases, **42:201**
- Listing of impairments
 - generally, **42:3**
 - age as factor for child claimant meeting or equaling listed impairment, **42:16**
 - AIDS. HIV infection (AIDS), above
 - cardiovascular system impairments, above
 - chronic heart failure, **42:48**
 - Congenital Disorders** (this index)
 - congenital heart disease, **42:47**
 - criteria for meeting HIV listing, HIV infection (AIDS), **42:112; 42:113**
 - dermatomyositis, **42:103**
 - digestive system impairments, above
 - documentation, above
 - equaling listed impairment. Meeting or equaling listed impairment, below this group
 - equivalence determination, cardiovascular system, **42:52**
 - functional limitations, HIV infection (AIDS), **42:113**
 - genitourinary impairments, **42:74; 42:75**
 - hematological disorders, **42:82; 42:83**
 - HIV infection (AIDS), above
 - immune deficiency disorders, excluding HIV infections, **42:105**
 - leukemia, **42:201**
 - lupus, non-HIV immune system disorders, **42:100**
 - Malignant Neoplastic Diseases** (this index)

CHILDREN AND MINORS—Cont'd

- Listing of impairments—Cont'd
 - meeting or equaling listed impairment
 - age as factor for child claimant, **42:16**
 - SSI child claimants, **42:13**
 - mental disorders, below
 - musculoskeletal system impairments, below
 - neurological disorders, below
 - other specific impairments, **42:51**
 - polymyositis, **42:103**
 - recurrent arrhythmias in children, **42:49**
 - relationship to other impairments, children's
 - cardiovascular system impairments, **42:46**
 - respiratory system disorders, below
 - rheumatic heart disease, **42:50**
 - scleroderma, systemic sclerosis, non-HIV
 - immune system disorders, **42:102**
 - sclerosis (scleroderma), non-HIV immune system disorders, **42:102**
 - specific genitourinary impairments, **42:75**
 - systemic lupus erythematosus, non-HIV immune system disorders, **42:100**
 - systemic sclerosis (scleroderma), non-HIV immune system disorders, **42:102**
 - systemic vasculitis, non-HIV immune system disorders, **42:101**
 - treatment and relationship to functional status of cardiovascular system, **42:45**
- Liver disease, chronic liver disease in children, **42:61**
- Living arrangements, consideration of, **42:151**
- Low birth weight and failure to thrive. Growth impairments of children, above
- Lung transplantation, **42:246**
- Lupus, non-HIV immune system disorders, **42:100**
- Malignant Neoplastic Diseases** (this index)
- Meeting or equaling listed impairment. Listing of impairments, above
- Mental disorders
 - generally, **42:144 to 42:165**
 - anxiety disorders, **42:155**
 - autism spectrum disorder, **42:158**
 - bipolar disorders, **42:154**
 - depressive disorders, **42:154**
 - developmental disorders, **42:164; 42:165**
 - eating disorders, **42:160**
 - evaluation
 - developmental disorders, deferral of determination, **42:165**
 - intellectual disorder, evaluating adaptive functioning, **42:163**

CHILDREN AND MINORS—Cont'd

- Mental disorders—Cont'd
 - evaluation—Cont'd
 - paragraph B criteria, mental functioning, **42:145; 42:146**
 - paragraph C criteria, serious and persistent mental disorders, **42:147**
 - evidence required to evaluate mental disorders
 - generally, **42:148 to 42:150**
 - early intervention programs, school, vocational training, work, and work-related programs, **42:149**
 - longitudinal evidence, **42:150**
 - impulse-control disorders, **42:157**
 - intellectual disorder, **42:162; 42:163**
 - living arrangements, consideration of, **42:151**
 - neurocognitive disorders, **42:152**
 - neurodevelopmental disorders, **42:159**
 - obsessive-compulsive disorders, **42:155**
 - personality disorders, **42:157**
 - psychosocial supports, consideration of, **42:151**
 - psychotic disorders, **42:153**
 - schizophrenia spectrum, **42:153**
 - somatic symptom and related disorders, **42:156**
 - stressor-related disorders, **42:161**
 - structured settings, consideration of, **42:151**
 - trauma-related disorders, **42:161**
 - treatment, consideration of, **42:151**
- Multiple body system disorders of children, congenital disorders that affect
 - generally, **42:272 to 42:274**
 - catastrophic congenital abnormalities or diseases, **42:274**
 - Down syndrome, **42:273**
 - non-mosaic Down syndrome, **42:273**
- Musculoskeletal system impairments
 - generally, **42:188**
 - developmental motor delay, **42:190**
 - infants, **42:190**
 - toddlers, **42:190**
- Neurocognitive disorders, **42:152**
- Neurodevelopmental disorders, **42:159**
- Neurological disorders
 - generally, **42:222 to 42:225**
 - communication impairment, **42:224**
 - epilepsy, **42:223**
- Newspaper carriers, **2:25**
- Non-HIV immune system disorders
 - generally, **42:96 to 42:107**
 - dermatomyositis, **42:103**
 - evaluation of symptoms, **42:98**

CHILDREN AND MINORS—Cont'd

- Non-HIV immune system disorders—Cont'd
 - functional criteria, use of, **42:99**
 - immune deficiency disorders, excluding HIV infections, **42:105**
 - inflammatory (rheumatoid) arthritis, **42:106**
 - lupus, systemic lupus erythematosus, **42:100**
 - pain, evaluation of symptoms, **42:98**
 - polymyositis, **42:103**
 - scleroderma, systemic sclerosis, **42:102**
 - sclerosis (scleroderma), systemic, **42:102**
 - sjogren's syndrome, **42:107**
 - systemic lupus erythematosus, **42:100**
 - systemic sclerosis (scleroderma), **42:102**
 - systemic vasculitis, **42:101**
 - treatment, effects of, **42:97**
 - undifferentiated and mixed connective tissue disease, **42:92; 42:104**
- Obsessive-compulsive disorders, **42:155**
- Other specific impairments, **42:51**
- Payment and payment procedures
 - representative payments, below
 - Supplemental Security Income** (this index)
 - waiver of overpayment, **33:83**
- Personality disorders, **42:157**
- Privacy Act, special rules, **48:53**
- Psychosocial supports, consideration of, **42:151**
- Psychotic disorders, **42:153**
- Pulmonary function testing, spirometry, **42:249**
- Reduction, Deduction, or Offset of Benefits** (this index)
- Representative payments
 - generally, **32:2**
 - notice and protest of determinations, **32:20**
 - preferred payees, **32:16**
 - Supplemental Security Income** (this index)
 - support and maintenance, **32:37; 32:38**
- Respiratory system disorders
 - generally, **42:241 to 42:249**
 - asthma, **42:244**
 - chronic lung disease of infancy (CLD), **42:243**
 - chronic respiratory disorders, **42:242; 42:243**
 - cystic fibrosis, **42:245**
 - growth failure due to chronic respiratory disorder, **42:248**
 - lung transplantation, **42:246**
 - pulmonary function testing, spirometry, **42:249**
 - respiratory failure, **42:247**
- Rheumatic heart disease, **42:50**
- Schizophrenia spectrum, **42:153**

CHILDREN AND MINORS—Cont'd

- Scleroderma, systemic sclerosis, non-HIV immune system disorders, **42:102**
 - Sjogren's syndrome, non-HIV immune system disorders, **42:107**
 - Social Security eligibility—worker, **1:37**
 - Somatic symptom and related disorders, **42:156**
 - Special senses and speech impairments, **42:268 to 42:270**
 - Spouse's Benefits** (this index)
 - Stepchildren** (this index)
 - Stressor-related disorders, **42:161**
 - Structured settings, consideration of, **42:151**
 - Supplemental Security Income** (this index)
 - Support
 - anti-assignment provision exceptions, **34:18 to 34:31**
 - Assignment or Attachment of Benefits** (this index)
 - receipt of benefits, effect of, **34:63 to 34:65**
 - Survivor's Benefits** (this index)
 - Suspension of benefits
 - adopted children, residency requirements as to, **29:39**
 - imprisonment or institutionalization, juvenile delinquents, **29:49**
 - murder of insured, conviction for, **29:55**
 - residency requirements as to, **29:38; 29:39**
 - Systemic lupus erythematosus, non-HIV immune system disorders, **42:100**
 - Systemic sclerosis (scleroderma), non-HIV immune system disorders, **42:102**
 - Systemic vasculitis, non-HIV immune system disorders, **42:101**
 - Thrive, failure to. Growth impairments of children, above
 - Trauma-related disorders, **42:161**
 - Treatment and relationship to functional status of cardiovascular system, **42:45; 42:46**
 - Waiver of overpayment, **33:83**
- CHILD'S BENEFITS**
- Generally, **16:1 to 16:98**
 - Acknowledgment, **16:27 to 16:29**
 - Adopted children
 - dependency requirement, below
 - relationship of child to insured, below
 - Amount of benefits, **16:8**
 - Application requirement
 - generally, **16:2; 16:3**
 - Child's Insurance Benefits, **16:3**

CHILD'S BENEFITS—Cont'd

- Attendance requirements, elementary or secondary school students, **16:89**
- Commencement of benefits. Dependency requirement, below
- Consideration. Relationship of child to insured, below
- Contracts. Relationship of child to insured, below
- Contribution for support. Dependency requirement, below
- Corroborative evidence involving one-half support, **16:80**
- Deceased insured, child of, **16:92**
- Dependency requirement
 - generally, **16:53 to 16:87**
 - adopted children
 - generally, **16:81 to 16:85**
 - “after-adopted” children, **16:82**
 - equitably adopted children, below this group surviving spouse, children adopted by, **16:83**
 - “after-adopted” children, **16:82**
 - attendance requirements, elementary or secondary school students, **16:89**
 - commencement of benefits
 - generally, **16:92 to 16:94**
 - deceased insured, child of, **16:92**
 - live insured, child of, **16:93; 16:94**
 - construction of “living with” and “contributing to support” requirements, **16:56**
 - contribution for support
 - generally, **16:64; 16:65**
 - income of insured, **16:65**
 - corroborative evidence, **16:80**
 - deceased insured, child of, **16:92**
 - deemed dependency, **16:55**
 - education. Elementary or secondary school students, below this group
 - elementary or secondary school students
 - generally, **16:88 to 16:91**
 - attendance requirements, **16:89**
 - imprisonment, effect of, **16:91**
 - nonattendance, periods of, **16:90**
 - equitably adopted children
 - generally, **16:84; 16:85**
 - surviving spouse, equitable adoption by, **16:85**
 - evidence of support
 - generally, **16:75 to 16:80**
 - corroborative evidence, **16:80**
 - farm or garden involved, supplemental information when, **16:79**
 - forms to be filed, **16:75; 16:76**

CHILD'S BENEFITS—Cont'd

- Dependency requirement—Cont'd
 - evidence of support—Cont'd
 - rental income involved, supplemental information when, **16:78**
 - trade or business involved, supplemental information when, **16:77**
 - farm or garden involved, evidence of support, **16:79**
 - grandchild, **16:58**
 - illegitimate children
 - generally, **16:59 to 16:63**
 - posthumous illegitimate child, below this group
 - support not found, **16:60**
 - income of insured, **16:65**
 - “living with” insured
 - generally, **16:66 to 16:68**
 - illustrative cases, **16:68**
 - temporary separation, effect of, **16:67**
 - natural child, **16:57**
 - notice of termination of benefits, **16:98**
 - one-half support
 - generally, **16:69 to 16:74**
 - claimant's income, **16:73**
 - pooled fund method, **16:71; 16:72**
 - time, **16:70**
 - overview, **16:53**
 - posthumous illegitimate child
 - generally, **16:61 to 16:63**
 - living with, **16:62**
 - support not found, **16:63**
 - rental income, evidence of support, **16:78**
 - school. Elementary or secondary school students, above this group
 - secondary school. Elementary or secondary school students, above this group
 - stepchildren
 - generally, **16:86**
 - one-half support from stepparent, **16:87**
 - step grandchild, **16:58**
 - surviving spouse, children adopted by, **16:83**
 - termination of benefits
 - generally, **16:95 to 16:98**
 - full-time elementary or secondary school students, **16:96**
 - notice, **16:98**
 - suspension of missing child's benefits, **16:97**
 - time of dependency, **16:54**
- Divorce, **16:51**
- Education. Dependency requirement, above

CHILD'S BENEFITS—Cont'd

- Elementary or secondary school students.
 - Dependency requirement, above
- Equitably adopted children. Dependency requirement, above
- Evidence
 - dependency requirement, above
 - relationship of child to insured, below
- Farm or garden involved, dependency requirement, **16:79**
- Grandchild
 - dependency requirement, **16:58**
 - relationship of child to insured, **16:15**
- Illegitimate children. Dependency requirement, above
- Implied contract. Relationship of child to insured, below
- Imprisonment, **16:91**
- Income of insured, dependency requirement, **16:65**
- Introduction, **16:1**
- Lord Mansfield Rule. Relationship of child to insured, below
- Marriage, **16:5; 16:7; 16:21; 16:52**
- Natural children
 - dependency requirement, **16:57**
 - relationship of child to insured, below
- Notice of termination of benefits, **16:98**
- One-half support. Dependency requirement, above
- Paternity, **16:28; 16:29**
- Posthumous illegitimate child. Dependency requirement, above
- Presumption of legitimacy. Relationship of child to insured, below
- Reentitlement to child's benefits
 - generally, **16:6 to 16:8**
 - terminated marriage, effect of, **16:7**
- Relationship of child to insured
 - generally, **16:10 to 16:52**
 - adopted children
 - generally, **16:33 to 16:49**
 - equitably adopted children, below this group
 - evidence, **16:34**
 - legally adopted children
 - generally, **16:33 to 16:35**
 - earnings record of natural parents, entitlement based on, **16:35**
 - evidence, **16:34**
 - consideration. Equitably adopted children, below this group
 - contract requirements. Equitably adopted children, below this group

CHILD'S BENEFITS—Cont'd

- Relationship of child to insured—Cont'd
- equitably adopted children
 - generally, **16:36 to 16:49**
 - consideration
 - generally, **16:42; 16:43**
 - proving love between foster parent and adoptive child by their testimony, **16:43**
 - contract requirements
 - generally, **16:38; 16:39**
 - implied contracts, below this subgroup
 - testimony of natural parent, **16:39**
 - implied contract
 - generally, **16:40; 16:41**
 - surname, child's testimony concerning use of, **16:41**
 - inheritance rights, promise to provide child with, **16:44**
 - performance by child, **16:47**
 - states recognizing equitable adoption, **16:37**
 - surrender of child
 - generally, **16:45; 16:46**
 - natural parent's testimony, proving by, **16:46**
 - time requirements, **16:48**
- evidence
 - adopted children, **16:34**
 - natural children, below this group
- grandchild, **16:15**
- implied contract. Equitably adopted children, above this group
- introduction, **16:10**
- Lord Mansfield Rule (presumption of legitimacy). Natural children, below this group
- natural children
 - generally, **16:16 to 16:32**
 - court decree, **16:27 to 16:29**
 - evidence of status, generally, **16:17**
 - father's testimony, proving fatherhood of illegitimate child by, **16:24**
 - friend of father's testimony, proving fatherhood of illegitimate child by, **16:26**
 - intestate inheritance requirements
 - generally, **16:30 to 16:32**
 - paternity, **16:28; 16:29**
 - invalid ceremonial marriage, child of, **16:21**
 - mother's testimony, proving fatherhood of illegitimate child by, **16:25**
 - other evidence of status
 - generally, **16:22; 16:23**
 - illustrative cases, **16:23**

INDEX

CHILD'S BENEFITS—Cont'd

- Relationship of child to insured—Cont'd
 - natural children—Cont'd
 - overview, **16:16**
 - presumption of legitimacy (Lord Mansfield Rule)
 - illustrative cases, **16:20**
 - table of states' position on rule, **16:19**
 - proof of status, generally, **16:17**
 - support order, **16:27 to 16:29**
 - written acknowledgment, **16:27 to 16:29**
 - presumption of legitimacy (Lord Mansfield Rule). Natural children, above this group
 - state law
 - generally, **16:11 to 16:14**
 - changes, effect of
 - generally, **16:13; 16:14**
 - illustrative cases, **16:14**
 - inheritance statutes, constitutionality of, **16:12**
 - stepchildren
 - generally, **16:48 to 16:51**
 - ceremonial marriage, **16:52**
 - death, effect of, **16:51**
 - deemed stepchild, **16:52**
 - divorce, effect of, **16:51**
 - duration requirements, **16:50**
 - step grandchild, **16:15**
 - surrender of child. Equitably adopted children, above this group
 - Rental income, dependency requirement, **16:78**
 - Retroactive entitlement, **16:4**
 - School. Dependency requirement, above
 - Secondary school. Dependency requirement, above
 - State law. Relationship of child to insured, above
 - Stepchildren
 - dependency requirement, above
 - relationship of child to insured, above
 - Step grandchild
 - dependency requirement, **16:58**
 - relationship of child to insured, **16:15**
 - Surrender of child. Relationship of child to insured, above
 - Surviving spouse, children adopted by, **16:83**
 - Termination of benefits. Dependency requirement, above

CHILE

- Totalization agreements, **24:42**

CHIROPRACTORS

- Medicare, covered services, **64:71; 64:72**

CHOICE OR ELECTION

- Election or Choice** (this index)

CHRISTIAN SCIENCE PRACTITIONERS

- Religion and Religious Organizations** (this index)

CHRONIC FATIGUE

- Inability to work, **43:66; 43:67**

CHRONIC HEART FAILURE

- Cardiovascular system impairments, adults, **42:29**
- Children and minors, **42:48**

CHRONIC INFECTIONS OF THE LUNGS

- Respiratory system disorders, **42:236**

CHRONIC LIVER DISEASE

- Digestive system impairments, **42:54; 42:61**

CHRONIC LUNG DISEASE OF INFANCY (CLD)

- Generally, **42:243**

CHRONIC PULMONARY HYPERTENSION

- Respiratory system disorders, **42:231**

CHRONIC RESPIRATORY IMPAIRMENT

- Respiratory System Disorders** (this index)

CHURCHES

- Religion and Religious Organizations** (this index)

CIRCUIT COURTS

- Appeals to, generally, **57:1 et seq.**
- Appendices. Filing of appendices, below
- Briefs. Filing of briefs, below
- Certification of interlocutory appeal, **57:6**
- Change in law during pendency of appeal, **57:15**
- Checking in for argument, **57:39**
- Commencement of appeal time, **57:23**
- Contents
 - appendix, **57:37**
 - brief, **57:33**
- Copies
 - appendix, number to be submitted, **57:36**
 - brief, number to be submitted, **57:31**
- Decision of court of appeals, **57:41**
- Enlargement of time
 - appeal, filing, **57:22**
 - briefs, filing, **57:29**
- Error of law, remand to correct, **57:14**
- Evidence, remand for additional, **57:13**
- Exceptional circumstances, **57:12**
- Extraordinary writ, **57:7**
- Fees, payment of, **57:24**

CIRCUIT COURTS—Cont'd

- FICA and self-employment tax litigation, disagreement between Circuit Court and Tax Court, **72:121**
- Filing notice of appeal, **57:21**
- Filing of appendices
 - generally, **57:35 to 57:37**
 - contents of appendix, **57:37**
 - number of copies to be submitted, **57:36**
 - time appendix must be filed, **57:35**
- Filing of briefs
 - generally, **57:27 to 57:34**
 - contents of brief, **57:33**
 - enlargement of time to file briefs, **57:29**
 - failure to file in timely fashion, **57:30**
 - length of brief, **57:32**
 - number of copies to be submitted, **57:31**
 - physical characteristics of brief, **57:34**
 - time brief deemed filed, **57:28**
- Finality of order, jurisdiction, **57:2; 57:3**
- Forma pauperis, proceeding in, **57:25**
- Further appeals
 - generally, **57:17 to 57:19**
 - petition for rehearing, **57:17**
 - reinstatement, **57:18**
 - United States Supreme Court, appeal to, **57:19**
- Indigent persons, proceedings in forma pauperis, **57:25**
- Interlocutory order, appeal of, **57:5; 57:6**
- Jurisdiction to review
 - generally, **57:1 to 57:8**
 - certification of interlocutory appeal, **57:6**
 - dispositive judgment of collateral issue, **57:4**
 - extraordinary writ, **57:7**
 - finality of order, **57:2; 57:3**
 - interlocutory order, appeal of, **57:5; 57:6**
 - magistrate decisions, **57:8**
 - remand as final order, **57:3**
- Length of brief, **57:32**
- Magistrate Judges** (this index)
- Number of copies. Copies, above
- Oral argument
 - generally, **57:38 to 57:41**
 - checking in for argument, **57:39**
 - presenting oral argument, **57:40**
 - time oral argument permitted, **57:38**
- Payment of fees, **57:24**
- Petition for rehearing, **57:17**
- Physical characteristics of brief, **57:34**
- Poor persons, proceedings in forma pauperis, **57:25**
- Presenting oral argument, **57:40**

CIRCUIT COURTS—Cont'd

- Procedures on appeal
 - generally, **57:20 to 57:41**
 - commencement of appeal time, **57:23**
 - decision of court of appeals, **57:41**
 - enlargement of time to file appeal, **57:22**
 - filing notice of appeal, **57:21**
 - filing of appendices, above
 - filing of briefs, above
 - forma pauperis, proceeding in, **57:25**
 - importance of appellate rules of procedure, **57:20**
 - oral argument, above
 - payment of fees, **57:24**
 - record on appeal, **57:26**
 - Record on appeal, **57:26**
 - Reinstatement, **57:18**
 - Remand as final order, **57:3**
 - Remedies
 - generally, **57:13 to 57:16**
 - change in law during pendency of appeal, **57:15**
 - error of law, remand to correct, **57:14**
 - evidence, remand for additional, **57:13**
 - reversal and award of benefits, **57:16**
 - Reversal and award of benefits, **57:16**
 - Scope of review, **57:9 to 57:12**
 - Standards of review, **57:10**
 - Time and date
 - appendix, filing, **57:35**
 - brief, deemed filed, **57:28**
 - commencement of appeal time, **57:23**
 - oral argument, **57:38**
 - United States Supreme Court, appeal to, **57:19**
- CIRCUMSTANTIAL EVIDENCE**
- Survivor's Benefits** (this index)
- CITIES**
- Generally as to local government. **Local Government** (this index)
- CITIZENSHIP**
- Aliens** (this index)
 - Foreign state or country, services performed by citizen of United States, **2:5**
 - Suspension for residence outside U.S., **29:15 to 29:40**
- CITY SALESPERSONS**
- Covered employment, **5:70**
- CIVIL MONETARY PENALTIES**
- Generally, **1:5 to 1:12; 58:25 to 58:56**
 - Additional assessment, **1:12**

CIVIL MONETARY PENALTIES—Cont'd

Administrative law judges
 authority and role of the ALJ, **58:40; 58:41**
 initial decision of ALJ, **58:50; 58:52**
 stay of ALJ's initial decision, **58:52**

Administrative review
 generally, **58:37 to 58:54**
 admissibility of evidence, **58:49**
 authority and role of the ALJ, **58:40; 58:41**
 burden of proof, **58:47**
 conduct of the hearing, **58:47**
 Department Appeals Board, appeal to, **58:51**
 discovery, **58:42**
 exhibits, exchange of, **58:43**
 finality of administrative decision, **58:54**
 form, filing, and service of papers, **58:45**
 harmless error, **58:53**
 hearing, **58:47 to 58:49**
 initial decision of ALJ, **58:50; 58:52**
 motions and sanctions, **58:46**
 parties to an administrative hearing, **58:39**
 prehearing conferences, **58:41**
 prehearing matters other than conferences, generally, **58:42 to 58:46**
 request for an administrative hearing, **58:38**
 stay of ALJ's initial decision, **58:52**
 subpoenas for attendance, **58:44**
 witnesses, **58:48**
 witness lists and statements, exchange of, **58:43**

Admissibility of evidence, **58:49**

Amount of penalty
 false or misleading statements, penalties for, **58:27**
 misuse of symbols, emblems, or names, penalties for, **58:34**

Appeal, generally, **1:11; 58:25 et seq.**

Authority and role of the ALJ, **58:40; 58:41**

Burden of proof, **58:47**

Collection of penalty
 generally, **1:11**
 false or misleading statements, penalties for, **58:30**
 misuse of symbols, emblems, or names, penalties for, **58:36**

Conduct of the hearing, **58:47**

Department Appeals Board, appeal to, **58:51**

Discovery, **1:7; 58:42**

Emblems. Misuse of symbols, emblems, or names, penalties for, below

Exhibits, exchange of, **58:43**

CIVIL MONETARY PENALTIES—Cont'd

False or misleading statements, penalties for
 generally, **58:26 to 58:31**
 amount of penalty, **58:27**
 collection of penalty and assessment, **58:30**
 initiation of penalty proceeding, **58:28**
 injunctions, **58:31**
 notice of proposed determination, **58:29**

Finality of administrative decision, **1:10; 58:54**

Form, filing, and service of papers, **58:45**

Harmless error, **58:53**

Hearing, generally, **1:9; 58:47 to 58:49**

Initial decision of ALJ, **1:10; 58:50; 58:52**

Injunctions, false or misleading statements, **58:31**

Judicial Review (this index)

Medicare Part D, **66:30**

Misleading statements. False or misleading statements, penalties for, above

Misuse of symbols, emblems, or names, penalties for
 generally, **58:32 to 58:36**
 amount of penalty, **58:34**
 collection of penalty, **58:36**
 notice of proposed determination, **58:35**
 protected symbols, emblems, and names, **58:33**

Motions, **58:46**

Names. Misuse of symbols, emblems, or names, penalties for, above

Notice of intent to seek penalty, **1:7**

Notice of proposed determination
 false or misleading statements, penalties for, **58:29**
 misuse of symbols, emblems, or names, penalties for, **58:35**

Parties to an administrative hearing, **58:39**

Prehearing conferences, **1:8; 58:41**

Prehearing matters other than conferences, generally, **58:42 to 58:46**

Procedures for imposition of penalty, **1:6**

Request for hearing, **1:7; 58:38**

Sanctions, **58:46**

Service of papers, **58:45**

Settlement, **1:10**

Social Security Act, generally, **1:5 to 1:12; 58:25 to 58:56**

Stay of ALJ's initial decision, **58:52**

Subpoenas for attendance, **58:44**

Symbols. Misuse of symbols, emblems, or names, penalties for, above

Witnesses, **58:43; 58:48**

CIVIL PENALTIES

Civil Monetary Penalties (this index)
Taxes (this index)

CIVIL RIGHTS AND DISCRIMINATION

ALJ complaint procedure, civil rights investigation process, **52:34**
 Backpay, **9:32**
 Social Security Act, basis for review of, **58:17; 58:18**

CIVIL SERVICE PENSION

Supplemental security income, liquid resources, **20:49**

CLAIMANTS

Disability (this index)

CLAIMS COURT

Court of Claims (this index)

CLARITY OF STATUTORY LANGUAGE

Construction and interpretation, **1:16**

CLASS ACTIONS

Generally, **56:17 to 56:22**
 Adequate representation, **56:21**
 Adequate representation of all class members, **56:21**
 Commonality of issues, **56:19**
 District Court Practice
 generally, **56:17 to 56:22**
 adequate representation of all class members, **56:21**
 commonality of issues, **56:19**
 numerosity of class members, **56:18**
 prerequisites for class review, **56:17**
 typicality of named plaintiff, **56:20**
 when is class action maintainable, **56:22**
 District courts, see more specific lines in this heading
 Judicial review, **55:8; 55:52 to 55:54**
 Maintainability, **56:22**
 Numerosity, **56:18**
 Prerequisites for class review, **56:17**
 Presentment requirement, judicial review, **55:8**
 Typicality of named plaintiffs' claims, **56:20**

CLERGY

Religion and Religious Organizations (this index)

CLERICAL ERROR

FICA and self-employment tax examinations, **72:11**
 Post-judgment remedies, **56:74**
 Reopening determinations, grounds for, **54:28**

CLINICAL CARE

Medicare (this index)

CLINICAL TESTS

Cardiovascular system impairments, adults, **42:38 to 42:41**
 Medicare, **64:77; 64:78**

CLOSED-PERIOD BENEFICIARIES

Disability, re-evaluations, **44:44**

CLOSELY HELD CORPORATIONS

Remuneration for management of rental property owned by, **7:15**

CLOTHING ALLOWANCES AND REIMBURSEMENTS

Fringe benefits and other compensation, **9:16**

COERCION OR DURESS

Disclosure of social security number of another person as crime, **59:13**

COHABITATION

Living In Same Household (this index)

COINSURANCE

Hospice services. See **Medicare Part A** (this index)
Medicare (this index)

COLAS

Cost-of-Living and General Increases (this index)

COLLATERAL ESTOPPEL

Res judicata, **54:59**

COLLATERAL ISSUES

Final decision requirement, **55:16**

COLLECTION

Administrative wage garnishment, overpayment, **33:32**
 Alimony or child support. **Assignment or Attachment of Benefits** (this index)
Assignment or Attachment of Benefits (this index)
Civil Monetary Penalties (this index)
 Covered employment, collectors as individuals qualifying as common law employees, **5:10**
 Medicare Part D, collecting of monthly enrollee premiums, **66:18**
Medicare (this index)
Overpayments (this index)
 Social Security Act, civil money penalty, **1:11**
Taxes (this index)

INDEX

COLLEGES AND UNIVERSITIES

Covered employment, services performed by enrolled students, **2:24**

COLORECTAL CANCER SCREENING

Medicare
diagnostic services, **64:78; 64:79**
exclusions, **67:13**

COLOR OF LAW

Supplemental security income, proof of permanent residence under color of law, **18:12 to 18:15**

COMA

Neurological impairments, **42:219**

COMBINATION OF IMPAIRMENTS

Disability (this index)

COMBINED PAYMENTS

Payment procedures, **31:12 to 3:14**

COMMERCE REGULATIONS

Social Security Act, basis for review of, **58:20**

COMMERCIAL INFORMATION

Freedom of Information Act, confidential information exempt from disclosure, **48:18**

COMMISSIONS

Generally, **7:48; 7:68**
Clergy, **Religion and Religious Organizations** (this index)
Covered employment, commission-drivers, **5:67**
Drivers, **7:49**
Fringe benefits, salesmen, **9:10**
Post-retirement earnings, **28:11**
Primary insurance amount, inclusion of money paid to commissioned officers of public health service, **23:4**
Religion and Religious Organizations (this index)

COMMONALITY

Class actions, **56:19**

COMMON LAW MARRIAGES

Agreement, present agreement to be married, **21:61 to 21:63**
Cohabitation, requirement of, **21:64**
Complaint alleging validity of common law marriage, **21:72**
Invalid ceremonial marriages, common law marriages arising from, **21:65**
Proof of marital status by
generally, **21:59 to 21:65**
agreement, present agreement to be married, **21:61 to 21:63**

COMMON LAW MARRIAGES—Cont'd

Proof of marital status by—Cont'd
certificate of attorney as to recognition of common law marriage, **21:71**
cohabitation, requirement of, **21:64**
complaint alleging validity of common law marriage, **21:72**
convincing evidence, **21:66**
invalid ceremonial marriages, common law marriages arising from, **21:65**
proof of common law marriage, **21:66 to 21:72**
state law, applicability of, **21:60**
statement of facts showing valid common law marriage, **21:69**
Statement of Marital Relationship [Form SSA-754], **21:67**
Statement Regarding Marriage [Form SSA-753], **21:68**
valid written contract, statement to prove nonceremonial marriage by, **21:70**
State law, applicability of, **21:60**
Statement of Marital Relationship [Form SSA-754], **21:67**
Statement Regarding Marriage [Form SSA-753], **21:68**

COMMON LAW RULES

Covered Employment (this index)

COMMUNICATION IMPAIRMENT

Neurological impairments, **42:205**

COMMUNIST ORGANIZATIONS

Covered employment, **2:28**

COMMUNITY MENTAL HEALTH CENTERS

Medicare Part B, **64:117**

COMMUNITY PROPERTY

Anti-assignment provision, **34:9**
Self-employment tax, **71:10**

COMMUNITY RESIDENCES

Supplemental Security Income (this index)

COMPANION SERVICES

Covered employment, companion services contracted through agencies, **5:9**

COMPANION SITTING PLACEMENT SERVICE

Covered employment, **6:15**
Employer, **6:15**

COMPENSATION

Commissions (this index)

COMPENSATION—Cont'd

- Deferred compensation. **Retirement and Retirement Benefits** (this index)
- Earnings** (this index)
- Fringe Benefits and Similar Compensation** (this index)
- Overtime Compensation** (this index)
- Wages** (this index)

COMPETENCY

- Incompetent and Insane Persons** (this index)

COMPETITIVE BIDDING PROGRAM

- Medicare, exclusion of item or service, **67:112**

COMPLAINT

- Generally, **56:3 to 56:16**
- Administrative Law Judges** (this index)
- Answer** (this index)
- Assignment of judge, **56:9**
- Common law marriage, complaint alleging validity of common law marriage, **21:72**
- Contents of complaint, **56:4; 56:5**
- District Court Practice, requirement generally, **56:3 to 56:16**
 - assignment of judge, **56:9**
 - contents of complaint, **56:4**
 - sample, **56:5**
- filing complaint, time limits and extensions, **56:3; 56:8**
- leave to proceed in forma pauperis, **56:14**
- pro se claimants, **56:15**
- providing social security number, **56:6**
- scheduling case for hearing, **56:16**
- service of summons and complaint, **56:10**
 - acknowledgment of mailed process, **56:13**
 - process against SSA officials, individual capacities, **56:12**
 - process directed to the SSA or the Commissioner, **56:11**
- use of form complaint, **56:7**
- Filing complaint, **56:8**
- Forma pauperis, leave to proceed in, **56:14**
- Form of complaint, federal district court, **56:7**
- Pro se claimants, **56:15**
- Sample complaint, **56:5**
- Scheduling case for hearing, **56:16**
- Service of summons and complaint, **56:10 to 56:13**
- Social Security number, inclusion of, **56:6**
- Timely complaint commences action, **56:3**

COMPLETE TERMINATION

- Foreign affiliate employee coverage agreement, termination of contract coverage, **3:26**

COMPLETION

- Reconsideration request, completing form for, **50:34**

COMPOSITION

- State and Local Employees** (this index)

COMPOUNDING OF INTEREST

- Employment taxes, **73:5**

COMPREHENSIVE OUTPATIENT REHABILITATION FACILITY SERVICES

- Medicare** (this index)

COMPROMISE AND SETTLEMENT

- Generally, **72:39; 72:40; 72:43**
- Appeal Office conference, settlement at, **72:35**
- Attorneys' and Representatives' Fees** (this index)
- Civil money penalty, **1:10**
- Deficiency assessments and underpayments, **72:29; 72:30**
- Fringe benefits and other compensation, employer payments, **9:30**
- IRS procedures, generally, **72:39 to 72:43**
- Medicare** (this index)
- 90 Day Letter, **72:37; 72:38**
- Overpayments** (this index)
- Social Security Act, civil money penalty, **1:10**
- Special settlements, closing agreements, and compromises
 - generally, **72:39 to 72:43**
 - compromises, **72:43**
- Supplemental security income, settlement awards as liquid resources, **20:50**
- Types of settlements, **72:40**
- Workers' compensation offset, **26:49**

COMPULSION

- Social security number of another person, compelling disclosure of, **59:13**

COMPUTATION OF BENEFITS

- Adjustments to family maximum, **25:17 to 25:22**
- Age of Beneficiary, Effect on Benefit Computation** (this index)
- Average indexed monthly earnings method of computation, **22:19 to 22:21; 23:18; 23:21**
- Bend points, maximum family benefits, **25:11**
- Calculators and estimators
 - generally, **22:6 to 22:11**
 - Detailed Calculators, **22:11**

COMPUTATION OF BENEFITS—Cont'd

- Calculators and estimators—Cont'd
 - Online Calculators, **22:9; 22:10**
 - Quick Calculator, **22:7**
 - Retirement Estimator, **22:8**
 - WEP Online Calculator, **22:10**
- Child entitled on more than one record
 - adjustment to family maximum, **25:20**
 - family maximum, **25:16**
- Children, family maximum benefits, **25:16; 25:20**
- Cost-of-living adjustments to frozen minimum primary insurance amount, **25:7**
- Cost-of-living increases and recomputations. **Cost-of-Living and General Increases** (this index)
- Deductions. **Reduction, Deduction, or Offset of Benefits** (this index)
- Detailed Calculators, **22:11**
- Divorced spouse or surviving divorced spouse entitled, adjustment to family maximum, **25:19**
- Dual-entitled beneficiaries, effect of family maximum on, **25:9**
- Estimators. Calculators and estimators, above
- Family benefits, maximum
 - generally, **25:8 to 25:22**
 - adjustments to family maximum
 - generally, **25:17 to 25:22**
 - divorced spouse, **25:19**
 - late applicant, **25:22**
 - multiple records, child entitled on, **25:20**
 - savings clause, **25:21**
 - bend points, **25:11**
 - calculation, generally, **25:10 to 25:13**
 - children, **25:16; 25:20**
 - deduction or reduction in benefits, adjustments to family maximum, **25:18**
 - disability cases, **25:14**
 - divorced spouse or surviving divorced spouse entitled, adjustment, **25:19**
 - dual-entitled beneficiaries, effect of family maximum on, **25:9**
 - formula used to compute, **25:10**
 - introduction, **25:8**
 - late applicant entitled, adjustment, **25:22**
 - multiple records, child entitled to family benefits, **25:16; 25:20**
 - previous entitlement to disability benefits, effect of, **25:15**
 - savings clause, adjustments to family maximum, **25:21**
 - year of eligibility, determining, **25:12**

COMPUTATION OF BENEFITS—Cont'd

- Forms
 - certificate of election for reduced spouse's benefits [Form SSA-25], **27:7**
 - certificate of election for reduced widow(er)'s benefits [Form SSA-4411], **27:9**
- Formula, computation of family maximum benefits, **25:10**
- Frozen minimum primary insurance amount, **25:5 to 25:7**
- Government pension offset, reduction because of government pension offset, **26:39 to 26:42**
- Illustrations, **22:19 to 22:21**
- Late Application** (this index)
- Minimum and maximum amount
 - generally, **25:1 to 25:22**
 - applicability of special minimum, **25:2**
 - application of frozen minimum primary insurance amount, **25:5**
 - basic computation of special minimum, **25:4**
 - calculation, years of coverage with respect to special minimum primary insurance amount, **25:3**
 - cost-of-living adjustments to frozen minimum primary insurance amount, **25:7**
 - family benefits, maximum, above
 - frozen minimum primary insurance amount, **25:5 to 25:7**
 - introduction, **25:1**
 - religious orders, retention of frozen minimum for those in, **25:6**
 - retention of frozen minimum for those in religious orders, **25:6**
 - special minimum primary insurance amount, generally, **25:1 to 25:7**
- Multiple entitlement, adjustment of family maximum benefits where child entitled on more than one record, **25:20**
- Offsets
 - government pension offset, reduction because of government pension offset, **26:39 to 26:42**
 - supplemental security income, underpayments, **35:166; 35:167**
- Online Calculators, **22:9; 22:10**
- Overview, generally, **22:1 et seq.**
- Previous entitlement to disability benefits, effect of, **25:15**
- Primary Insurance Amount** (this index)
- Proration** (this index)
- Quick Calculator, **22:7**
- Record, family maximum benefits where child entitled on more than one, **25:16**

COMPUTATION OF BENEFITS—Cont'd

- Reduction, Deduction, or Offset of Benefits** (this index)
- Religious orders, retention of frozen minimum by members of, **25:6**
- Retention of frozen minimum for those in religious orders, **25:6**
- Retirement Estimator, **22:8**
- Savings clause, adjustment of family maximum benefits, **25:21**
- Social Security statement
 - generally, **22:1 to 22:5**
 - contents of statement, **22:2; 22:4**
 - derivation and description of data used in statement, **22:5**
 - preparation of statement, **22:2**
 - request for statement, **22:3; 22:4**
- Special minimum amount, generally, **25:1 to 25:7**
- Supplemental Security Income** (this index)
- WEP Online Calculator, **22:10**
- Year of eligibility, determining, maximum family benefits, **25:12**
- Years of coverage, calculation with respect to special minimum primary insurance amount, **25:3**

COMPUTATIONS

- Attorneys' and Representatives' Fees** (this index)
- Benefits. Computation of Benefits** (this index)
- Self-Employment Tax** (this index)

CONCEALMENT

- Crimes** (this index)

CONCLUSIVENESS

- Finality** (this index)

CONCURRENT EMPLOYMENT RULE

- FICA Taxes** (this index)

CONDITIONAL BENEFITS PERIOD

- Supplemental security income, disposition of resources, **20:29**

CONDITIONAL PAYMENT

- Medicare** (this index)

CONDITIONS

- Medicare** (this index)

CONFERENCES

- Overpayments** (this index)
- Reconsideration
 - arrangement for conference, **50:28**
 - formal conference, **50:27**
 - informal conference, **50:26**

CONFIDENTIAL MATTERS

- Privileged and Confidential Matters** (this index)

CONFLICT OF INTEREST

- Disability, consultative examinations, **37:49**

CONFLICTS

- Disability** (this index)

CONFORMING RECORDS

- Earnings records, **12:57; 12:58**

CONGENITAL DISORDERS

- Catastrophic congenital abnormalities or diseases, **42:274**
- Children and Minors** (this index)
 - Down syndrome, non-mosaic Down syndrome
 - adults, **42:275**
 - children, **42:273**
 - Heart disease, children, **42:47**
 - Multiple body system disorders
 - adults, congenital disorders that affect multiple body systems, **42:275**
 - children, congenital disorders that affect multiple body systems. **Children and Minors** (this index)
- Other congenital disorders and anomalies, **42:276**

CONGRESS

- Cost-of-living and general increases, **24:17**
- Disability, Congressional reports, **44:7**
- Federal government employees, coverage, **4:96**

CONSENT OR APPROVAL

- Acquiescence rulings, construction and interpretation, **1:18**
- Attorneys' fees, approval at administrative level, Social Security Act, **49:3**
- Magistrates, **56:50 to 56:53**
- Privacy Act** (this index)

CONSERVATION

- Generally. **Environmental Considerations** (this index)
- Representative payments, surplus funds, **32:39; 35:100**
- State and local government employees, coverage, conservation associations, **4:12**

CONSERVATORSHIP ACCOUNTS

- Supplemental security income, **20:38**

CONSIDERATION

- Child's Benefits** (this index)
- Finality** (this index)

INDEX

CONSOLIDATIONS AND MERGERS

Employer, **6:10**

CONSTITUTIONAL LAW

Due Process (this index)

Employment taxes, rights of taxpayer, **73:60; 73:61**

Expedited appeals process, existence of constitutional issue, **50:49**

Finality requirement, judicial review, **55:18; 55:19; 55:21; 55:24**

Government pension offset, **26:27**

Mandamus, compelling SSA to comply with constitutional duty, **58:10**

Mother's and father's benefits, constitutionality of marriage requirement, **17:24**

Post-retirement earnings, **28:9**

Social Security Act, **1:2**

Supplemental Security Income (this index)

Suspension of benefits

deportation, **29:43**

imprisonment, suspension for, **29:50**

Timely filing for judicial review, **55:44**

Validity of Social Security Act, generally, **1:2**

CONSTRUCTION AND INTERPRETATION

Acquiescence rulings, **1:18**

Clarity of statutory language, strict construction, **1:16**

Coverage under Act, construction in favor of, **1:14**

Federal court precedents, **1:18**

Guidelines. **Publications of SSA** (this index)

Judicial review, **55:61**

Language of statute, strict construction, **1:16**

Liberal construction, **1:13; 1:15**

Nonacquiescence policy, implementation through social security rulings, **1:18**

Precedents of federal courts, **1:18**

Publications of SSA (this index)

Remand, effect on, **1:15**

Similar state laws, state decision construing, **1:20**

Social Security Act, generally, **1:1 to 1:43**

Stare decisis, **1:18**

State decision construing similar state laws, **1:20**

Strict construction, **1:16**

Weight accorded SSA's interpretations, **1:19**

Whole statute, **1:17**

CONSTRUCTION INDUSTRY WORKERS

Covered employment, construction industry workers as individuals qualifying as common law employees, **5:46 to 5:48**

CONSTRUCTIVE PAYMENT

Wages, **7:62 to 7:78**

CONSTRUCTIVE REOPENING

Generally, **54:12 to 54:14**

CONSULTANTS AND CONSULTATIONS

Covered employment, individuals qualifying as common law employees, **5:11; 5:12**

Disability (this index)

Self-employment, retiree acting as consultant to former employer, **10:60**

CONSUMER PROTECTION

Medicare Advantage (MA) Program (this index)

CONSUMER REPORTING AGENCIES

Overpayments, report of overdue overpayment debt, **33:33**

CONTEMPT

Judicial review, **55:90**

CONTENT

Administrative proceedings, notice of initial determinations, **50:22**

Attorneys' and Representatives' Fees (this index)

CONTINGENCY FEE AGREEMENTS

Attorneys' fees, **49:63; 49:64**

CONTINUATION

Foreign affiliate employee coverage agreements, continuance by successor to American employer, **3:16**

State and local government employees, coverage, **4:81**

Supplemental Security Income (this index)

CONTRACTORS

Independent Contractors (this index)

Wages, government contractors as successor employers, **7:82**

CONTRACTS AND AGREEMENTS

Child's Benefits (this index)

Consideration (this index)

Determination of employee status, **2:51**

Fee agreements. **Attorneys' and Representatives' Fees** (this index)

Foreign State or Country (this index)

Leases (this index)

Medicare Part D (this index)

CONTRIBUTION FOR SUPPORT

Child's Benefits (this index)

CONTRIBUTIONS

Retirement and deferred compensation payments, contributions to state or local government by employer, **9:40**

CONVERSION

Representative payee. **Representative Payments** (this index)

CONVICTIONS

Reopening and revising determinations, **54:42; 54:43**
 Subversive activity, beneficiary convicted of, **29:10 to 29:14**

CONVINCING EVIDENCE

Applying for benefits, eligibility, **30:77; 30:78**

COOPERATION

Supplemental security income, evidence of failure of claimant to cooperate, **35:49**

COPIES

Appeal to Circuit Court. **Circuit Courts** (this index)
 Applying for benefits, **30:76**
 Freedom of Information Act, availability of information under, **48:8**

CORPORATIONS

Covered employment
 directors of corporations, **5:63; 5:64**
 family corporations, **2:62**
 officers of corporations, **5:61; 5:62**
 Mergers and consolidations, employer, **6:10**
 Officers
 covered employment, **5:61 to 5:64**
 voluntary repayment of salary to corporation by officer, **7:17**
 wages, **7:12 to 7:18; 7:16**
Parent and Subsidiary Corporations (this index)
 Post-retirement earnings, corporate director's fees, **28:19**
 Professional service corporation, employer, **6:8**
Stock (this index)
 Wages, **7:12 to 7:18; 7:16**

CORRECTION OF RECORDS

Generally, **48:63 to 48:68**
 Administrative review, **48:67**
 Application or request procedures, **48:64**
Earnings Records (this index)
FICA Taxes (this index)
 Procedure, **48:64; 48:65**
 Refusal to amend record, **48:66**

CORRECTION OF RECORDS—Cont'd

Statement of disagreement, **48:68**

CORRECTION OF WAGES

Covered employment, agents, **6:33**

CORROBORATIVE EVIDENCE

Child's benefits, dependency requirement, **16:80**

COSMETIC SURGERY

Medicare, exclusion of expenses for cosmetic surgery, **67:108**

COST-OF-LIVING AND GENERAL INCREASES

Generally, **24:10 to 24:34**
 Applicability of cost-of-living increase to various benefits, **24:15**
Attorneys' and Representatives' Fees (this index)
 Automatic recomputations, **24:24**
 Average-indexed-monthly-earnings recomputation method, **24:29**
 Average Wage Index, calculation based on, **24:14**
 Calculation and computation
 generally, **24:12 to 24:14**
 AWI, calculation based on, **24:14**
 catch-up increase, **24:20**
 CPI, calculation based on, **24:13**
 frozen minimum primary insurance amount, cost-of-living adjustments to, **25:7**
 recomputations and recalculations, below
 Catch-up increases, **24:19; 24:20**
 Computation. Calculation and computation, above Congress, reports, **24:17**
 Consumer Price Index, calculation based on, **24:13**
 Date. Time and date, below
 Death before reaching retirement age, recomputations and recalculations, **24:31**
 Definitions and distinctions
 recomputations and recalculations, **24:22**
 Frozen minimum primary insurance amount, cost-of-living adjustments to, **25:7**
 Generally, **1:25**
 Included earnings, recomputation, **24:28**
 Indexes, average-indexed-monthly-earnings method, **24:29**
 Insurance amounts, **24:11**
 Methods of recomputation, **24:27**
 Monthly earnings, recomputations and recalculations, **24:29; 24:30**
 Notice of cost-of-living increase, **24:16**
 Old-start methods, **24:30**
 Primary insurance amounts, **24:11; 24:15**
 Promulgations by SSA, **24:18**

COST-OF-LIVING AND GENERAL INCREASES**—Cont'd**

Publication of notice of cost-of-living increase, **24:16**

Recomputations and recalculations

generally, **24:21 to 24:34**

automatic recomputations, **24:24**

average-indexed-monthly-earnings method, **24:29**

death before reaching retirement age, **24:31**

distinctions, **24:22**

earnings included in recomputation, **24:28**

indexes, average-indexed-monthly-earnings method, **24:29**

methods for recomputations, **24:27**

monthly earnings, **24:29; 24:30**

old-start methods, **24:30**

reasons for recomputation, **24:23**

recalculation, generally, **24:34**

recomputation, generally, **24:21 to 24:33**

requested recomputations, **24:25**

retirement age, death before, **24:31**

time and date, **24:33**

waiver of recomputations, **24:26**

windfall reduction, **24:32**

Reports to Congress by SSA, **24:17**

Requested recomputations, **24:25**

Retirement age, recomputations and recalculations on death before, **24:31**

Rules promulgated by SSA, **24:18**

Supplemental Security Income (this index)

Time and date

recomputed benefit, **24:33**

Waiver of recomputations, **24:26**

Windfall reduction, recomputations and recalculations, **24:32**

COSTS AND EXPENSES

Attorneys' and Representatives' Fees (this index)

Compromise based on cost of collecting overpayment, **33:36**

Cost-of-Living and General Increases (this index)

Disability (this index)

Discovery, **52:40**

Fees (this index)

Funeral Expenses (this index)

Meals and Lodging (this index)

Medicare (this index)

Moving expenses, fringe benefits, **9:14**

Ordinary and necessary expenses defined, **33:112**

Overpayments (this index)

Post-retirement earnings, **28:14**

COSTS AND EXPENSES—Cont'd

Supplemental Security Income (this index)

Travel and Transportation Expenses (this index)

Workers' compensation claims, **26:68 to 26:70**

COTTAGE INDUSTRIES

Home Workers (this index)

COTTON GINNING

Wages for services performed in connection with, **8:16**

COUNSEL

Attorney and Non-Attorney Representation (this index)

COUNTIES

Local Government (this index)

COURT-APPOINTED REPRESENTATIVE

Attorneys' fees, additional information required in fee petition, Social Security Act, **49:14**

COURT OF APPEALS

Circuit Courts (this index)

COURT OF FEDERAL CLAIMS

Appeal from Court of Federal Claims decisions, **72:126**

FICA and self-employment tax litigation, **72:103; 72:104; 72:126**

Social Security Act, jurisdiction to review, **58:16**

COURTS

Circuit Courts (this index)

District Courts (this index)

Judgments, Orders, and Decrees (this index)

Medicare (this index)

Precedents, construction and interpretation, **1:18**

COVENANT NOT TO COMPETE

Wages, payment of, **7:16**

COVERAGE AGREEMENT

Foreign Employment (this index)

COVERAGE EXCEPTIONS

Foreign employment, totalization agreement, **3:33; 3:34**

COVERAGE GAP

Medicare Part D, **66:33**

COVERAGE OF INDIVIDUAL

Social Security Act, construction of Act, **1:14**

COVERAGE PERIOD

Generally as to quarters. **Quarterly Matters** (this index)

COVERED EARNINGS

- Backpay** (this index)
- Business Income** (this index)
- Education** (this index)
- Foreign State or Country** (this index)
- Fringe Benefits** (this index)
- Meals and Lodging** (this index)
- Partnerships** (this index)
- Religion and Religious Organizations** (this index)
- Retirement and deferred compensation payments.
 - Fringe Benefits** (this index)
- Self-Employment** (this index)
- Sick Pay** (this index)
- Third Party Payments** (this index)
- Travel and Transportation Expenses** (this index)

COVERED EMPLOYMENT

- Generally, **2:1 et seq.; 5:1 et seq.; 6:1 to 6:36**
- Accountants, individuals qualifying as common law employees, **5:4**
- Actors, individuals qualifying as common law employees, **5:17**
- Agents or agencies
 - generally, **6:30 to 6:36**
 - authorization, request for, **6:31**
 - companion and baby sitter services contracted through agencies, individuals qualifying as common law employees, **5:9**
 - correction of wages reported under FICA, **6:33**
 - filing of tax returns, **6:32**
 - general agents, individuals qualifying as common law employees, **5:29**
 - industrial agents, individuals qualifying as common law employees, **5:28**
 - insurance agents, individuals qualifying as common law employees, **5:27; 5:28**
 - motor vehicles, agent-drivers and commission-drivers, **5:43; 5:67**
 - real estate agents and salespersons, individuals qualifying as common law employees, **5:36**
 - reporting agent or subagent, use of, **6:34**
 - revocation of authorization, **6:35**
 - soliciting insurance agents, individuals qualifying as common law employees, **5:28**
 - state and local health welfare agencies acting as agent for welfare recipients, **6:36**
- Agriculture** (this index)
- Air carriers, **6:28**
- Aliens
 - generally, **2:13 to 2:16**
 - agricultural workers, **2:22**

COVERED EMPLOYMENT—Cont'd

- Aliens—Cont'd
 - international organizations, service in the employ of, **2:17**
 - tax treaties, **2:15**
 - vessels and aircraft, work or service outside the U.S., **2:3; 2:4**
- Application requirements, exemption from coverage by reason of religious belief, **5:81**
- Apprenticeship, **6:17**
- Armed forces, **2:7 to 2:11**
- Artisans, individuals qualifying as common law employees, **5:46 to 5:50**
- Artists, individuals qualifying as common law employees, **5:17**
- Attorneys, individuals qualifying as common law employees, **5:6**
- Authorization, request for, agents, **6:31**
- Automobiles and other motor vehicles
 - generally, **5:54 to 5:58**
 - agent-drivers, **5:43; 5:67**
 - commission-drivers, **5:67**
 - fishing, services performed on a boat engaged in, **2:29**
 - individuals qualifying as common law employees, **5:43; 5:54 to 5:58**
 - lease agreements, **5:55**
 - taxicab drivers, individuals qualifying as common law employees, **5:54**
- Trucks, below
 - vessels and aircraft, work or services outside the U.S., **2:3; 2:4**
- Baby sitter services, contracted through agencies, individuals qualifying as common law employees, **5:9**
- Band leaders, **6:21**
- Bankruptcy and receivership, **6:6**
- Barbers, individuals qualifying as common law employees, **5:7**
- Beauticians, individuals qualifying as common law employees, **5:7**
- Benefits, factors in evaluating employment relationship, **2:47**
- Bookkeepers, individuals qualifying as common law employees, **5:4**
- Branch managers, individuals qualifying as common law employees, **5:29**
- Broadcasters, individuals qualifying as common law employees, **5:17**
- Brokers, individuals qualifying as common law employees, **5:29**
- Brothers and sisters, **2:61**

COVERED EMPLOYMENT—Cont'd

- Buyers
 - generally, **5:38 to 5:44**
 - agricultural commodities buyers as individuals qualifying as common law employees, **5:42**
- Cadets and midshipmen, **2:10**
- Certificates of election, filing by ministers and members of religious orders, **5:78**
- Characterization of relationship by parties as factor in evaluating employment relationship, **2:48**
- Child care service workers, individuals qualifying as common law employees, **5:8; 5:9**
- City salespersons, **5:70**
- Clergy. **Religion and Religious Organizations** (this index)
- Collectors, individuals qualifying as common law employees, **5:10**
- Commission-drivers, **5:67**
- Common law rules
 - determination of employee status, **2:35; 2:36**
 - sellers under as individuals qualifying as common law employees, **5:39 to 5:41**
- Communist organizations, services in employ of, **2:28**
- Companion sitter services contracted through agencies, individuals qualifying as common law employees, **5:9**
- Companion sitting placement service, **6:15**
- Construction industry workers, individuals qualifying as common law employees, **5:46 to 5:48**
- Consultants, individuals qualifying as common law employees, **5:11; 5:12**
- Control of individual's work, factors in evaluating employment relationship, generally, **2:39**
- Corporations** (this index)
- Correction of wages reported under FICA, agents, **6:33**
- Crew leader, **6:14**
- Dairy workers, individuals qualifying as common law employees, **5:5**
- Determination of employer, **6:2**
- Determination of employment status, **2:35 et seq.; 5:2**
- Directors of corporations, **5:63; 5:64**
- Direct sellers of consumer products, individuals qualifying as common law employees, **5:38**
- Disability, retirement because of total disability, **5:76**
- Discharge from employment, right to discharge as factor in evaluating employment relationship, **2:49**
- Distinct trade or business, factors in evaluating employment relationship, generally, **2:40**

COVERED EMPLOYMENT—Cont'd

- Distributors, individuals qualifying as common law employees, **5:38 to 5:44**
- District managers, individuals qualifying as common law employees, **5:29**
- District of Columbia, services for, **2:31**
- Doctors, individuals qualifying as common law employees, **5:23**
- Domestic Service** (this index)
- Door installers, individuals qualifying as common law employees, **5:47**
- “Economic reality” test, **2:38**
- Education
 - domestic service performed by students for college clubs and organizations, **2:23**
 - hospital interns, **2:12**
 - nurses, student nurses, **2:30**
 - school-work program, **6:17**
 - students' services performed for school, generally, **2:24**
 - teachers as individuals qualifying as common law employees, **5:51**
- Effective time or date
 - exemption from coverage by reason of religious belief, effective period of exemption, **5:82**
 - ministers and members of religious orders, effective date of election of coverage, **5:79; 5:82**
- Election of coverage
 - ministers and members of religious orders
 - generally, **5:72 to 5:77**
 - effective date of, **5:79; 5:82**
 - filing certificates of election, **5:78**
 - total disability, retirement because of, **5:76**
 - State and Local Government Employees** (this index)
 - “Employee” requirement, generally, **2:2; 2:35 et seq.**
- Engaged, other occupations positions
 - individuals qualifying as common law employees, **5:60**
- Entertainment industry workers, individuals qualifying as common law employees, **5:16 to 5:19**
- Entertainment productions, **6:20**
- Estate workers, individuals qualifying as common law employees, **5:21; 5:22**
- Evaluation of employment relationship, generally, **2:39 to 2:51**
- Evidentiary requirements with respect to retirement, ministers and members of religious orders, **5:77**
- Exceptions from coverage, generally, **2:3 et seq.**

COVERED EMPLOYMENT—Cont'd

- Factors in evaluating employment relationship, generally, **2:39 to 2:51**
- Family and relatives
 - generally, **2:54 to 2:63**
 - brothers and sisters, **2:61**
 - child's services for parent, **2:57**
 - definition of parent and child, **2:56**
 - domestic services, **2:59; 2:61; 5:15**
 - family businesses
 - family corporations, services for, **2:62**
 - family partnerships, services for, **2:63**
 - family business workers, individuals qualifying as common law employees, **5:20**
 - in-laws, services by, **2:60**
 - parent's services for child, **2:58 to 2:60**
 - spouse, services for, **2:55**
- Federal Government Employees** (this index)
- Fiduciaries, individuals qualifying as common law employees, **5:21; 5:22**
- Filing certificates of election, ministers and members of religious orders, **5:78**
- Filing of tax returns, agents, **6:32**
- Financial management corporation, **6:9**
- Fishing and fishermen, **2:29; 2:46**
- Fishing boats, **6:16**
- Foreign State or Country** (this index)
- Fraternity under lodge system, **6:24**
- Friends as domestic service workers, individuals qualifying as common law employees, **5:15**
- Full-time life insurance salespersons, **5:68**
- General agents, individuals qualifying as common law employees, **5:29**
- Goods or services sold, sellers of goods or services as individuals qualifying as common law employees, **5:40**
- Guam, services performed by resident of Republic of Philippines while temporarily in Guam, **2:16**
- Guardians, individuals qualifying as common law employees, **5:21; 5:22**
- Health care workers, individuals qualifying as common law employees, **5:23; 5:24**
- Home workers
 - generally, **5:69**
 - industrial home workers, individuals qualifying as common law employees, **5:26**
- Hospitality industry workers, individuals qualifying as common law employees, **5:25**
- Hospitals, **2:12; 6:19**
- Illegal businesses, **6:26**

COVERED EMPLOYMENT—Cont'd

- Individuals qualifying as common law employees, **5:3 et seq.**
- Industrial agents, individuals qualifying as common law employees, **5:28**
- Industrial home workers, individuals qualifying as common law employees, **5:26**
- In-laws, **2:60**
- Installers, individuals qualifying as common law employees, **5:47**
- Insurance
 - agents. Insurance agents, below
 - full-time life insurance salespersons, **5:68**
 - individuals qualifying as common law employees, **5:27 to 5:29**
 - soliciting insurance agents, individuals qualifying as common law employees, **5:28**
- Insurance agents
 - generally, **5:27 to 5:29**
 - individuals qualifying as common law employees, **5:27 to 5:29**
 - soliciting insurance agents, individuals qualifying as common law employees, **5:28**
- International organizations, **2:17**
- Interns in hospitals, **2:12**
- Law enforcement personnel, individuals qualifying as common law employees, **5:30**
- Law reporters, individuals qualifying as common law employees, **5:6**
- Lease agreements, automobile operators as individuals qualifying as common law employees, **5:55**
- Lessee of business, **6:13**
- Lessee of space in department store, **6:12**
- Life insurance, full-time life insurance salespersons, **5:68**
- Loaders and unloaders, individuals qualifying as common law employees, **5:53**
- Logging industry workers, individuals qualifying as common law employees, **5:31; 5:32**
- Magazine delivery, distribution and sale, **2:26**
- Management corporation, **6:7**
- Managers and management, branch or district managers as individuals qualifying as common law employees, **5:29**
- Marine pilots, individuals qualifying as common law employees, **5:33**
- Maritime workers, individuals qualifying as common law employees, **5:33**
- Medical care and services
 - doctors as individuals qualifying as common law employees, **5:23**

INDEX

COVERED EMPLOYMENT—Cont'd

Medical care and services—Cont'd
health care workers as individuals qualifying as common law employees, **5:23; 5:24**
hospital interns, **2:12**
hospitals, **2:12**
nurses, individuals qualifying as common law employees, **5:24**

Mergers and consolidations, **6:10**

Method of sale, individuals qualifying as common law employees, **5:41**

Midshipmen, **2:10**

Misclassified workers, **2:52; 2:53**

Models, individuals qualifying as common law employees, **5:18**

Motor vehicles. Automobiles and other motor vehicles, above

Musicians, individuals qualifying as common law employees, **5:19**

National Guard, **2:8**

Newspapers, **2:25; 2:26**

Nurses
common law employees, individuals qualifying as, **5:24**
student nurses, **2:30**

Occupational groups, generally, **5:65**

Officers of corporations, **5:61; 5:62**

Office workers, individuals qualifying as common law employees, **5:4**

Oil and gas industry workers, individuals qualifying as common law employees, **5:34**

Old age, retirement because of, **5:74; 5:75**

Orchestra leaders, **6:21**

Other vehicle operator, **5:58**

Parent and child, **2:58 to 2:60**

Parent corporation, **6:11**

Partnerships, **2:63; 6:4**

Payment method, factors in evaluating employment relationship, **2:44**

Period of employment, length of as factor in evaluating employment relationship, **2:43**

Philippines, services performed by resident of while temporarily in Guam, **2:16**

Photographers, individuals qualifying as common law employees, **5:17**

Pilots, marine pilots as individuals qualifying as common law employees, **5:33**

Place of work, who supplies or ability to change as factor in evaluating employment relationship, **2:42; 2:50**

Principles determining who is employer, **6:3**

Professional baseball team, **6:27**

COVERED EMPLOYMENT—Cont'd

Professional service corporation, **6:8**

Professional workers, individuals qualifying as common law employees, **5:35**

Profit or loss opportunity, factors in evaluating employment relationship, **2:45; 2:46**

Qualification as common law employees, **5:3 to 5:60**

Real estate agents and salespersons, individuals qualifying as common law employees, **5:36**

Receivers, individuals qualifying as common law employees, **5:22**

Recreational workers, individuals qualifying as common law employees, **5:37**

Relatives. Family and relatives, above

Religion and Religious Organizations (this index)

Repair work persons, individuals qualifying as common law employees, **5:49**

Reporters, law reporters as individuals qualifying as common law employees, **5:6**

Reporting agent or subagent, use of, **6:34**

Requirements for employee status
occupational groups, **5:66**

Reserve forces, **2:8**

Retailers, individuals qualifying as common law employees, **5:38 to 5:44**

Retirement and Retirement Benefits (this index)

Revocation of authorization, **6:35**

Roofing materials installers, individuals qualifying as common law employees, **5:47**

ROTC, **2:9**

Safe harbor provision for misclassified workers, **2:52; 2:53**

Sales and salespersons
generally, **5:38 to 5:44**
city salespersons, **5:70**
direct sellers of consumer products, individuals qualifying as common law employees, **5:38**
full-time life insurance salespersons, **5:68**
goods or services, sellers of goods or services as individuals qualifying as common law employees, **5:40**
individuals qualifying as common law employees, **5:38 to 5:44**
insurance, above
method of sale, **5:41**
real estate agents and salespersons, individuals qualifying as common law employees, **5:36**
retailers, individuals qualifying as common law employees, **5:38 to 5:44**
securities salespersons, individuals qualifying as common law employees, **5:44**

COVERED EMPLOYMENT—Cont'd

- Sales and salespersons—Cont'd
 - services, sellers of services as individuals qualifying as common law employees, **5:40**
 - traveling salespersons, **5:70**
- Sawmill operators, individuals qualifying as common law employees, **5:32**
- School-work program, **6:17**
- Securities salespersons, individuals qualifying as common law employees, **5:44**
- Service outside United States. **Foreign State or Country** (this index)
- Services sold, sellers of as individuals qualifying as common law employees, **5:40**
- Share-farming agreements, **2:27**
- Sheltered workshop workers, individuals qualifying as common law employees, **5:45**
- Siding materials installers, individuals qualifying as common law employees, **5:47**
- Skill and training, factors in evaluating employment relationship, **2:41**
- Skilled workers, individuals qualifying as common law employees, **5:46 to 5:50**
- Soliciting insurance agents, individuals qualifying as common law employees, **5:28**
- Sports workers, individuals qualifying as common law employees, **5:37**
- Spouse, service in employ of, **2:55**
- State and Local Government Employees** (this index)
- State and local health welfare agencies acting as agent for welfare recipients, agents, **6:36**
- Storm door installers, individuals qualifying as common law employees, **5:47**
- Storm window installers, individuals qualifying as common law employees, **5:47**
- Students. Education, above
- Subsidiary corporation, **6:11**
- Tax Exempt Organizations** (this index)
- Taxicab drivers, individuals qualifying as common law employees, **5:54**
- Teachers, individuals qualifying as common law employees, **5:51**
- Time or date
 - effective time or date, above
 - exemption from coverage by reason of religious belief, **5:82**
 - period of employment, length of as factor in evaluating employment relationship, **2:43**
- Tools, who supplies as factor in evaluating employment relationship, **2:42**
- Total disability, retirement because of, **5:76**
- Traveling salespersons, **5:70**

COVERED EMPLOYMENT—Cont'd

- Treaties, effect of tax treaty on services performed by nonresident aliens, **2:15**
- Trucking companies, **6:29**
- Trucks
 - individuals qualifying as common law employees, **5:56; 5:57**
 - owner-drivers, individuals qualifying as common law employees, **5:56**
- Trustees, individuals qualifying as common law employees, **5:21; 5:22**
- Trusts and estates, **6:5**
- Uniformed services, **2:7 to 2:11**
- Union members on temporary assignment, **6:23**
- Unloaders, individuals qualifying as common law employees, **5:53**
- Unskilled laborers, individuals qualifying as common law employees, **5:52; 5:53**
- Vehicles. Automobiles and other motor vehicles, above
- Vocational education program in private company plant, **6:18**
- Well drilling or boring, **6:22**
- Window installers, individuals qualifying as common law employees, **5:47**
- Writers and persons in similar occupations, individuals qualifying as common law employees, **5:59**

COVERED INCOME

- Self-Employment** (this index)

COVERED SERVICES

- Medicare** (this index)

COVER LETTER OF ATTORNEY

- Applying for benefits, **30:28**

CREDITORS

- Debtors and Creditors** (this index)

CREDITS

- Delayed retirement credit. **Age of Beneficiary, Effect On Benefit Computation** (this index)
- Disability benefits, determination of disability insured status, **14:26**
- Supplemental security income, earned income tax credit refunds and payments, **20:58**

CREW LEADERS

- Covered employment, **6:14**
- Employer, **6:14**

CRIMES

- Generally, **59:1 to 59:21**

CRIMES—Cont'd

- Amount of payment, fraudulent concealment affecting, **59:8**
- Coercion, compelling disclosure of social security number of another person, **59:13**
- Commission of felony, impairment arising from, **36:9**
- Compelling disclosure of social security number of another person, **59:13**
- Concealment
 - federal criminal code, **59:17 to 59:21**
 - right to or amount of benefits, concealment affecting, **59:8**
- Conversion of benefits by representative payee, **59:9; 59:10**
- Convictions** (this index)
- Deceit. Fraud and deceit, below
- Disclosure of social security number of another person, **59:13**
- Duress, compelling disclosure of social security number of another person, **59:13**
- Earnings records, **12:30**
- False statements. Fraud and deceit, below
- Federal criminal code, violations under
 - generally, **59:15 to 59:21**
 - false statement must be made, **59:19**
 - falsification or concealment under federal criminal code, **59:17 to 59:21**
 - fraud and deceit, **59:17 to 59:21**
 - intent to deceive as element of crime, **59:21**
 - knowing and willful violation, **59:18**
 - material fact, requirement of, **59:20**
 - preclusion of prosecution by Social Security Act, **59:16**
- Forgery** (this index)
- Fraud and deceit
 - generally, **59:6 to 59:8; 59:11; 59:12; 59:17 to 59:21**
 - concealment, above
 - federal criminal code, **59:17 to 59:21**
 - intent to defraud or deceive, **59:21**
 - legal representative, fee violations by, **59:14**
- Homicide** (this index)
- Imprisonment** (this index)
- Income, false statement of, **59:5**
- Intent to defraud or deceive as element of crime, **59:21**
- Investigation and prosecution
 - dismissal for failure to prosecute, **55:92**
 - supplemental security income suspended or terminated due to flight to avoid prosecution or custody, **18:130**

CRIMES—Cont'd

- Knowing and willful violations, **59:18**
- Material fact, necessity of, **59:4; 59:20**
- Misrepresentation. Fraud and deceit, above
- Penalties, generally, **59:3**
- Pre-emption of federal criminal code prosecution by Act, **59:16**
- Privacy Act, criminal sanctions under, **48:74**
- Prosecution. Investigation and prosecution, above
- Recalculation of Benefits** (this index)
- Reduction, Deduction, or Offset of Benefits** (this index)
- Reopening and revising determinations, **54:42; 54:43**
- Representatives
 - conversion of benefits by representative payee, **59:9; 59:10**
 - fee violation by representatives, **59:14**
- Social Security Act, criminal liability under
 - generally, **59:1 to 59:14**
 - amount of payment, concealment affecting, **59:8**
 - applications, false statements on, **59:6**
 - compelling disclosure of social security number of another person, **59:13**
 - concealment affecting right to or amount of payment, **59:8**
 - conversion of benefits by representative payee, **59:9; 59:10**
 - disclosure of social security number of another person, **59:13**
 - false statements. Fraud and deceit, below in this group
 - fraud and deceit
 - generally, **59:5 to 59:8**
 - applications, **59:6**
 - concealment affecting right to or amount of payment, **59:8**
 - income, **59:5**
 - social security number, below in this group
 - income, false statement of, **59:5**
 - material facts, involvement of, **59:4**
 - representative payee, conversion of benefits by, **59:9; 59:10**
 - right to payment, concealment affecting, **59:8**
 - social security number
 - disclosure, use, or compelling disclosure of social security number of another person, **59:13**
 - fraudulent use of social security number system, **59:12**
 - providing false information to obtain social security number, **59:11**

CRIMES—Cont'd

- Social security numbers
 - generally, **12:11**
 - Social Security Act, criminal liability under, above
- Subversive activities benefit recalculation, **29:10 to 29:14**
- Supplemental security income suspended or terminated due to flight to avoid prosecution or custody, **18:130**
- Suspension of Benefits** (this index)
- Taxes** (this index)
- Willfulness, requirement of, **59:18**

CRIME VICTIMS

- Supplemental Security Income** (this index)

CRITICAL ACCESS HOSPITALS

- Inpatient hospital services, Medicare Part A, **60:55**

CRITICAL CASES

- Payment and payment procedures, **31:41 to 31:44**

CROPS

- Agriculture** (this index)

CROSS-PROGRAM ADJUSTMENT

- Recovery of overpayment, **33:29; 33:30; 35:130**
- Supplemental security income, overpayments, **35:130**

CRUDE GUM

- Wages for services performed in connection with production or harvesting of, **8:15**

CULTIVATION

- Agriculture** (this index)

CURRENTLY OPERATING BUSINESSES

- Post-retirement earnings, **28:25**

CURRENT MATTERS

- Supplemental Security Income** (this index)

CUSTODIAL CARE

- Medicare exclusions, **67:97**
- Old-age, survivors, and disability insurance, when requesting party (for waiver of benefits) does not have custody of beneficiary, **34:53**

CYSTIC FIBROSIS

- Generally, **42:229**
- Children and minors, **42:245**

CZECH REPUBLIC

- Totalization agreements, **24:42**

DAILY ACTIVITIES

- Inability to work, **43:24; 43:96**
- Skilled nursing care, quality of life, **60:127**
- Supplemental security income, nonbusiness property that is essential for daily activities, **20:98**

DAIRY WORKERS

- Covered employment, dairy workers as individuals qualifying as common law employees, **5:5**

DATE

- Time and Date** (this index)

DEADLINE

- Time and Date** (this index)

DEATH

- Applying for benefits, effect of death of claimant, **30:16; 30:17; 30:26; 30:48; 30:63**
- Children and Minors** (this index)
- Child's Benefits** (this index)
- Cost-of-living increases, death before reaching retirement age, **24:31**
- Decedents' Estates** (this index)
- Direct deposit, effect of beneficiary's death, **31:31**
- Estates. **Decedents' Estates** (this index)
- FICA taxes, withholding, **69:8**
- Hearings** (this index)
- Homicide** (this index)
- Judicial review, substitution for deceased claimant, **55:51**
- Medicare
 - claims for payment of benefits, beneficiary's death, **68:15 to 68:17**
 - Part B benefits for unpaid services on behalf of deceased individual, **68:25**
 - Part B premiums, death of enrollee affecting, **64:35; 64:36; 64:36; 64:37**
 - recoupment of overpayments, effect of beneficiary's death, **68:50**
 - third party, deceased beneficiary's benefits for services paid by, **68:24**
- Widows or Widowers** (this index)
- Minors. **Children and Minors** (this index)
- Overpayments** (this index)
- Payment and Payment Procedures** (this index)
- Reopening determinations, **54:37**
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)
- Underpayments, **33:134 to 33:138; 35:170 to 35:174**

INDEX

DEATH BENEFITS

Fringe Benefits and Similar Compensation (this index)

DEBTORS AND CREDITORS

Representative payments, **32:12; 32:35; 35:76**
Supplemental security income, **35:76**

DECEDENTS' ESTATES

Covered employment, estate workers as individuals qualifying as common law employees, **5:21; 5:22**

Employer, **6:5**

Estate tax. **Taxes** (this index)

Intestacy (this index)

Overpayment, liability of deceased recipient's estate, **33:16**

Supplemental security income, recovery of overpayments from estate, **35:134**

DECEIT

Fraud and Deceit (this index)

DECISIONS AND OPINIONS

Administrative Law Judges (this index)

Disciplinary proceedings against representative.

Attorney and Non-Attorney Representation (this index)

Finality (this index)

Medicare (this index)

Personal conference, **33:59**

Post-Retirement Earnings (this index)

Reopening and Revising Determinations (this index)

DECLARATORY JUDGMENTS

Generally, **55:87**

Judicial review, **55:87**

SSA actions, basis for review of, **58:19**

DECREASE

Reduction or Decrease (this index)

DECREES

Judgments, Orders, and Decrees (this index)

DEDUCTIBLES

Medicare Part A (this index)

Medicare (this index)

DEDUCTIONS

Benefits. **Reduction, Deduction, or Offset of Benefits** (this index)

Computation of benefits, adjustment of family maximum where beneficiary subject to deduction or reduction, **25:18**

DEDUCTIONS—Cont'd

Foreign employment, coverage agreements, **3:7; 3:8; 3:22**

Medicare Part A (this index)

Medicare (this index)

Overpayments, **33:89 to 33:108**

Self-Employment (this index)

Taxes (this index)

DEEMING OF INCOME

Supplemental Security Income (this index)

DEEMING OF RESOURCES

Supplemental Security Income (this index)

DEFAULT JUDGMENT

Commissioner, default judgment against, **55:91**

DEFEASANCE OF BENEFITS

Generally, **1:40**

Old-age, survivors, and disability insurance, **1:40**

DEFENSES

Taxes (this index)

DEFERRED COMPENSATION

Generally, **7:69**

Earnings records information, obtaining of, **12:45**

Fringe Benefits and Similar Compensation (this index)

Post-retirement earnings, **28:53**

Retirement and Retirement Benefits (this index)

DEFINED BENEFIT RETIREMENT SYSTEM

State and Local Government Employees (this index)

DEFINED CONTRIBUTION RETIREMENT SYSTEM

State and Local Government Employees (this index)

DEFINITIONS

American employer, **2:6**

Assets, **33:111**

Benefit computation years, **23:14**

Cafeteria style operation, **69:51**

Calendar year, **69:55**

Charge receipts and charged tips, **69:66**

Computation base years, **23:13**

Confinement, **29:52**

Correctness, **33:73**

Directly tipped employee, **69:61**

"Duly ordained, commissioned, or licensed," **11:17**

Elapsed years, **23:10**

DEFINITIONS—Cont'd

- Employee's wages (other than tips) in the employer's control, **69:41**
- Employer, who is, generally, **6:1 et seq.**
- Good cause, **68:85**
- Government pension offset, **26:28; 26:29**
- Gross receipts, **69:64**
- Illegal activities, **40:4**
- Income, **33:110**
- Indexing year, **23:18**
- Indirectly tipped employee, **69:61**
- Initial determinations, **68:63**
- Liens, **73:76**
- Medical improvement, **44:35**
- National average wage index, **23:19**
- Net earnings from self-employment, **10:13**
- Nonallocable receipts, **69:65**
- Nonimmigrant alien, **2:14**
- Ordinary and necessary expenses, **33:112**
- Partnership, **11:1**
- Prescribed treatment, **38:2**
- Recomputations and recalculations, **24:22**
- Related corporations under concurrent employment rule, **69:92**
- Religious organization, **11:26; 11:27**
- Self-employed on a regular basis, **10:12**
- Self-employment income, **10:12**
- Substantial gainful activity, **40:2 to 40:4**
- Supplemental Security Income** (this index)
- Tipped employee, **69:61**
- Trade or business, **10:14; 10:47**
- Vocational therapy, **44:49**
- Wages, **7:2**
- World War II veteran, **14:52**

DEGENERATIVE DISORDERS

- Neurological Impairments** (this index)

DEGREE OF CARE

- Waiver of overpayment, **33:91; 33:92**

DELAY

- Laches and Delay** (this index)

DELETIONS

- Freedom of Information Act, deletion of identifying details in disclosure under, **48:11**

DELINQUENT AND OVERDUE PAYMENTS

- Medicare** (this index)
- Taxes** (this index)

DELIVERY

- Appeal and review, electronic service delivery, **50:2**

DELIVERY—Cont'd

- Overpayment, early delivery, **33:6**

DEMANDS AND REQUESTS

- Administrative Law Judge, requested withdrawal of, **52:28**
- Appeal and Review** (this index)
- Applications** (this index)
- Applying for benefits, request for withdrawal of application, **30:60; 30:61**
- Attorneys' and Representatives' Fees** (this index)
- Cost of living and general increases, **24:25**
- Employment taxes, civil penalties payable on demand, **73:14**
- Expedited appeals process
 - generally, **50:50**
 - extension of time for filing request, **50:52**
 - place or location, where to file request, **50:53**
 - time to file request, **50:51; 50:52**
- Hearing, request for. **Hearings** (this index)
- Payment and Payment Procedures** (this index)
- Privacy Act** (this index)
- Reconsideration requested
 - generally, **50:30 to 50:36**
 - completing form for request, **50:34**
 - filing request, time or place for, **50:31**
 - forms for request, **50:33; 50:34**
 - notice of request, **50:36**
 - parties, generally, **50:30**
 - place to file request, **50:31**
 - time to file request, **50:31**
 - withdrawing request, **50:35**
- Representative payments, filing request to be selected as payee, **32:13; 35:75**
- Social Security Act, civil money penalty, **1:7; 58:38**
- Social Security statement, request for, **22:3; 22:4**
- Supplemental security income, **35:44; 35:45; 35:77**

DEMEANOR OF CLAIMANT

- Sequential evaluation of disability, **36:31**

DE MINIMIS RULE

- FICA, employer's periodic deposits, **70:9**

DENIAL

- Privacy Act, administrative review of denial, **48:61**

DENIAL OF ATTORNEYS' FEES

- Attorneys' and Representatives' Fees** (this index)

DENIAL OF CLAIM

- Res judicata, denial of claim based on, **55:23; 55:24**

INDEX

DENIAL OF REVIEW

Judicial review, denial of review by appeals council, **55:68**

DENMARK

Totalization agreements, **24:42**

DE NOVO REVIEW

Magistrates' decisions, **56:60**

DENTISTS AND DENTAL SERVICES

Medicare, exclusion of expenses for dental services, **67:98**

DEPARTMENTAL APPEALS BOARD REVIEW

Civil monetary penalties, review of proceedings for, **58:51**

DEPARTMENT STORE

Lessee of space, employer, **6:12**

DEPENDENT CARE ASSISTANCE PROGRAM

Fringe benefits and other compensation, **9:71**

DEPENDENTS

Children and Minors (this index)

Child's Benefits (this index)

Fringe benefits, dependent care assistance program, **9:71**

Post-retirement earnings, **28:69; 28:70**

DEPORTATION

Grounds for deportation and benefits suspension, **29:45**

Resumption of payment or entitlement status, **29:47**

Suspension of payment due to deportation or removal of claimant

generally, **29:42**

constitutionality, **29:43**

grounds for deportation or removal, **29:45**

procedure for suspension, **29:46**

resumption of payment or entitlement status, **29:47**

DEPOSITS

Direct deposit. **Payment and Payment Procedures** (this index)

FICA Taxes (this index)

DEPRESSIVE DISORDERS

Generally, **42:133; 42:154**

Onset, **39:41**

DERMATOMYOSITIS

Non-HIV immune system disorders, **42:91; 42:103**

DESCENT

Intestacy (this index)

DESCRIPTION

Identification (this index)

DETERMINATION LETTERS

Internal Revenue Service procedures, **72:6**

DETERMINATION OF EMPLOYMENT STATUS

Covered employment, **2:35 et seq.**

Federal government employees, **4:94; 4:95**

DETERMINATIONS

Decisions and Opinions (this index)

DEVELOPMENTAL DISORDERS IN CHILDREN

Generally, **42:164; 42:165**

DIABETES

Endocrine system impairments, generally, **42:68; 42:70**

Medicare (this index)

Onset of impairment, **39:39**

DIAGNOSIS AND DIAGNOSTIC SERVICES

Disability (this index)

Medicare (this index)

Musculoskeletal system, **42:169**

DIALYSIS

Medicare (this index)

DIARIES

Disability (this index)

DICTIONARY OF OCCUPATIONAL TITLES

Disability, inability to work, **43:4; 43:127**

DIFFUSING CAPACITY OF THE LUNGS FOR CARBON MONOXIDE (DLCO)

Pulmonary function testing, **42:238**

DIGESTIVE SYSTEM IMPAIRMENTS

Adults, **42:53 to 42:60**

Children and Minors (this index)

Chronic liver disease, **42:54; 42:61**

Gastrointestinal hemorrhaging from any cause, **42:57**

Hepatitis, **42:54**

Inflammatory bowel disease, **42:55; 42:62**

Intestinal failure, **42:56**

Intestinal failure in children, **42:63**

Listing of impairments, generally, **42:53 to 65**

Liver disease, chronic, **42:54; 42:61**

Severity of disability, **41:22**

Weight loss due to any digestive disorder, **42:57**

DIRECT DEPOSIT

Payment and Payment Procedures (this index)

DIRECTORS

Business income, directors' earnings, **11:13**
 Covered employment, directors of corporations,
5:63; 5:64

DIRECT PAYMENTS

Attorneys' and Representatives' Fees (this index)
 Medicare, direct payment of benefits, **68:3 to 68:14**

DIRECT SALES

Covered employment, direct sellers of consumer products as individuals qualifying as common law employees, **5:38**

DISABILITY

Ability to work
 inability to work, below
 prescribed treatment to improve impairment, **38:4**
 re-evaluations
 medical improvement, relation to work ability, **44:36 to 44:39**
 restoration of ability through vocational therapy, **44:48; 44:49**
 vocational therapy related to work ability, **44:49**
 restoration of work ability
 prescribed treatment to improve impairment, **38:4**
 vocational therapy, **44:48; 44:49**
 severity requirement, inability to perform work activities, **41:7; 41:8**
 Addiction. Alcoholism or drug addiction, below
 Adjustments to earnings, substantial gainful activity, **40:11 to 40:20**
 Administrative law judges. Hearings, below
 Administrative process when claimant fails or refuses to undergo consultative examinations, **37:63**
 Advanced age
 medical improvement not expected diary, re-evaluations, **44:15**
 Advisory committees, member or consultant of advisory committee established under Federal Advisory Committee (FACA), **40:30**
 Age
 advanced age, above
 childhood disability, below
 claimants under age 54¹/₂ at MIP diary maturity, **44:16**

DISABILITY—Cont'd

Age—Cont'd
 duration of disability, applicability to children under age 18, **39:50**
 inability to work, **43:148 to 43:152; 43:172 to 43:179**
 medical improvement, role of sustained inactivity and age in assessing functional capacity, **44:38**
AIDS. HIV Infection (AIDS) (this index)
 Alcoholism or drug addiction
 failure to follow prescribed treatment, **44:8**
 nonpayment or termination of benefits where entitlement involves, **44:8**
 onset date, **39:36**
 Amount and payment of benefits
 generally, **14:41 to 14:44**
 children, **14:43**
 reduction, deduction, or nonpayment of benefits, **14:44**
 widows, widowers, and surviving divorced spouses, **14:42**
 Appeal and review
 continuing disability review process. Re-evaluation and termination of disability status, below
 continuing disability reviews, suspension, vocational rehabilitation, **44:167**
 Application for benefits
 generally, **30:4; 30:47; 30:48**
 deceased worker, application filed for benefits for, **14:23**
 prior application or adjudication, effect on onset date, **39:11**
 re-evaluations
 filing of application, trial work periods, **44:133**
 special Medicaid coverage for blind and disabled claimants, **44:155**
 Aptitude distinguished from skill, inability to work, **43:71 to 43:74**
 Arduous unskilled labor, inability to work, **43:144; 43:145**
 Arduous unskilled work, inability to work, **43:143**
 Arranging consultative examinations, **37:52**
 Assistance from claimants to obtain needed medical evidence, **37:22**
Attorney and Non-Attorney Representation (this index)
 Attorneys' fees and costs under Equal Access to Justice Act, disability onset cases, **49:93**
 Authorization. **Forms** (this index)
 Back impairments, onset, **39:37**

DISABILITY—Cont'd

- Balancing, **42:266; 43:41**
- Basic work activities
 - determining effect of pain on capacity to perform, **36:18**
 - inability to perform, **41:7**
- Beneficiaries
 - advances in medical or vocational therapy or technology, beneficiary of, **44:46**
 - closed-period beneficiaries, **44:44**
- Benefits
 - Generally, **14:1 to 14:61**
 - amount and payment, **14:41 to 14:44**
 - duration, **14:45 to 14:50**
 - entitlement, **14:22 to 14:40**
- Blindness** (this index)
- Burden of proof
 - generally, **37:15 to 37:30**
 - see also Presumptions, below
 - assistance from claimants to obtain needed medical evidence, **37:22**
 - claimant's burden, **37:15 to 37:19**
 - development of claimant's complete medical history, **37:23**
 - duty of SSA to make reasonable efforts to obtain all medical evidence, **37:24 to 37:26**
 - duty to submit written evidence, **37:16**
 - failure or refusal by claimant to submit medical and other evidence, **37:18; 37:19**
 - obtaining source testimony, **37:29**
 - past relevant work, ability to engage in, **43:111; 43:121**
 - payment for medical evidence, **37:30**
 - refusal or failure by claimant to submit medical and other evidence, **37:18; 37:19**
 - sequential evaluation, **36:11; 36:12**
 - severity of impairment, **41:3**
 - SSA's burden, **37:20 to 37:30**
 - SSI child claimants, **37:26**
 - state agency's responsibility for obtaining evidence, **37:21**
 - supplementing inadequate or incomplete evidence, **37:27; 37:28**
 - where evidence may be submitted, **37:17**
- Cancer** (this index)
- Cardiovascular System Impairments** (this index)
- Cessation of disability. Re-evaluation and termination of disability status, below
- Change in disability status, duty to inform SSA, **44:3**
- Charts. Flow charts, below
- Children and Minors** (this index)

DISABILITY—Cont'd

- Chronic fatigue syndrome, inability to work, **43:66; 43:67**
- Claimants
 - burden of proving disability, **37:15 to 37:19**
 - re-evaluation and termination of disability status, disputes between claimants and employment networks, **44:166**
 - sequential evaluation, statement, **36:28 to 36:37**
- Classification of impairments. Re-evaluation and termination of disability status, below
- Climbing and balancing, inability to work, **43:41**
- Closed-period beneficiaries, applicability to medical improvement standard of review, **44:44**
- Closed period of disability
 - adjudication, disability terminated before date of, **39:66**
 - concurrent OASDI and SSI cases, **39:65**
 - establishment, policy regarding, **39:62**
 - OASDI cases, **39:63; 39:65**
 - SSI cases, **39:64; 39:65**
- Combinations of impairments
 - Listing of Impairments** (this index)
 - sequential evaluations, **36:8**
 - severe impairments, **41:4; 41:18**
 - unrelated impairments, **41:4**
- Components involved in disability determination, sequential evaluation, **36:3; 36:4**
- Computation of Benefits** (this index)
- Conflict of interest, consultative examinations, **37:49**
- Conflicts, evaluation of evidence of disability
 - between examining source opinion and nonexamining source opinion, **37:110**
 - SSA's responsibility to resolve and draw inferences, **37:70**
- Congressional reports, continuing disability review process, **44:7**
- Consultants
 - consultative examinations. Medical evidence, below
 - Federal Advisory Committee (FACA), member or consultant of advisory committee established under, **40:30**
- Continuation of benefits. Re-evaluation and termination of disability status, below
- Continuation of disability. Re-evaluation and termination of disability status, below
- Continuing disability
 - evidence, viewed from neutral perspective, re-evaluations, **44:33**
 - presumption from onset date, **39:21**

DISABILITY—Cont'd

- Continuing disability review process. Re-evaluation and termination of disability status, below
- Contradictions and inconsistencies in evidence, sequential evaluation, **36:30**
- Cooperation by claimant, re-evaluations, **44:61; 44:62; 44:70**
- Correctable vision, inability to work, **43:46**
- Costs of treatment, refusal of treatment, **38:13**
- Counsel. **Attorney and Non-Attorney Representation** (this index)
- Court-imposed hospitalization or incarceration, inability to work, **43:90**
- Covered employment, retirement because of total disability, **5:76**
- Daily activities and hobbies, inability to work, **43:24; 43:96**
- Date. Time and date, below
- Decisions. Medical opinions, below
- Deductions in benefits. **Reduction, Deduction, or Offset of Benefits** (this index)
- Definitions
 - medical improvement, **44:35**
 - prescribed treatment, **38:2**
 - substantial gainful activity, **40:2 to 40:4**
 - vocational therapy, **44:49**
- Demeanor of claimant, sequential evaluation, **36:31**
- De minimis screening device, slight abnormality standard as, **41:11**
- Determination or decision, **38:9**
- Diabetes** (this index)
- Diaries
 - medical improvement diaries, **44:10 to 44:17**
 - vocational diaries, **44:18; 44:25**
- Dictionary of Occupational Titles, inability to work, **43:4; 43:127**
- Digestive System Impairments** (this index)
- Disability defined, sequential evaluation, **36:6; 36:7**
- Disabling impairment requirement, re-evaluations, **44:139**
- Discharge. Termination, below
- Dissemination of program information for special Medicaid coverage for blind and disabled claimants, **44:157**
- Divorced spouses. Surviving spouses or surviving divorced spouses, below
- Doctors. Physicians or psychologists, below
- Drug addiction. Alcoholism or drug addiction, above
- Due process, re-evaluations, **44:103**
- Duration of benefits
 - generally, **14:45 to 14:50**

DISABILITY—Cont'd

- Duration of benefits—Cont'd
 - Children and Minors** (this index)
 - continued benefits, **44:111**
 - widows, widowers and surviving divorced spouses
 - commencement of benefits, **14:47**
 - termination of benefits, **14:48**
 - worker's benefits
 - commencement of, **14:45**
 - termination of, **14:46**
 - Duration of disability
 - generally, **39:46 to 39:62**
 - calculation, **39:47**
 - children under 18, applicability, **39:50**
 - combination of concurrent impairments, **39:55**
 - death, impairment likely to result in, **39:51**
 - extended period of eligibility for trial work, **44:141**
 - Medicare Part A** (this index)
 - Old-Age, Survivors, and Disability Insurance** (this index)
 - onset date, below
 - prospective determination, **39:48**
 - re-evaluation and termination of disability status, below
 - rehabilitative efforts, effect, **39:53**
 - remediability of impairment, effect of, **39:52**
 - return to work within 12 months of onset of disability, **39:61**
 - severity of the duration requirement, **39:49**
 - sporadic inability to work, **39:58; 39:59**
 - subsequent disabling impairment, effect of, **39:56**
 - substantial gainful activity, ability to engage in, **39:57**
 - therapeutic efforts, effect, **39:53**
 - trial work, **44:131 to 44:136**
 - trial work periods, **39:60**
 - work activity, performing
 - re-evaluation and termination of disability insurance, below
 - sporadic inability to work, **39:58; 39:59**
 - substantial gainful activity, ability to engage in, **39:57**
 - trial work periods, above this group
 - Duration of past relevant work, inability to work, **43:123**
 - Duration requirements, failure to follow prescribed treatment, **38:6**
 - Early intervention and school programs, SSI child claimants, **43:107**
 - Earnings. Substantial gainful activity, below

DISABILITY—Cont'd

- Eating, failure to follow prescribed treatment, **38:8**
- Education
 - factor in inability to work, **43:145; 43:153 to 43:158**
 - High school education and above, **43:158**
 - SSI child claimants, school programs, **43:107**
- Elections, re-evaluations, **44:104 to 44:112**
- Eligibility
 - claimants performing substantial gainful activity, **44:144; 44:148**
 - Medicaid coverage for blind and disabled claimants, **44:150 to 44:154**
 - re-evaluation and termination of disability status, below
 - trial work periods for OASDI claimants, **44:128; 44:137 to 44:142**
- Employment
 - generally. Work, below
 - sporadic employment, below
- Endocrine System Impairments** (this index)
- Entitlement to benefits
 - generally, **14:22 to 14:40**
 - application filed for deceased worker, **14:23**
 - attainment of disability insured status, **14:31**
 - determination of disability insured status
 - generally, **14:24 to 14:30**
 - counting quarters of coverage, **14:30**
 - rule I: the 20/40 requirement
 - generally, **14:25; 14:26**
 - military service, crediting earnings from, **14:26**
 - railroad employment, crediting earnings from, **14:26**
 - rule II: claimant becomes disabled before age 31, **14:27**
 - rule III: claimant had period of disability before age 31, **14:28**
 - rule IV: blind claimant, **14:29**
 - fully insured status for disability claimants, **14:32**
 - Medicare** (this index)
 - waiting period, **14:33; 14:34**
 - World War II Veterans** (this index)
- Entitlement to trial work periods, **44:128 to 44:130**
- Environmental or ecological illness, inability to work, **43:68**
- Environmental restrictions, inability to work, **43:47; 43:197**
- Equaling listed impairment. **Listing of Impairments** (this index)

DISABILITY—Cont'd

- Evaluations
 - generally, **37:67 to 37:110**
 - conflicts
 - between examining source opinion and nonexamining source opinion, **37:110**
 - SSA's responsibility to resolve and draw inferences, **37:70**
 - determination of disability based on review of all evidence, **37:67**
 - evidence of disability. Evaluation of evidence of disability, above
 - examining medical sources, opinions of
 - generally, **37:84 to 37:103**
 - controlling weight, when opinions entitled to, **37:89 to 37:91**
 - explanation of weight given or not given to opinion, need for, **37:99; 37:100**
 - improper grounds for rejecting treating source opinion, **37:97; 37:98**
 - length and nature of treatment relationship, effect on weight of opinion, **37:94**
 - need for ongoing treatment relationship, **37:86**
 - nontreating physicians, according weight to, **37:102**
 - nontreating source opinions, according weight to, **37:101**
 - proper grounds for rejecting treating source opinion, **37:96**
 - rejecting treating source opinion, grounds for, **37:96 to 37:98**
 - relationship must be based on treatment, **37:85**
 - treating source opinions, according weight to, **37:87 to 37:100**
 - validity and applicability of SSA regulations, according weight to opinions, **37:88**
 - weighing opinions not entitled to controlling weight, **37:92; 37:93**
 - written consultative reports, admissibility, **37:103**
 - explanation of weight given or not given to opinion, need for, **37:99; 37:100**
 - factors considered in weighing opinions, **37:80**
 - inconsistent evidence, effect on disability determination, **37:69**
 - insufficient evidence, effect on disability determination, **37:68**
- Listing of Impairments** (this index)
 - medical opinions, evaluation of, **37:71 et seq.**
 - medical or vocational expert obtained by ALJ, **37:75; 37:76**
- Mental Disorders** (this index)

DISABILITY—Cont'd

Evaluations—Cont'd

- non-examining medical sources, **37:74 to 37:76**
- nonexamining medical sources, opinions of
 - generally, **37:104 to 37:106**
 - according weight to opinions, **37:107 to 37:110**
- ALJ, medical or vocational expert evidence obtained by, **37:105; 37:106**
- conflict between examining source opinion and nonexamining source opinion, **37:110**
- medical experts, **37:108**
- substantial evidence, whether opinions can constitute, **37:109**
- preference for examining medical source opinions, **37:78**
- re-evaluation and termination of disability status, below
- rejecting treating source opinion, grounds for, **37:96 to 37:98**
- reserved to SSA issues, medical source opinions on, **37:82**
- sequential evaluations, below
- specialists' opinions entitled to more weight, **37:79**
- SSI child claimants, termination standards, advances in diagnostic techniques and evaluations, **44:87**
- standards applicable to ALJ's in weighing opinions, **37:81**
- substantial gainful activity, evaluation of earnings, **40:5 to 40:10**
- what constitutes medical opinion, **37:72**
- written consultative reports, admissibility, **37:103**

Evidence

- generally, **37:1 to 37:114**
- admissibility of medical reports, **37:7**
- burden of proof, above
- completeness and sufficiency of evidence, **37:12; 37:68**
- consultative examinations. Medical evidence, below
- continuing disability viewed from neutral perspective, re-evaluations, **44:33**
- development, failure to follow prescribed treatment, **38:9**
- evaluations, above
- excluded medical sources, **37:10**
- federal or state agency medical or psychological consultants, **37:13**
- inability to work, below

DISABILITY—Cont'd

Evidence—Cont'd

- inherently nonvaluable or unpersuasive evidence, **37:14**
- medical evidence, below
- medical opinion evidence, generally, **37:3**
- medical sources of evidence, generally, **37:5; 37:6**
- nonmedical sources, **37:11**
- onset date, below
- overall evidentiary requirements for finding of disability, generally, **37:2**
- Pain and Other Symptoms** (this index)
 - presumptions, below
 - prior administrative medical findings, **37:4**
 - privileged communications, **37:8**
 - re-evaluations, **44:55; 44:56**
 - sample testimony, severity, **41:14; 41:15**
- Examinations
 - consultative examinations. Medical evidence, below
 - evaluation of evidence of disability. Evaluations, above
- Excuse for refusal of treatment. Refusal of treatment, below
- Exemption and exclusion
 - consultative examinations, exclusion of certain sources for, **37:48**
 - medical improvement standard of review. Re-evaluation and termination of disability status, below
- Exertional requirements and limitations, inability to work, **43:20 to 43:39**
- Expenses
 - allocating expenses and downpayments, **40:18**
 - deducting impairment-related work expenses, **40:15 to 40:17**
 - failure to follow prescribed treatment, **38:13**
 - impairment-related work expenses, **40:14 to 40:17**
- Experience as factor, inability to work, **43:159 to 43:161**
- Experts
 - inability to work, **43:139 to 43:141; 43:166**
 - medical evidence, below
- Extremities, effect of limitations on use of for light work, **43:31**
- Eyes and eyesight. Visual limitations, below
- Failure or refusal by claimant to submit medical and other evidence, **37:18; 37:19**
- Failure to follow prescribed treatment
 - generally, **38:1 to 38:18**

DISABILITY—Cont'd

- Failure to follow prescribed treatment—Cont'd
 - alcoholism, **38:7**
 - costs of treatment, **38:13**
 - determination or decision, **38:9**
 - drug addition, **38:7**
 - duration requirements, **38:6**
 - eating, effects of obesity, **38:8**
 - evidence development, **38:9**
 - examination of, **38:5**
 - failure to follow prescribed treatment, **38:5**
 - fear of surgery, **38:16**
 - justification of
 - generally, **38:11 et seq.**
 - costs of treatment, **38:13**
 - fear of surgery, **38:16**
 - medical sources, disagreement among concerning treatment, **38:15**
 - mental capacity, **38:14**
 - other acceptable reasons for refusal, **38:18**
 - religious reasons, **38:12**
 - risk of treatment, **38:17**
 - medical sources, disagreement among concerning treatment, **38:15**
 - mental capacity, **38:14**
 - obesity, **38:8**
 - predetermination notice, **38:10**
 - religious reasons, **38:12**
 - risk of treatment, **38:17**
 - smoking, **38:8**
 - who must prescribe treatment, **38:3**
- Family maximum benefits, **25:18**
- Fear of surgery, failure to follow prescribed treatment, **38:16**
- Federal Advisory Committee (FACA), member or consultant of advisory committee established under, **40:30**
- Federal disability determination, components involved in sequential evaluation, **36:4**
- Felony, impairment arising from commission of, **36:9**
- Fibromyalgia, fibrocystitis, and other related impairments, sequential evaluation, **36:22**
- Filing of applications
 - period of disability, insured status, below trial work periods, **44:133; 44:134**
- Findings of fact
 - inability to work, below sequential evaluation, **36:35 to 36:37**
 - severity of impairment, **41:2**

DISABILITY—Cont'd

- Flow charts
 - disability termination review process, re-evaluations, **44:31**
 - sequential evaluation, **36:2**
- Foreign country, past relevant work performed in, **43:113**
- Forms
 - evidence
 - medical report, **37:111 to 37:114**
 - mental residual functional capacity of claimant, assessment, **37:1137**
 - physical residual functional capacity of claimant, assessment, **37:112**
 - vocational considerations of claimant, assessment, **37:114**
 - medical report, **37:111 to 37:114**
 - mental residual functional capacity of claimant, assessment, **37:1137**
 - physical residual functional capacity of claimant, assessment, **37:112**
 - re-evaluations, termination notice, **44:99**
 - residual functional capacity of claimant, assessment, **37:112; 37:1137**
 - substantial gainful activity
 - work activity report, self-employment (Form SSA-820-F4), **40:44**
 - work activity report (Form SSA-821), **40:32**
 - vocational considerations of claimant, assessment, **37:114**
- Fraudulently obtained benefits, re-evaluations, **44:60**
- Frequency of continuing disability review.
 - Re-evaluation and termination of disability status, below
- Frequent hospitalization, inability to work, **43:91**
- Friends of claimant, questions submitted to as part of sequential evaluation, **36:40**
- Fringe Benefits and Similar Compensation** (this index)
- Full inquiry duty of ALJ, effect on consultative examination process, **37:40; 37:41**
- Full-time work where recovery expected, resumption, **44:75**
- Functional capacity
 - Mental Disorders** (this index)
- Functional capacity, medical improvement standard of review, **44:38**
- Functional limitations, inability to work, **43:84**
- Good cause, refusal to cooperate, re-evaluations, **44:62**

DISABILITY—Cont'd

Hearing and speech limitations, inability to work, **43:44**

Hearings
 for additional matters which may be applicable to disability hearings, see more specific lines in this heading
 appealing termination decisions, **44:103**

Heart. **Cardiovascular System Impairments** (this index)

Heavy work. Inability to work, below

Hemic and Lymphatic System Disorders (this index)

HIV Infection (AIDS) (this index)

Hobbies, inability to work, **43:24; 43:96**

Hypertension (this index)

Illegal activities, defined, **40:4**

Illiteracy, inability to work, **43:155; 43:168**

Impairments. Re-evaluation and termination of disability status, below

Inability to work
 generally, **43:1 et seq.**
 age as factor, **43:148 to 43:152; 43:172 to 43:179**
 applicability of medical-vocational considerations to particular claims, **43:2**
 aptitude distinguished from skill, **43:71 to 43:74**
 arduous unskilled labor, **43:144; 43:145**
 arduous unskilled work, **43:143**
 balancing and climbing, **43:41**
 blindness, **43:63**
 burden of proof, past relevant work, ability to engage in, **43:111; 43:121**
 cardiovascular impairments, **43:60**
 chronic fatigue syndrome, **43:66; 43:67**
 climbing and balancing, **43:41**
 completing Form SSA-3369-BK, **43:6**
 consulting sources and medical experts, assessments and opinions of, **43:17**
 correctable vision, **43:46**
 court-imposed hospitalization or incarceration, **43:90**
 daily activities and hobbies, **43:24; 43:96**
 Dictionary of Occupational Titles, **43:4; 43:127**
 duration of past relevant work, **43:123**
 early intervention and school programs, SSI child claimants, **43:107**
 education as factor, **43:145; 43:153 to 43:158**
 environmental or ecological illness, **43:68**
 environmental restrictions, **43:47; 43:197**

DISABILITY—Cont'd

Inability to work—Cont'd

evidence
 improper consideration of evidence, cases illustrating, **43:14**
 medical evidence, **43:142**
 mental impairments, **43:57 to 43:59**
 past relevant work, ability to engage in, **43:124 to 43:133**
 residual functional capacity, below
 skills, **43:88**
 standing and sitting, claimant requires alternate periods of, **43:192**

exertional requirements and limitations, **43:20 to 43:39**

experience as factor, **43:159 to 43:161**

expert testimony, **43:139 to 43:141; 43:166**

extremities, effect of limitations on use of for light work, **43:31**

findings of fact
 ALJ's responsibility to make, **43:10**
 Medical-Vocational Guidelines (GRIDS), use of, **43:169; 43:170**
 skills, **43:87 to 43:89**

foreign country, past relevant work performed in, **43:113**

frequent hospitalization, **43:91**

functional limitations, **43:84**

hearing and speech limitations, **43:44**

heavy work
 Medical-Vocational Guidelines (GIRDS), applying to heavy work, **43:181**
 residual functional capacity, **43:38; 43:39**

hobbies, **43:24; 43:96**

illiteracy, **43:155; 43:168**

incarceration, **43:90**

incontinence, **43:50**

lifting, carrying, stooping, or using hands and fingers, sedentary work, **43:23**

light work
 Medical-Vocational Guidelines (GIRDS), applying to light work, **43:176 to 43:179**
 residual functional capacity, below
 manipulative or postural limitations, **43:41 to 43:43**

medical-vocational considerations, generally, **43:1 et seq.**

Medical Vocational Guidelines (GRIDS), use of, **43:162 to 43:181**

medium work
 Medical-Vocational Guidelines (GIRDS), applying to medium work, **43:180**

DISABILITY—Cont'd

Inability to work—Cont'd
 medium work—Cont'd
 residual functional capacity, below
 mental impairments
 medical-vocational guidelines, applicability, **43:198**
 residual functional capacity, below
 moving machinery, need to avoid, **43:48**
 musculoskeletal impairments, **43:62**
 neurological impairments, **43:64**
 non-English speaking persons, **43:168**
 nonexertional limitations and impairments, **43:40 to 43:50**
 number of jobs available in national economy, **43:135 to 43:137**
 obesity, **43:65**
 O*NET, use of, **43:4**
 other work, ability to perform
 generally, **43:134 to 43:202**
 age as factor, **43:148 to 43:152**
 arduous unskilled labor rule, **43:144; 43:145**
 arduous unskilled work rule, **43:143**
 education as factor, **43:145; 43:153 to 43:158**
 evaluation of ability to do work where medical vocational guidelines inapplicable, **43:182 to 43:200**
 experience as factor, **43:159 to 43:161**
 expert testimony, **43:139 to 43:141; 43:166**
 findings of fact required, **43:169; 43:170**
 illiteracy, **43:155; 43:168**
 medical evidence, **43:142**
 medical vocational guidelines (GRIDS), use of, **43:162 to 43:181**
 non-English speaking persons, **43:168**
 number of jobs available in national economy, **43:135 to 43:137**
 standing and sitting, claimant requires alternate periods of, **43:190 to 43:192**
 statutory factors considered, **43:146 to 43:163**
 upper extremity, claimant lacks use of, **43:193**
 pain and other symptoms, **43:53; 43:199**
 particular circumstances, effect of on ability to work
 generally, **43:90 to 43:96**
 court-imposed hospitalization or incarceration, **43:90**
 daily activities and hobbies, **43:96**
 frequent hospitalization, **43:91**
 incarceration, **43:90**
 part-time work, performance of, **43:95**
 rehabilitation, need for, **43:92**

DISABILITY—Cont'd

Inability to work—Cont'd
 particular circumstances, effect of on ability to work—Cont'd
 seeking employment, **43:94**
 unemployment benefits, collection of, **43:93**
 particular circumstances, effect on of ability to work, **43:90 to 43:96**
 part-time work, performance of, **43:95**
 past relevant work, ability to engage in
 generally, **43:110 to 43:133**
 burden of proof, **43:111; 43:121**
 determinations and decisions, **43:112**
 Dictionary of Occupational Titles, use of, **43:127**
 duration, **43:123**
 evidence, **43:124 to 43:133**
 foreign country, past relevant work performed in, **43:113**
 recency, **43:120 to 43:122**
 testimony, **43:126; 43:132; 43:133**
 tests, **43:114 to 43:119**
 physical impairments, assessment, generally, **43:60 et seq.**
 postural or manipulative limitations, **43:41 to 43:43**
 pulmonary impairments, **43:61**
 reaching, handling, fingering, and feeling, **43:43**
 recency of past relevant work, **43:120 to 43:122**
 rehabilitation, need for, **43:92**
 residual functional capacity, below
 respiratory impairments, **43:61**
 school programs, SSI child claimants, **43:107**
 sedentary work
 exertional capacity of claimant is less than full range of sedentary work, **43:185 to 43:189**
 Medical-Vocational Guidelines (GIRDS), applying to sedentary work, **43:171 to 43:175**
 residual functional capacity, below
 seeking employment, **43:94**
 sequential evaluation process for SSI child claimants, **43:98**
 skills
 generally, **43:70 to 43:89**
 aptitude distinguished, **43:71 to 43:74**
 evidence, **43:88**
 findings of fact required, **43:87 to 43:89**
 functional limitations, **43:84**
 levels of skill, **43:75 to 43:79**
 persons aged 55 and over, **43:85; 43:89**

DISABILITY—Cont'd

- Inability to work—Cont'd
 - skills—Cont'd
 - semiskilled work, generally, **43:78; 43:82**
 - skilled work, generally, **43:79; 43:83**
 - transferability of skills, **43:80 to 43:89**
 - unskilled work, generally, **43:56; 43:77**
 - speech impairments, **43:63**
 - SSI child claimants, **43:97 to 43:109**
 - standing and sitting, claimant requires alternate periods of, **43:190 to 43:192**
 - statutory factors considered, **43:146 to 43:163**
 - stooping, kneeling, crouching, and crawling, **43:42**
 - tests, past relevant work, **43:114 to 43:119**
 - total limiting effects of claimant's impairments, need to assess, **43:19**
 - unemployment benefits, collection of, **43:93**
 - unprotected elevations, need to avoid, **43:48**
 - unskilled work, effect mental impairments on ability to perform, **43:56**
 - upper extremity, claimant lacks use of, **43:193**
 - very heavy work, **43:39**
 - Medical-Vocational Guidelines (GIRDS), applying to sedentary work, **43:181**
 - residual functional capacity, **43:39**
 - visual limitations, **43:45; 43:46; 43:63; 43:200**
 - vocational documentation, **43:3**
 - Work History Report, **43:5**
- Incarceration
 - impairment arising during, **36:10**
 - inability to work, **43:90**
- Incompetent and Insane Persons** (this index)
- Incompetent or insane person, justification for failure to follow treatment, **38:14**
- Inconsistent evidence, effect on disability determination, **37:69**
- Incontinence, inability to work, **43:50**
- Infants. **Children and Minors** (this index)
- Initial disability determination, effect of impairment arising after, **44:42**
- Initiation of continuing disability review, **44:2**
- Insurance. **Old-Age, Survivors, and Disability Insurance** (this index)
- Insured Status** (this index)
- Interview with client. **Attorney Interview with Client** (this index)
- Knowledge. Notice and knowledge, below
- Lifting, carrying, stooping, or using hands and fingers, sedentary work, **43:23**
- Light work. Inability to work, above
- Listing of Impairments** (this index)

DISABILITY—Cont'd

- Location. Re-evaluation and termination of disability status, below
- Lung disorders. **Respiratory System Disorders** (this index)
- Lymphatic system disorders. **Hemic and Lymphatic System Disorders** (this index)
- Malignancies. **Cancer** (this index)
- Manipulative or postural limitations, inability to work, **43:41 to 43:43**
- Medicaid for blind and disabled claimants.
 - Re-evaluation and termination of disability status, below
- Medical care and treatment, evidence. Medical evidence, below
- Medical consultant, use to develop evidence as to onset date, **39:10**
- Medical evidence
 - authorization forms. Forms, above
 - consultative examinations
 - generally, **37:31 to 37:67**
 - administrative process when claimant fails or refuses to undergo examination, **37:63**
 - arranging examination, **37:52**
 - avoiding conflict of interest, **37:49**
 - conflict of interest, avoiding, **37:49**
 - contents of report of complete examination, **37:56**
 - continuing disability review process, **44:6**
 - evaluation of evidence of disability
 - according weight to opinions, **37:101; 37:102**
 - written consultative reports, admissibility, **37:103**
 - exclusion of certain sources, **37:48**
 - failure or refusal take part in examination, effect of, **37:62; 37:66**
 - full inquiry duty of ALJ, effect of, **37:40; 37:41**
 - good cause for nonappearance, **37:64**
 - inadequate or incomplete report, **37:60**
 - information to be supplied to consultative sources, **37:51**
 - monitoring by SSA of examination process, **37:34**
 - need to obtain all evidence before examination, **37:32**
 - non-receipt of properly signed report, **37:58**
 - notice of examination, **37:53**
 - OASDI claims, situations not requiring examinations, **37:38**
 - objecting to designated medical source, **37:50**

DISABILITY—Cont'd

Medical evidence—Cont'd
 consultative examinations—Cont'd
 objections by claimant's medical source, **37:65**
 only needed examinations may be purchased, **37:42**
 opinions. Medical opinions, below
 payment, **37:35**
 preference for claimant's treating source, **37:46; 37:47**
 purchasing consultative examinations, **44:6**
 qualified medical source, what constitutes, **37:45**
 referral of report to treating physician or psychologist, **37:61**
 report requirements, **37:55 et seq.**
 reviewing reports, **37:59; 37:60**
 risk, diagnostic tests and procedures involving, **37:43**
 scheduling interval requirements, **37:54**
 selection of consultative examiners, **37:44 to 37:50**
 signature on reports, **37:57; 37:58**
 situations not requiring examinations, **37:38; 37:39**
 situations requiring examinations, **37:37**
 SSI claims, situations not requiring examinations, **37:39**
 state agencies' responsibilities in examination process, **37:33**
 when consultative examinations may be purchased, **37:36 to 37:43**
 continuing disability review process, **44:4 to 44:6**
 forms, above
 lack of contemporaneous evidence as to onset, **39:23**
 late diagnosis demonstrating earlier onset date, **39:25**
 nontreating physicians. Consultative examinations, above in this group
 onset date, generally, **39:23 to 39:28**
 opinions. Medical opinions, below
 re-evaluations, **44:4 to 44:6**
 relevancy, noncontemporaneous evidence as to onset, **39:24**
 relevant factors, **36:27**
 sequential evaluation, **36:17; 36:25; 36:26**
 treating sources, opinions. Medical opinions, below
 weight accorded, as to onset
 generally, **39:26**

DISABILITY—Cont'd

Medical evidence—Cont'd
 weight accorded, as to onset—Cont'd
 other noncontemporaneous evidence, **39:28**
 treating sources' opinions, **39:27**
 Medical improvement. Re-evaluation and termination of disability status, below
 Medical opinions
 evaluation of, **37:71 et seq.**
 failure to follow prescribed treatment, **38:15**
 medical sources, disagreement among concerning treatment, **38:15**
 Medical report forms, **37:111 to 37:114**
 Medical sources, disagreement among concerning treatment, **38:15**
 Medical therapy, **44:46; 44:47**
 Medical Vocational Guidelines (GRIDS), use of, **43:162 to 43:181**
 Medicare
 disability payment to widows and widowers, onset date, **39:33**
 qualified government employment claims, **39:35**
Medicare (this index)
Medicare Part A (this index)
 Medication, side effects, **41:15**
Medication (this index)
 Medium work. Inability to work, above
 Meeting or equaling a listed impairment. **Listing of Impairments** (this index)
Mental Disorders (this index)
 Mental impairments. **Mental Disorders** (this index)
 Ministers and members of religious orders, retirement because of total disability, **5:76**
 Minors. **Children and Minors** (this index)
 Missing evidence, medical improvement standard of review, **44:55**
 Monitoring by SSA of consultative examination process, **37:34**
 Mother's or father's benefit, reduction or offset of, **26:3; 26:4**
 Moving machinery, need to avoid, **43:48**
 Multiple impairments
 children, body system disorders. **Children and Minors** (this index)
 duration, combination of concurrent impairments, **39:55**
 onset date, **39:45**
Musculoskeletal System (this index)
 Neoplastic disease. **Cancer** (this index)
Neurological Impairments (this index)
 New evidence, medical improvement standard of review, **44:56**

DISABILITY—Cont'd

- New or improved diagnostic techniques, termination standards, SSI child claimants, **44:87**
- Nonappearance at consultative examination, good cause for, **37:64**
- Non-English speaking persons, inability to work, **43:168**
- Nonexamining medical sources, opinions of in evaluation of evidence of disability, **37:104 to 37:106**
- Nonexertional limitations and impairments, **43:40 to 43:50**
- Non-payment of benefits. Alcoholism or drug addiction, above
- Notice and knowledge
 - consultative examinations, **37:53**
 - re-evaluation and termination of disability status, below
- Number of jobs available in national economy, inability to work, **43:135 to 43:137**
- OASDI. Old-Age, Survivors, and Disability Insurance** (this index)
- Obesity, inability to work, **43:65**
- Obesity** (this index)
- Objections, consultative examinations
 - claimant's medical source, **37:65**
 - designated medical source, **37:50**
- Objective medical evidence, consideration of, sequential evaluation, **36:17; 36:25; 36:29**
- Obtaining source testimony, burden of proving disability, **37:29**
- Old age
 - generally. Advanced age, above
 - Old-Age, Survivors, and Disability Insurance** (this index)
- Old-Age, Survivors, and Disability Insurance** (this index)
- O*NET, use of, **43:4**
- Onset date
 - generally, **39:1 to 39:66**
 - alcoholism, **39:36**
 - allegations by claimant, **39:15; 39:16**
 - attorneys' fees in disability onset cases, fees and costs under Equal Access to Justice Act, **49:93**
 - back impairments, **39:37**
 - cardiovascular impairments, **39:38**
 - childhood disability, **39:29 to 39:31**
 - chronic progressive disease, **39:19; 39:20**
 - decision, **39:22**
 - diabetes, **39:39**
 - duration of disability, above

DISABILITY—Cont'd

- Onset date—Cont'd
 - established onset date
 - generally, **39:2**
 - alleged onset date, **39:3**
 - inferring onset date, **39:8**
 - interim established onset date, **39:5**
 - OASDI cases, **39:6 to 39:8**
 - potential onset date, **39:4**
 - SSI cases, **39:7**
 - evidence
 - alleged date as inconsistent with medical or vocational evidence, **39:17**
 - duty to develop
 - generally, **39:9**
 - medical consultant, use of, **39:10**
 - medical evidence, above
 - nonmedical evidence, **39:14**
 - vocational evidence, alleged date as inconsistent with, **39:16**
 - inferring onset date, **39:8**
 - introduction, **39:1**
 - late diagnosis demonstrating earlier onset date, **39:25**
 - malignant neoplastic disease, **39:40**
 - medical consultant, use to develop evidence, **39:10**
 - medical evidence, above
 - Medicare
 - disability payment to widows and widowers, onset date, **39:33**
 - qualified government employment claims, **39:35**
 - mental impairment. **Mental Disorders** (this index)
 - multiple impairments, **39:45**
 - nonmedical evidence, **39:14**
 - nontraumatic and progressive impairments, **39:13 to 39:18**
 - OASDI. Old-Age, Survivors, and Disability Insurance** (this index)
 - other impairments, **39:44**
 - presumption of continuing liability, **39:21**
 - prior application or adjudication, effect, **39:11**
 - respiratory system disorders, **39:43**
 - SSI cases, **39:7**
 - statutory blindness, **39:34**
 - traumatic impairments, **39:12**
 - vocational evidence, alleged date as inconsistent with, **39:16**
 - widows and widowers, below

DISABILITY—Cont'd

- Onset date—Cont'd
 - work performed by claimant, effect, **39:17; 39:18**
- Opinions. Medical opinions, above
- Pain and Other Symptoms** (this index)
- Parent's benefit, reduction or offset of, **26:3; 26:4**
- Part-time work, performance of, **43:95**
- Payments
 - alcoholism or drug addiction, nonpayment or termination of benefits where entitlement involves, **44:8**
 - benefits. Amount and payment of benefits, above
 - consultative examinations, **37:35**
 - medical evidence, **37:30**
 - suspension and nonpayment of benefits
 - generally, **44:91 to 44:95**
 - SSI child claimant, medical improvement standard of review, exemptions related to claimant's actions, **44:65**
 - work-incentive programs for SSI claimants, **44:146**
- Permanent disabilities, **44:17**
- Physicians or psychologists
 - consultants, use of to establish onset date, **39:10**
 - Forms** (this index)
 - medical evidence, above
 - questions submitted to physician, sequential evaluation, **36:38**
 - release of information forms. **Forms** (this index)
- Place or location. Re-evaluation and termination of disability status, below
- Polio, postpolio sequelae, **36:23**
- Postpolio sequelae, **36:23**
- Post-retirement earnings, simultaneous entitlement to disability benefits, **28:36**
- Postural or manipulative limitations, inability to work, **43:41 to 43:43**
- Predetermination hearing as due process requirement, re-evaluations, **44:103**
- Predetermination notice, failure to follow prescribed treatment, **38:10**
- Preferences
 - claimant's treating source for consultative examinations, **37:46; 37:47**
 - examining medical source opinions, **37:78**
- Prescribed treatment
 - re-evaluation based on failure to follow, **44:64; 44:72; 44:73**
 - refusal of treatment, below
- Presumptions
 - see also Burden of proof, above

DISABILITY—Cont'd

- Presumptions—Cont'd
 - continuing liability, onset date, **39:21**
- Primary insurance amount, alternative calculation methods for individuals with prior disability, **23:29; 23:30**
- Prior acts or matters
 - inability to perform prior work, **41:9**
 - primary insurance amount, alternative calculation methods for individuals with prior disability, **23:29; 23:30**
 - re-evaluation and termination of disability status, below
- Procedural safeguards, re-evaluations, **44:100**
- Prospective determination, duration, **39:48**
- Psychological consultant, use to develop evidence as to onset date, **39:10**
- Psychologists. Physicians or psychologists, above
- Public disability benefits, reduction or offset of, **26:43 to 26:46; 26:54 to 26:59; 26:63; 26:65 to 26:77**
- Pulmonary disorders. **Respiratory System Disorders** (this index)
- Qualifications. Eligibility, above
- Qualified medical source, what constitutes for consultative examinations, **37:45**
- Quick disability determinations, **36:5**
- Reaching, handling, fingering, and feeling, inability to work, **43:43**
- Recency of past relevant work, **43:120 to 43:122**
- Reconsideration disability hearing
 - generally, **50:37 to 50:47**
 - availability, **50:38**
 - date of hearing, **50:39**
 - forms, reconsideration disability report, **50:41**
 - hearing officer's determination, **50:45; 50:46**
 - notice
 - generally, **50:39**
 - determination, notice of reconsideration of, **50:47**
 - post-hearing procedures, **50:44**
 - preparation of case, **50:40; 50:41**
 - procedural rights of claimant, **50:43**
 - reports, reconsideration disability report, **50:41**
 - review of hearing officer's determination, **50:46**
 - time or date
 - date of, **50:39**
 - post-hearing procedures, **50:44**
- Records and reports
 - consultative examinations, **37:55 et seq.**
 - reconsideration disability report, **50:41**

DISABILITY—Cont'd

- Records and reports—Cont'd
 - re-evaluation and termination of disability status, below
- Reduction, Deduction, or Offset of Benefits** (this index)
- Reentitlement cases, childhood disability cases, **39:31**
- Re-evaluation and termination of disability status
 - generally, **44:19**
 - ability to work
 - relation to medical improvement, **44:36 to 44:39**
 - restoration of ability through vocational therapy, **44:48; 44:49**
 - advanced age, medical improvement not expected diary, **44:15**
 - age and sustained inactivity in assessing functional capacity, **44:38**
 - alcoholism, nonpayment or termination of benefits where entitlement involves, **44:8**
 - appeal rights
 - generally, **44:102**
 - continuation of benefits pending appeal, below this group
 - predetermination hearing as due process requirement, **44:103**
 - review after, **44:28**
 - applications
 - Medicaid coverage for blind and disabled claimants, **44:155; 44:156**
 - trial work period, **44:133; 44:134**
 - beneficiary of advances in medical or vocational therapy or technology, **44:46**
- Blindness** (this index)
- cessation of disability
 - date of disability, generally, **44:66; 44:67; 44:90**
 - earlier medical cessation, report of, **44:68; 44:69**
 - retroactive cessation, below this group
 - suspension of benefits, **44:91; 44:92**
- change in status, duty to inform SSA, **44:3**
- claimants under age 54^{1/2} at MIP diary maturity, **44:16**
- classification of impairments
 - generally, **44:9 to 44:19**
 - change in classification, **44:19**
 - medical improvement diaries, **44:10 to 44:17**
 - vocational diaries, **44:18**
- closed-period beneficiaries, applicability to medical improvement standard of review, **44:44**

DISABILITY—Cont'd

- Re-evaluation and termination of disability status
 - Cont'd
 - Congressional reports, continuing disability review process, **44:7**
 - consultative examinations, purchasing, **44:6**
 - continuation of benefits pending appeal
 - generally, **44:104 to 44:112**
 - duration of continued benefits, **44:111**
 - elections, **44:104 to 44:112**
 - OASDI benefits, **44:109**
 - reimbursement of continued benefits, **44:112**
 - remand of case, **44:108 to 44:110**
 - SSI benefits, **44:110**
 - continuation of disability
 - generally, **44:29 to 44:33**
 - continuing disability review process, below this group
 - determining, generally, **44:29 to 44:33**
 - disability termination review process
 - OASDI cases, **44:30; 44:31**
 - SSI cases, **44:32**
 - evaluation of, **44:81 to 44:83**
 - evidence viewed from neutral perspective, **44:33**
 - flow chart of disability termination review process, **44:31**
 - medical improvement, below this group
 - medical improvement standard of review, below this group
 - neutral basis for determinations, **44:83**
 - neutral perspective, evidence from, **44:33**
 - review process. Continuing disability review process, below this group
 - continuing disability review process
 - generally, **44:1 to 44:26**
 - Congressional reports, **44:7**
 - determining continuation of disability, **44:30**
 - duty to inform SSA of change in status, **44:3**
 - flow chart, **44:31**
 - frequency of review, **44:20 to 44:28**
 - initiation of review, **44:2**
 - medical evidence, **44:4 to 44:6**
 - medical improvement, below this group
 - nonpayment or termination of benefits, entitlement involving alcoholism or drug addiction, **44:8**
 - notice of, **44:96**
 - review after appeal, **44:28**
 - SSI recipients performing substantial gainful activity, **44:26**
 - vocational diary, **44:25**

DISABILITY—Cont'd

- Re-evaluation and termination of disability status
 - Cont'd
 - continuing disability review process—Cont'd
 - waiver of review, **44:21**
 - cooperation
 - exceptions related to claimant's actions,
 - refusal to cooperate, **44:61; 44:62**
 - retroactive cessation of disability, failure to cooperate, **44:70**
 - date, cessation date, **44:66; 44:67; 44:90**
 - diagnostic techniques, **44:87**
 - diaries
 - medical improvement diaries, **44:10 to 44:17**
 - vocational diaries, **44:18; 44:25**
 - disability termination review process, **44:30; 44:31; 44:82**
 - disabling impairment requirement, **44:139**
 - drug addiction, nonpayment or termination of benefits where entitlement involves, **44:8**
 - due process, pre-termination hearing, **44:103**
 - duration
 - continued benefits, **44:111**
 - extended period of eligibility for trial work, **44:141**
 - trial work, **44:131 to 44:136**
 - earlier medical cessation, report of, **44:68; 44:69**
 - earnings, determining whether earnings are sufficient to provide reasonable equivalent, **44:152**
 - elections, benefit continuation pending appeal, **44:104 to 44:112**
 - eligibility
 - entitlement to trial work periods, **44:128**
 - extended trial work period, **44:137 to 44:142**
 - notices for Medicaid, **44:154**
 - Section 1619(a) status, **44:144; 44:148**
 - ending of trial work period, **44:135; 44:136**
 - entitlement to trial work periods, **44:128 to 44:130**
 - evaluative techniques, **44:87**
 - evidence, prior determination found to be in error, **44:55; 44:56**
 - exceptions to medical improvement standard of review
 - claimant's actions, exceptions related to
 - generally, **44:59 to 44:65**
 - cooperation, refusal, **44:61; 44:62**
 - fraudulently obtained benefits, **44:60**
 - good cause, refusal to cooperate, **44:62**
 - location of recipient unknown, **44:63**

DISABILITY—Cont'd

- Re-evaluation and termination of disability status
 - Cont'd
 - exceptions to medical improvement standard of review—Cont'd
 - claimant's actions, exceptions related to
 - Cont'd
 - prescribed treatment, failure to follow, **44:64**
 - substantial gainful activity, below this group
 - expedited reinstatement of benefits
 - generally, **44:113 to 44:120**
 - eligibility, **44:114; 44:115**
 - provisional benefits determination, **44:117; 44:118**
 - reinstated benefits determination, **44:119; 44:120**
 - requesting, **44:116**
 - filing of applications, trial work periods, **44:133; 44:134**
 - first 12 months of disability, application during, **44:134**
 - flow chart of disability termination review process, **44:31**
 - form, termination notice, **44:99**
 - fraudulently obtained benefits, **44:60**
 - functional capacity, medical improvement standard of review, **44:38**
 - good cause for refusal to cooperate, **44:62**
 - initial disability determination, impairment arising after, **44:42**
 - initiation of continuing disability review, **44:2**
 - listings
 - impairment meeting or equaling, **44:37**
 - medical improvement standard of review, **44:84**
 - location
 - claimant, **44:71**
 - file, medical improvement determination if
 - prior file cannot be located, **44:40; 44:85**
 - recipient, **44:63**
 - Medicaid for blind and disabled claimants
 - application and review requirements, **44:155; 44:156**
 - dissemination of program information, **44:157**
 - eligibility notices, **44:154**
 - Section 209(b) states, claimants residing in, **44:153**
 - Section 1619(b) status, **44:149 to 44:157; 44:156**
 - medical evidence, continuing disability review process, generally, **44:4 to 44:6**

DISABILITY—Cont'd

- Re-evaluation and termination of disability status
 - Cont'd
 - medical improvement, **44:10 to 44:17**
 - generally, **44:34 et seq.**
 - claimant's actions, exceptions related to, **44:89**
 - closed-period beneficiaries, **44:44**
 - cooperation, refusal, **44:61; 44:62**
 - defined, **44:35**
 - diagnostic or evaluative techniques, new or improved, **44:87**
 - exceptions to medical improvement, above this group
 - fraudulently obtained benefits, **44:60**
 - functional capacity, role of sustained inactivity and age in assessing, **44:38**
 - good cause, refusal to cooperate, **44:62**
 - initial disability determination, impairment arising after, **44:42**
 - listings, when impairment meets or equals, **44:37**
 - location of file, determination if prior file cannot be located, **44:40; 44:85**
 - location of recipient unknown, **44:63**
 - medical technology or vocational therapy or technology, advances in, **44:47**
 - prescribed treatment, failure to follow, **44:64; 44:65**
 - prior determination found to be in error, **44:88**
 - prior file cannot be located, determination in case where, **44:40; 44:85**
 - relation to work ability, **44:36 to 44:39**
 - remission, impairments subject to, **44:41**
 - severity, **44:50 to 44:52; 44:86 to 44:88**
 - state plan, SSI adult claimants found disabled under, **44:43**
 - substantial gainful activity, below
 - vocational therapy related to work ability, **44:48; 44:49**
 - medical improvement expected
 - frequency of review, **44:22**
 - impairments warranting (ME) diary, **44:11**
 - medical improvement expected (ME) diary, **44:10**
 - medical improvement not expected
 - frequency of review, **44:24**
 - medical improvement not expected (MINE) diary, **44:14 to 44:17**
 - medical improvement possible
 - frequency of review, **44:23**
 - medical improvement possible (MIP) diary, **44:12**

DISABILITY—Cont'd

- Re-evaluation and termination of disability status
 - Cont'd
 - medical improvement standard of review
 - generally, **44:34 to 44:44**
 - closed-period beneficiaries, applicability to, **44:44**
 - definition, **44:35**
 - determination of medical improvement if prior file cannot be found, **44:40; 44:85**
 - exceptions, **44:86 to 44:89**
 - impairment arising after initial determination, **44:42**
 - impairment subject to remission, **44:41**
 - location of file, determination if prior file cannot be located, **44:40; 44:85**
 - relation to ability to work, **44:36 to 44:39; 44:48; 44:49**
 - what constitutes medical improvement, **44:35**
 - medical or vocational therapy or technology, **44:46; 44:47**
 - neutral perspective, evidence viewed from, **44:33**
 - nine months completion of trial work, **44:138**
 - notice
 - advance notice to OASDI claimants, **44:98 to 44:103**
 - continuing disability review, **44:96**
 - eligibility notices for Medicaid, **44:154**
 - form of notice, **44:99**
 - procedural safeguards, **44:100**
 - termination notice, **44:97**
 - Old-Age, Survivors, and Disability Insurance** (this index)
 - payment of benefits, **44:146**
 - permanent disabilities, claimant's suffering from, **44:17**
 - prescribed treatment, failure to follow, **44:64; 44:65; 44:72; 44:73**
 - pre-termination hearing as due process requirement, **44:103**
 - prior determination found to be in error, **44:53 to 44:56; 44:88**
 - prior file unable to be located, determination in case where, **44:40; 44:85**
 - procedural safeguards, **44:100**
 - records and reports
 - congressional reports, **44:7**
 - earlier medical cessation, **44:68; 44:69**
 - remand of cases related to continued benefits, **44:108 to 44:110**
 - remission, **44:41**

DISABILITY—Cont'd

Re-evaluation and termination of disability status
—Cont'd
remuneration or gain, services performed for,
44:123; 44:124
repayment, continued benefits, **44:112**
reports. Records and reports, above this group
retroactive cessation
failure to cooperate, **44:70**
full-time work where recovery expected,
resumption, **44:75**
limits, **44:76**
location of claimant unknown, **44:71**
prescribed treatment, failure to follow, **44:72;**
44:73
report of earlier cessation, **44:68; 44:69**
SSI child claimants, **44:69; 44:73**
substantial gainful activity, performance of,
44:74
work activity, resumption, **44:75**
Section 1619(a) status, **44:143 to 44:147**
Section 209(b) states, **44:153**
self-sufficiency program. **Ticket to Work and
Self-Sufficiency Program** (this index)
severity
exceptions, **44:86 to 44:88**
impairment not as severe as originally found,
44:50 to 44:52
state plans
failure of SSI claimants to meet criteria, **44:79**
SSI adult claimants found disabled under,
44:43
substantial gainful activity
generally, **44:45**
ability to engage in, medical improvement
standard of review, **44:39**
engaging in, **44:57; 44:58**
exceptions to medical improvement standard
of review, generally, **44:45 to 44:58**
impairment not as severe as originally found,
44:50 to 44:52
medical or vocational therapy or technology,
advances in, **44:46; 44:47**
new or improved techniques, **44:51; 44:52**
OASDI blind claimants engaging in, **44:77**
prior determination found to be in error, **44:53
to 44:56**
retroactive cessation of disability, **44:74**
Section 1619(a) status, **44:143 to 44:147**
SSI claimants. **Supplemental Security
Income** (this index)

DISABILITY—Cont'd

Re-evaluation and termination of disability status
—Cont'd
substantial gainful activity—Cont'd
vocational therapy, restoration of work ability
through, **44:48; 44:49**
suspension of benefits
cessation of disability, suspension based on,
44:91; 44:92
claimant's rights, **44:95**
grounds for suspension, **44:92**
grounds other than cessation of disability,
44:93
improper suspension, **44:94**
sustained inactivity and age in assessing
functional capacity, **44:38**
termination standards
Section 1619(a) status, **44:147**
SSI child claimants
evaluating continuing disability, **44:81 to
44:83**
exceptions to medical improvement stan-
dard of review, **44:86 to 44:89**
medical improvement standard of review,
44:84
statutorily blind persons, **44:77 to 44:80**
therapeutic work activity, **44:125**
therapy, vocational, **44:46 to 44:49**
Ticket to Work and Self-Sufficiency Program
(this index)
trial work periods
**Old-Age, Survivors, and Disability Insur-
ance** (this index)
twenty-four month, benefits received for, **44:27**
vocational considerations
diary, **44:18; 44:25**
therapy, **44:46 to 44:49**
vocational diaries, **44:25**
Vocational Training and Rehabilitation (this
index)
waiting period, **44:132**
waiver of continuing disability review, **44:21**
waiver of review, **44:21**
work activity
after trial work period, **44:136**
resumption, **44:75**
therapeutic activity, **44:125**
Referral, consultative examination report to treating
physician or psychologist, **37:61**
Refusal or failure by claimant to submit medical
and other evidence, **37:18; 37:19**
Rehabilitation (this index)

DISABILITY—Cont'd

- Reimbursement** (this index)
- Relatives or friends of claimant, questions submitted to as part of sequential evaluation, **36:40**
- Religious reasons, failure to follow prescribed treatment, **38:12**
- Remission, re-evaluations, **44:41**
- Remuneration or gain, services performed for, **44:123; 44:124**
- Reports. Records and reports, above
- Residual functional capacity
 - generally, **43:7 et seq.**
 - adjudicator's responsibility for assessing residual functional capacity, **43:9**
 - blindness, **43:63**
 - cardiovascular impairments, **43:60**
 - chronic fatigue syndrome, **43:66; 43:67**
 - climbing and balancing, **43:41**
 - consulting sources and medical experts, assessments and opinions of, **43:17**
 - content of assessment, **43:12**
 - correctable vision, **43:46**
 - daily activities and hobbies, ability to perform, sedentary work, **43:24**
 - disability determination, effect on, **43:8**
 - environmental or ecological illness, **43:68**
 - environmental restrictions, **43:47**
 - evaluation of assessments and opinions, **43:16**
 - evidence
 - improper consideration of evidence, cases illustrating, **43:14**
 - medical evidence, mental impairments, **43:57 to 43:59**
 - proper consideration of evidence, cases illustrating, **43:15**
 - requirements, **43:13 to 43:15**
 - sufficiency of, **43:49**
 - exertional requirements and limitations, **43:20 to 43:39**
 - extremities, effect of limitations on use of for light work, **43:31**
 - findings of fact, ALJ's responsibility to make, **43:10**
 - forms for assessments, **43:18**
 - hearing and speech limitations, **43:44**
 - heavy work, **43:38; 43:39**
 - improper consideration of evidence, cases illustrating, **43:14**
 - incontinence, **43:50**
 - judicial treatment of disabling chronic fatigue claims, **43:67**

DISABILITY—Cont'd

- Residual functional capacity—Cont'd
 - lifting, carrying, stooping, or using hands and fingers, sedentary work, **43:23**
 - light work
 - generally, **43:28 to 43:33**
 - ability to do light work, cases finding, **43:33**
 - extremities, effect of limitations on use of, **43:31**
 - inability to do light work, cases finding, **43:32**
 - medium work, relationship to, **43:35**
 - relationship to sedentary work, **43:29**
 - walking and standing requirements, **43:30**
 - manipulative or postural limitations, **43:41 to 43:43**
 - medical assessment of residual functional capacity, **43:11**
 - medical evidence, mental impairments, **43:57 to 43:59**
 - medical factors, sedentary work, **43:25; 43:26**
 - medium work
 - generally, **43:34 to 43:37**
 - ability to do medium work, cases finding, **43:37**
 - inability to do medium work, cases finding, **43:36**
 - light and sedentary work, relationship to, **43:35**
 - mental impairments
 - assessment, **43:54 et seq.**
 - insufficient evidence of limitation, cases finding, **43:59**
 - medical and vocational evidence, **43:57 to 43:59**
 - relationship between exertional and nonexertional limitations, **43:52**
 - special evaluation procedure, applicability, **43:55**
 - sufficient evidence of limitation, cases finding, **43:58**
 - unskilled work, effect on ability to perform, **43:56**
 - moving machinery, need to avoid, **43:48**
 - musculoskeletal impairments, **43:62**
 - neurological impairments, **43:64**
 - nonexertional limitations and impairments, **43:40 to 43:50**
 - obesity, **43:65**
 - other abilities, impairments affecting, **43:69**
 - pain and other symptoms, **43:53**
 - physical impairments, assessment, generally, **43:60 et seq.**

DISABILITY—Cont'd

- Residual functional capacity—Cont'd
 - postural or manipulative limitations, **43:41 to 43:43**
 - proper consideration of evidence, cases illustrating, **43:15**
 - pulmonary impairments, **43:61**
 - reaching, handling, fingering, and feeling, **43:43**
 - relationship between exertional and nonexertional limitations, **43:51 to 43:53**
 - respiratory impairments, **43:61**
 - sedentary work
 - generally, **43:21 to 43:27**
 - daily activities and hobbies, ability to perform, **43:24**
 - finding of ability for sedentary work, **43:26**
 - finding of inability for sedentary work, **43:25**
 - lifting, carrying, stooping, or using hands and fingers, effect of limitations on, **43:23**
 - medical factors, **43:25; 43:26**
 - medium work, relationship to, **43:35**
 - walking and standing requirements, **43:22**
 - speech impairments, **43:63**
 - stooping, kneeling, crouching, and crawling, **43:42**
 - total limiting effects of claimant's impairments, need to assess, **43:19**
 - unprotected elevations, need to avoid, **43:48**
 - unskilled work, effect mental impairments on ability to perform, **43:56**
 - very heavy work, **43:39**
 - visual limitations, **43:45; 43:46; 43:63**
 - vocational evidence, mental impairments, **43:57 to 43:59**
 - walking and standing requirements
 - light work, **43:30**
 - sedentary work, **43:22**
- Respiratory System Disorders** (this index)
- Retirement and retirement benefits
 - ministers and members of religious orders, retirement because of total disability, **5:76**
 - reduction or offset of retirement benefit, **26:6**
- Retroactive cessation. Re-evaluation and termination of disability status, above
- Risk, diagnostic tests and procedures involving for consultative examinations, **37:43**
- Risk of treatment, failure to follow prescribed treatment, **38:17**
- Sample testimony, severity of impairment, **41:14; 41:15**
- Scheduling interval requirements, consultative examinations, **37:54**

DISABILITY—Cont'd

- School programs, SSI child claimants, **43:107**
- Section 1619(a) status, re-evaluations, **44:143 to 44:147**
- Section 209(b) states, re-evaluations, **44:153**
- Sedentary work. Inability to work, above
- Seeking employment, **43:94**
- Selection of consultative examiners, **37:44 to 37:50**
- Self-employed persons, substantial gainful activity, **40:33 to 40:44**
- Self-sufficiency program. **Ticket to Work and Self-Sufficiency Program** (this index)
- Sequential evaluation
 - generally, **36:1 to 36:40**
 - activities and work engaged in after onset of disability, **36:33**
 - basic work activities, determining effect of pain on capacity to perform, **36:18**
 - burden of proof, **36:11; 36:12**
 - claimant's statement, evaluating, **36:28 to 36:37**
 - combination of impairments, **36:8**
 - components involved in disability determination, **36:3; 36:4**
 - contradictions and inconsistencies in evidence, **36:30**
 - demeanor of claimant, **36:31**
 - determination of impairment, **36:21**
 - disability defined, **36:6; 36:7**
 - Eighth Circuit rule, findings required, **36:36**
 - failure to make findings, effect of, **36:37**
 - felony, impairment arising from commission of, **36:9**
 - fibromyalgia, fibrocystis, and other related impairments, **36:22**
 - findings required, **36:35 to 36:37**
 - flow chart of disability analysis, **36:2**
 - friends of claimant, questions submitted to, **36:40**
 - functioning appropriately, determining effect of pain on ability to, **36:18**
 - incarceration, impairment arising during, **36:10**
 - intensity and persistence, evaluating, **36:24 to 36:27**
 - medical evidence, consideration of, **36:17; 36:25; 36:26**
 - medically determinable impairment, need for
 - basic rule, **36:19**
 - fibrocystis, **36:22**
 - fibromyalgia, **36:22**
 - mental impairment, **36:20**
 - postpolio sequelae, **36:23**
 - medication for pain or other treatment, need for, **36:32**

DISABILITY—Cont'd

- Sequential evaluation—Cont'd
 - mental impairment, **36:20**
 - objective medical evidence, consideration of, **36:17; 36:25; 36:29**
 - pain and other symptoms, evaluation of, **36:14 to 36:40**
 - physician, questions submitted to, **36:38**
 - proof of pain, **36:38 to 36:40**
 - questions submitted to claimant, **36:39**
 - questions submitted to claimant's relatives or friends, **36:40**
 - questions submitted to physician, **36:38**
 - quick disability determinations, **36:5**
 - relation of claimant's statement to objective medical evidence, **36:29**
 - relationship of pain to sequential evaluation of disability, **36:16**
 - relatives or friends of claimant, questions submitted to, **36:40**
 - shifting of burden of proof, required acknowledgment of, **36:12**
 - SSI child claimant, **36:7; 43:99**
 - standard for evaluating pain, **36:15**
 - state disability determination, components involved, **36:3**
 - statement of claimant, evaluating, **36:28 to 36:37**
 - weight of other disability determinations, **36:13**
- Severity of impairment
 - generally, **41:1 to 41:26**
 - ability to engage in substantial gainful activity, impairment not as severe as originally found, **44:50 to 44:52**
 - addiction connected with mental impairments, **41:25**
 - application of "slight abnormality standard" in severity determinations, **41:12**
 - burden of proving severity, **41:3**
 - cardiovascular impairments, **41:21**
 - combination of impairments, **41:4; 41:18**
 - construction of term "severe impairment," **41:7 to 41:15**
 - de minimis screening device, slight abnormality standard as, **41:11**
 - digestive system disorders, **41:22**
 - findings of fact, **41:2**
 - listings, relation to level of severity required for, **41:5**
 - medical improvement standard of review, exceptions related to impairment severity, **44:86 to 44:88**
- Mental Disorders** (this index)

DISABILITY—Cont'd

- Severity of impairment—Cont'd
 - musculoskeletal impairments, **41:17; 41:18**
 - neurological disorders, **41:23**
 - pain and other symptoms, **41:13; 41:15**
 - prior work, inability to perform, **41:9**
 - respiratory impairments, **41:20**
 - sensory disorders, **41:19**
 - slight abnormality standard, **41:10 to 41:12**
 - SSI child claimant's impairments, evaluation of severity of, **41:6**
 - substance abuse connected with mental impairments, **41:25**
 - vocational considerations, exclusion of, **41:16**
 - work activities, inability to perform, **41:7; 41:8**
- Shifting of burden of proof, required acknowledgment of, sequential evaluation, **36:12**
- Side effects of medication, **41:15**
- Signatures, consultative examination reports, **37:57; 37:58**
- Signs and symptoms. **Pain and Other Symptoms** (this index)
- Situations not requiring consultative examinations, **37:38; 37:39**
- Situations requiring consultative examinations, **37:37**
- Skills. Inability to work, above
- Slight abnormality standard, severity determinations, **41:10 to 41:12**
- Smoking, failure to follow prescribed treatment, **38:8**
- Specialists, opinions of entitled to more weight in evaluation of evidence of disability, **37:79**
- Special Senses** (this index)
- Speech impairments, **42:267; 43:63**
- Sporadic inability to work, **39:58; 39:59**
- Spouse's benefit, reduction or offset of benefits, **26:2**
- SSI claims. **Supplemental Security Income** (this index)
- Standard for evaluating pain, sequential evaluation, **36:15**
- Standing and sitting, claimant requires alternate periods of, **43:190 to 43:192**
- State agencies
 - consultative examination process, responsibilities in, **37:33**
 - evidence, responsibilities for obtaining, **37:21**
- State and local government employees, coverage, **4:17**
- State disability determination, components involved in sequential evaluation, **36:3**

DISABILITY—Cont'd

- States
 - plans. Re-evaluation and termination of disability status, *above*
 - Section 209(b) states, **44:153**
 - statutory blindness, failure of SSI claimants to meet state plan criteria, **44:79**
- Statutory blindness, onset date, **39:34**
- Statutory factors considered in assessing inability to work, **43:146 to 43:163**
- Stooping, kneeling, crouching, and crawling, inability to work, **43:42**
- Subsidized earnings, substantial gainful activity, **40:13**
- Substance abuse. Alcoholism or drug addiction, *above*
- Substance addiction, **41:25**
- Substantial gainful activity
 - generally, **40:1 et seq.**
 - adjustments to earnings, **40:11 to 40:20**
 - anticipation of work payments, **40:19**
 - assistance required by claimant, **40:23**
 - averaging, **40:20**
 - defined, **40:2 to 40:4**
 - duration of disability, ability to engage in, **39:57**
 - earnings
 - generally, **40:5 et seq.**
 - adjustments to earnings, **40:11 to 40:20**
 - comparability of work, **40:9**
 - evaluation of earnings, **40:5 to 40:10**
 - guidelines, **40:5 to 40:8**
 - Medicaid coverage for blind and disabled claimants, **44:152**
 - subsidized earnings, **40:13**
 - worth of work, **40:10**
 - evaluation of earnings, **40:5 to 40:10**
 - farm landlords, **40:37**
 - Federal Advisory Committee (FACA), member or consultant of advisory committee established under, **40:30**
- forms
 - work activity report, self-employment (Form SSA-820-F4), **40:44**
 - work activity report (Form SSA-821), **40:32**
- illegal activities, defined, **40:4**
- minimal duties, **40:24**
- nature of work, **40:21**
- re-evaluation and termination of disability status, *above*
- retroactive cessation of disability, **44:74**
- self-employed persons, **40:33 to 40:44**
- sheltered employment, **40:27**

DISABILITY—Cont'd

- Substantial gainful activity—Cont'd
 - sporadic employment, **40:26**
 - SSI recipients performing, **Supplemental Security Income** (this index)
 - therapy and training programs, **40:28**
 - time spent working, **40:25**
 - twenty-four months of benefits, evaluating work, **40:43**
 - volunteer activity, **40:29**
 - work activity report (Form SSA-821), **40:32**
 - work performance, **40:22 to 40:24**
- Successive unrelated impairments, duration of disability, **39:54**
- Sufficiency of evidence, **37:12; 37:68**
- Supplemental Security Income** (this index)
- Supplementing inadequate or incomplete evidence, SSA's duty, **37:27; 37:28**
- Surviving spouses or surviving divorced spouses
 - generally, **14:35 to 14:37**
 - amount and payment of benefits, **14:42**
 - duration of benefits
 - commencement of benefits, **14:47**
 - termination of benefits, **14:48**
 - onset date
 - generally, **39:32**
 - Medicare claims, **39:33**
 - reduction or offset of benefits, **26:12**
 - time during which disability must begin, **14:36**
 - waiting period, **14:37**
- Suspension and nonpayment of benefits
 - generally, **44:91 to 44:95**
 - SSI child claimant, medical improvement standard of review, exemptions related to claimant's actions, **44:65**
- Symptoms. **Pain and Other Symptoms** (this index)
- Termination of benefits
 - alcoholism or drug addiction, nonpayment or termination of benefits where entitlement involves, **44:8**
 - re-evaluation and termination of disability status, *above*
- Testimony. Evidence, *above*
- Tests
 - psychological tests. **Mental Disorders** (this index)
 - Respiratory System Disorders** (this index)
- Therapy
 - duration of disability, effect of therapeutic efforts, **39:53**
 - re-evaluations, **44:46 to 44:49; 44:90**

DISABILITY—Cont'd

- Therapy—Cont'd
 - work activity
 - OASDI, re-evaluation and termination of disability status, **44:125**
 - re-evaluations, **44:125**
 - substantial gainful activity, **40:28**
- Ticket to Work and Self Sufficiency Program** (this index)
- Time and date
 - duration of benefits, above
 - duration of disability, above
 - onset date, above
 - reconsideration disability hearing, above
 - re-evaluations, cessation date, **44:66; 44:67; 44:90**
 - substantial gainful activity, above
 - waiting period, below
- Traumatic impairments, onset date, **39:12**
- Trial work
 - duration of disability, effect of performing work activity, **39:60**
 - entitlement to trial work, **44:128 to 44:130**
 - extension of trial work period, **44:137 to 44:142**
 - re-evaluations, above
 - time period, generally, **44:131 to 44:136**
- Twenty-four months of benefits
 - evaluating work, **40:43**
 - exception, re-evaluation and termination of disability status, **44:27**
- Unemployment benefits, inability to work, **43:93**
- Unprotected elevations, need to avoid, **43:48**
- Unskilled work, effect mental impairments on ability to perform, **43:56**
- Upper extremity, claimant lacks use of, **43:193**
- Vertigo, special senses and speech impairments, **42:266**
- Very heavy work, **43:39; 43:181**
- Visual limitations, inability to work, **43:45; 43:46; 43:63; 43:200**
- Vocational considerations
 - experts. **Vocational Experts** (this index)
 - inability to work, above
 - re-evaluations, above
 - severity requirement, **41:16**
 - therapy. Re-evaluations, above
- Vocational evidence, alleged onset date as inconsistent with, **39:16**
- Vocational Training and Rehabilitation** (this index)
- Volunteer activity, **40:29**

DISABILITY—Cont'd

- Waiting period
 - benefits, **14:33; 14:34**
 - re-evaluations, **44:132**
 - Waiver of continuing disability review, re-evaluations, **44:21**
 - Waiver of overpayment, **33:86 to 33:88**
 - Weight of other disability determinations, sequential evaluation, **36:13**
 - Widows and widowers. Surviving spouses or surviving divorced spouses, above
 - Witnesses, sample testimony, above
 - Work activity
 - ability to work, above
 - determining effect of pain on capacity to perform, **36:18**
 - duration of disability, above
 - full-time work resumption where recovery expected, **44:75**
 - light work, above
 - re-evaluation and termination of disability status, above
 - report (Form SSA-821), **40:32**
 - sedentary work, above
 - severity requirement, inability to perform, **41:7; 41:8**
 - Worker's benefits. Duration of benefits, above
 - Workers' Compensation** (this index)
 - Work History Report, **43:5**
 - Work-incentive programs for SSI claimants. **Supplemental Security Income** (this index)
 - Work performed 5 or more years in the past recency of past relevant work, **43:122**
 - World War II Veterans** (this index)
- DISAGREEMENT, STATEMENT OF**
- Correction of records, **48:68**
- DISASTER ASSISTANCE**
- Supplemental Security Income** (this index)
- DISASTER LOSS ELECTION**
- Self-employment, special disaster loss election, **10:45**
- DISASTERS**
- Self-employment, special disaster loss election, **10:45**
- DISCHARGE**
- Generally. **Release or Discharge** (this index)
 - Employment. **Discharge from Employment** (this index)
 - Release or Discharge** (this index)

INDEX

DISCHARGE FROM EMPLOYMENT

- Backpay** (this index)
- Consideration on cancellation of employment contract, **9:29**
- Death benefits, **9:49**
- Determination of employee status, **2:49**
- FICA Taxes** (this index)
- Refund claims, effect of termination of employment on, **72:83**
- Wrongful Discharge** (this index)

DISCIPLINARY PROCEEDINGS

- Attorney and Non-Attorney Representation** (this index)

DISCLOSURE AND EXCHANGE OF INFORMATION

- Generally, **48:1 to 48:74**
- Correction of Records** (this index)
- Foreign employment, totalization agreement, **3:39**
- Freedom of Information Act** (this index)
- Mandated disclosure, statutes, **48:2**
- Medicare Part D, prices for equivalent drugs, **66:13**
- Privacy Act** (this index)
- Prohibited disclosure, statutes, **48:3; 48:39**
- Safeguards against unauthorized redisclosure, **48:48**
- Social security number of another person, disclosure or compelling disclosure of, **59:13**

DISCOUNT PROGRAM

- Medicare Part D, Medicare coverage gap discount program, **66:34**

DISCOVERY

- Administrative proceedings, **52:35 to 52:42**
- Affidavits and depositions, **52:42**
- Affidavits and depositions, **52:42**
- Civil monetary penalties, proceedings for, **58:42**
- Costs and fees, **52:40**
- Enforcement, **52:41**
- Hearings, generally, **52:35 to 52:42**
- Judicial review, District Courts, **56:31**
- Medicare, **68:102**
- Service of subpoenas, **52:39**
- Subpoenas, **52:36 to 52:41**
- Subpoenas, **52:36 to 52:41**
- Summons, material discoverable pursuant to summons, **72:22**
- Types of hearing, Generally, **52:35 to 52:42**

DISCRETION

- Attorneys' fees, discretionary award under Equal Access to Justice Act, **49:81**

DISCRIMINATION

- Civil Rights and Discrimination** (this index)

DISENROLLMENT

- Medicare, request for disenrollment under state buy-in agreement, **64:28; 64:29**
- Medicare Part D** (this index)

DISMISSAL

- Attorneys' fees, effect on prevailing party status, application under Equal Access to Justice Act, **49:91**
- Final decision requirement, **55:19; 55:25; 55:26**
- Hearings** (this index)
- Judicial review, failure to prosecute, **55:92**
- Medicare** (this index)
- Motions, **56:27**

DISMISSAL PAY

- Fringe benefits and other compensation, employer payments, **9:28**

DISORGANIZATION OF MOTOR FUNCTION

- Neurological impairments, **42:204**

DISPOSAL OF RESOURCES

- Supplemental Security Income** (this index)

DISPOSITION

- District Court Practice
 - submitting case
 - briefs, **56:35**
 - decision of court, **56:37**
 - discovery, **56:31**
 - oral argument, **56:36**
 - party must have opportunity to present case, **56:33**
 - propriety of motion, summary judgment, **56:30**
 - submitting evidence to court, **56:32**
 - time for making summary judgment or other motion, **56:34**

DISPOSITION AND EFFECT OF BENEFIT PAYMENTS

- Anti-assignment provision. **Assignment or Attachment of Benefits** (this index)
- Receipt of benefits, generally. **Receipt of Benefits** (this index)
- Taxes** (this index)
- Waiver. **Waiver and Estoppel** (this index)

DISPOSITION OF REVIEW

- Judicial Review** (this index)

DISQUALIFICATION

Qualification or Disqualification (this index)

DISTRIBUTION AND DISTRIBUTORS

Covered employment, distributors as individuals qualifying as common law employees, **5:38 to 5:44**

Wages, distributions to shareholder-employees, **7:12**

DISTRICT COURT PRACTICE

Answer

motion to dismiss, **56:27**

SSA must

timely answer, **56:25**

transcript of record, **56:26**

Changes in pleadings or parties

amending, **56:28**

substitution, **56:29**

Class Actions

generally, **56:17 to 56:22**

adequate representation of all class members, **56:21**

commonality of issues, **56:19**

numerosity of class members, **56:18**

prerequisites for class review, **56:17**

typicality of named plaintiff, **56:20**

when is class action maintainable, **56:22**

Complaint requirement

leave to proceed in forma pauperis, **56:14**

Complaint requirement

generally, **56:3 to 56:16**

assignment of judge, **56:9**

contents of complaint, **56:4**

sample, **56:5**

filing complaint, time limits and extensions, **56:3; 56:8**

pro se claimants, **56:15**

providing social security number, **56:6**

scheduling case for hearing, **56:16**

service of summons and complaint, **56:10**

acknowledgment of mailed process, **56:13**

process against SSA officials, individual capacities, **56:12**

process directed to the SSA or the Commissioner, **56:11**

use of form complaint, **56:7**

Extensions of time, **56:38**

Federal magistrate judges

appeal procedure

generally, **56:61 to 56:65**

DISTRICT COURT PRACTICE—Cont'd

Federal magistrate judges—Cont'd

appeal procedure—Cont'd

appeal to circuit court from final magistrate judge decision, **56:65**

effect of failure to file objections, **56:62**

effect of late filing, **56:64**

requirement that objections be filed, **56:61**

time for filing objections, **56:63**

obtaining jurisdiction and conducting proceedings

generally, **56:47 to 56:56**

court established rules of governing magistrate judge proceedings, **56:47**

court not to influence parties decision on consent, **56:52**

disqualification, **56:54**

effective consent for complete jurisdiction, constitutes, **56:51**

government policy, **56:53**

procedures for consent, **56:49**

record of proceedings, **56:55**

referral of social security appeals, **56:48**

requirements for vacating a reference, **56:56**

timely execution of consent, **56:50**

review of magistrate determinations

generally, **56:57 to 56:60**

de novo review of recommended decisions, **56:58**

revisory power of court, **56:60**

standards of review, **56:57**

standards of review, no objections are filed, **56:59**

role in review process

generally, **56:39 to 56:46**

authority of magistrate, to exercise complete jurisdiction, **56:45**

determination of dispositive matters, **56:42**

determination of nondispositive motions, **56:41**

introduction, **56:39**

other duties, **56:44**

scope of authority, **56:40**

service as special master, **56:43**

validity of statutory grant of complete jurisdiction, **56:46**

General considerations, **56:1 et seq**

Postjudgment Remedies

generally, **56:66 to 56:89**

clerical mistakes

correction, **56:72**

DISTRICT COURT PRACTICE—Cont'd

Postjudgment Remedies—Cont'd

independent actions, actions for fraud upon court

generally, **56:86 to 56:89**

action may be brought

when, **56:87**where, **56:88**set aside judgment for fraud upon the court, **56:89**

intervention

generally, **56:23 to 56:24**motion for new trial or to alter or amend judgment, **56:67 to 56:71**appellate review of denial of motion, **56:71**effect of motion on finality of judgment, **56:69**effect of motion on time limit for appeal of judgment, **56:70**

motion for relief from judgment

appellate review of ruling, **56:79**available grounds, **56:73**finality of judgment, **56:77**fraud, misrepresentation, or misconduct of opposing party, **56:82**judgment is void, **56:83**judgment satisfied, released, or discharged; prior judgment reversed or vacated; prospective application inequitable, **56:84**mistake, inadvertence, surprise, or excusable neglect, **56:80**newly discovered evidence, **56:81**relief for any other reason, **56:85**requisites, **56:74**time limit for appeal of judgment, **56:78**when motion for relief from judgment may be made, **56:76**who may move, **56:75**

Submitting case for disposition

briefs, **56:35**decision of court, **56:37**discovery, **56:31**oral argument, **56:36**party must have opportunity to present case, **56:33**propriety of motion, summary judgment, **56:30**submitting evidence to court, **56:32**time for making summary judgment or other motion, **56:34****DISTRICT COURTS****Class Actions** (this index)FICA and self-employment tax litigation, **72:103; 72:104; 72:125****DISTRICT COURTS—Cont'd****Judicial Review** (this index)**DISTRICT MANAGERS**Covered employment, district managers as individuals qualifying as common law employees, **5:29****DISTRICT OF COLUMBIA**Exemptions from coverage, **2:31**FICA taxes on government employees' services in the District of Columbia, **70:34**State and local government employees, coverage, **4:5****DISTRICT OFFICES OF SSA**Freedom of Information Act, location of information available under, **48:13****DITCHES**Agricultural wages for services performed in connection with operation or maintenance of non-profit ditches, canals, reservoirs, or waterways, **8:17****DIVIDED RETIREMENT SYSTEMS**State and local government employees, **4:64 to 4:66****DIVIDENDS AND INTEREST**Generally, **11:49**Capital gains and losses and the like, **11:51**Particular cases, **11:50**Self-employment, dividends and interest net earnings, **10:20**Supplemental security income, **35:102**Wages, dividends of Subchapter S corporation paid in lieu of salary, **7:13****DIVORCE AND SEPARATION**Adjustment, application of family maximum to benefits, **25:19****Alimony** (this index)Amount of benefits payable to divorced spouses, **14:42; 15:28**Benefits for divorced spouses, generally, **15:21 to 15:29**Child's benefits, **16:51**Computation of benefits, adjustment to family maximum where divorced spouse or surviving divorced spouse entitled, **25:19**Constitutionality of distinction between spouses and divorced spouses, **15:22**

Disability

amount and payment of benefits, **14:42**

DIVORCE AND SEPARATION—Cont'd

- Disability—Cont'd
 - duration of benefits
 - commencement of benefits, **14:47**
 - termination of benefits, **14:48**
 - surviving divorced spouses
 - generally, **14:35 to 14:37**
 - time during which disability must begin, **14:36**
 - waiting period, **14:37**
- Duration of benefits
 - commencement of benefits, **15:30; 15:31**
 - disability, above
 - termination of benefits
 - generally, **15:34; 15:37**
 - re-entitlement to benefits after termination
 - because of divorce, **15:34**
- Marital status, proof of
 - estoppel, parties estopped from denying validity of divorce, **21:80**
 - evidence of, **21:75**
 - validity, determining validity of divorce, **21:78 to 21:80**
- Old-age, survivors, and disability insurance, **1:36**
- Post-Retirement Earnings** (this index)
- Proof of divorced spouse status, **15:25**
- Reduction or offset of benefits, **26:9**
- Remarriage** (this index)
- Social Security eligibility, divorced spouse of worker, **1:36**
- Supplemental security income, **19:150**
- Survivor's Benefits** (this index)
- Temporary Separation** (this index)
- Time. Duration of benefits, above
- Who is divorced spouse
 - generally, **15:23 to 15:25**
 - proof of divorced spouse status, **15:25**
 - remarriage, entitlement to benefits after, **15:26**
 - 10 years, requirement that marriage to insured person to have lasted, **15:24**

DOCTORS

- Physicians and Surgeons** (this index)

DOCUMENTATION

- Cardiovascular system impairments, documentation of children's' impairments, **42:44; 42:45**
- Evidence of disciplinary proceedings against representative, **46:26**
- HIV infection (AIDS), **42:114 to 42:116**
- Inability to work, vocational documentation, **43:3**
- Listing of Impairments** (this index)
- Mental Disorders** (this index)

DOCUMENTATION—Cont'd

- Musculoskeletal system, **42:171**
- Old-age, survivors, and disability insurance, documentation and verification of waiver request, **34:52**
- Records and Reports** (this index)
- Respiratory System Disorders** (this index)
- Skilled nursing care, transfer or discharge, **60:170**
- Skin disorders, **42:251**

DOMESTIC ABUSE

- Supplemental security income, resource requirements, **20:81**

DOMESTIC SERVICE

- Covered employment
 - family and relatives, **2:59; 2:61**
 - friends, individuals qualifying as common law employees, **5:15**
 - private home, **2:59; 6:25**
 - questionnaire, individuals qualifying as common law employees, **5:14**
 - relatives, individuals qualifying as common law employees, **5:15**
 - students, domestic service performed by for college clubs and organizations, **2:23**
 - workers, individuals qualifying as common law employees, **5:13 to 5:15; 5:15**
- Employer status, **6:25**
- Fringe benefits, FICA tax payments, **9:76**
- Wages
 - generally, **7:34 to 7:39**
 - agricultural labor, **8:6; 8:20**
 - constructive payment, **7:73**

DOMICILE AND RESIDENCE

- Address Change** (this index)
- Age 72 benefits
 - entitlement to benefits, residency in U.S. requirement
 - generally, **14:9; 14:10**
 - five-year continuous residency requirement, **14:10**
 - suspension because of residence outside U.S., **14:16**
- Aliens** (this index)
- Foreign State or Country** (this index)
- Household Members** (this index)
- Primary insurance amount, effect of non-residence, **22:17**
- Supplemental Security Income** (this index)
- Suspension of Benefits** (this index)

INDEX

DONATIONS

Gifts (this index)

DOOR INSTALLERS

Covered employment, individuals qualifying as common law employees, **5:47**

DOWN SYNDROME

Adults, congenital disorders that affect multiple body system disorders, non-mosaic Down syndrome, **42:275**

Children, congenital disorders that affect multiple body system disorders
generally, **42:273**
non-mosaic Down syndrome, **42:273**

DRIVERS

Generally. **Automobiles and Other Vehicles** (this index)

DROPOUT YEARS

Primary insurance amount, years counted in benefit computations, **23:15; 23:16**

DRUGS

Abuse or addiction. **Substance Abuse and Addiction** (this index)

Disability (this index)

Medicare (this index)

Medicare Part A (this index)

Medicare Part D (this index)

Medication (this index)

Mental Disorders (this index)

Neurological Impairments (this index)

Representative payments, drug addiction, **32:18**

Sequential evaluation of disability, need for pain or other type of medication, **36:32**

Supplemental Security Income (this index)

DUAL FEE AWARDS

Attorneys' fees, relationship between 42 U.S.C.A. 406(b) and 28 U.S.C.A. 2412, **49:137; 49:138**

DUE DATES

FICA tax return, **70:38**

Medicare, payment of premiums for Part B supplementary medical insurance, **64:35; 64:36**

Self-employment tax return, **70:20**

DUE PROCESS

Appeals Council review, **53:50**

Disability, re-evaluations, **44:103**

Employment taxes, taxpayers' rights and defenses, **73:60; 73:61**

DUPLICATE PAYMENTS

Overpayments (this index)

DUPLICATES

Copies (this index)

DURATION

Age 72 benefits, **14:19**

Blindness (this index)

Disability (this index)

Medicare Part A (this index)

Medicare (this index)

Meeting or equaling listed impairment, duration requirement, **42:20**

Retirement and Retirement Benefits (this index)

World War II veterans' benefits, **14:58 to 14:61**

DURESS

Generally, **59:13**

DWELLING UNIT

Supplemental Security Income (this index)

EARLY DELIVERY

Overpayments, **33:6; 35:116**

Supplemental security income, **35:116**

EARLY INTERVENTION PROGRAMS

Disability, SSI child claimants, **43:107**

EARLY RECEIPT OF BENEFITS

Reduction, Deduction, or Offset of Benefits (this index)

EARNED INCOME

Supplemental Security Income (this index)

EARNINGS

Bonuses (this index)

Business Income (this index)

Child's benefits, dependency requirement, **16:65; 16:78**

Clergy. **Religion and Religious Organizations** (this index)

Commissions (this index)

Covered Earnings (this index)

Criminal liability for false statement of income, **59:5**

Directors' fees, business income, **11:13**

Disability (this index)

Excess Earnings (this index)

Fiduciaries' earnings, business income, **11:14**

Liability for overpayment, **33:18**

Limit on earnings, deduction overpayments, **33:103**

Misunderstanding allowable earnings, overpayments, **33:93; 33:125**

EARNINGS—Cont'd

- Net earnings from self employment. **Self-Employment** (this index)
- Net Earnings** (this index)
- Overpayment** (this index)
- Partnerships** (this index)
- Preentitlement earnings, overpayments, **33:99; 33:127**
- Records. **Earnings Records** (this index)
- Religion and Religious Organizations** (this index)
- Rental Income** (this index)
- Retirement plans. **Fringe Benefits and Similar Compensation** (this index)
- Royalties** (this index)
- Self-Employment** (this index)
- Substantially all income test for waiver of overpayment, **33:113**
- Termination of benefits, overpayments and earnings after, **33:100**
- Wages** (this index)
- Waiver of overpayment
 - allowable earnings, misunderstanding, **33:93; 33:125**
 - excess earnings, **33:98**
 - limit, earnings before reaching, **33:103**
 - preentitlement earnings, **33:99; 33:127**
 - termination of benefits, earnings after, **33:100**

EARNINGS RECORDS

- Generally, **12:26 to 12:74**
- Absence of earnings entry after expiration of time limitation, **12:33 to 12:38**
- Administrative review, correction of earnings record, **12:74**
- Allocation of wages and self-employment income, **12:59**
- Annual earnings and benefit estimate statements sent without request, **12:43**
- Appeal rights, **12:74**
- Cancellation of withdrawal of request for correction of records, **12:72**
- Characterizing earnings, **12:38**
- Child's benefits as affected by reduction or offset of benefits, **26:18; 26:19; 26:21; 26:23 to 26:25**
- Conforming records, **12:57; 12:58**
- Contents of request for correction of earnings record, **12:67; 12:68**
- Correction of earnings record
 - generally, **12:46 to 12:74**
 - administrative review, **12:74**
 - allocation of wages and self-employment income, **12:59**

EARNINGS RECORDS—Cont'd

- Correction of earnings record—Cont'd
 - cancellation of withdrawal of request, **12:72**
 - conforming records, **12:57; 12:58**
 - contents of request for, **12:67; 12:68**
 - equitable tolling of time limitation, **12:50**
 - expiration of time limitation period
 - correction prior to, **12:47**
 - correction subsequent to, generally, **12:51 to 12:65**
 - face of record, error on, **12:54**
 - federal employment, correction of earnings from, **12:48**
 - filing requirements, **12:52; 12:53; 12:69; 12:70**
 - Form SSA-7008, request for, **12:68**
 - fraud and deceit, **12:55**
 - investigations, **12:60; 12:71**
 - judicial review, **12:74**
 - military service, effect of, **12:49**
 - notice of correction, **12:73**
 - place of filing request, **12:69**
 - procedure for correction, generally, **12:66 to 12:72**
 - railroad retirement, crediting of, **12:56**
 - self-employment income, **12:59; 12:65**
 - SSA investigations, **12:60; 12:71**
 - state wage reports, conforming records to, **12:58**
 - statute, wage payments under, **12:61**
 - tax returns of wages or self-employment income, conforming to, **12:62 to 12:64**
 - time for filing request, **12:70**
 - tolling of time limitation, **12:50**
 - withdrawal of request, **12:72**
- Criminal violations, **12:30**
- Deferred vested pension benefits, information on, **12:45**
- Equitable tolling of time limitation, **12:50**
- Estimate of benefits, how to obtain, **12:40; 12:41**
- Evidentiary value of earnings records
 - generally, **12:31 to 12:38**
 - absence of earnings entry after expiration of time limitation, **12:33 to 12:38**
 - characterizing earnings, effect of, **12:38**
 - presumptions, **12:35; 12:36**
 - rebutting presumption, **12:35; 12:36**
 - self-employment income, absence of entry, **12:37**
 - weight given to earnings record, **12:32**
- Expiration of time limitation period. Correction of earnings record, above
- Face of record, error on, **12:54**

INDEX

EARNINGS RECORDS—Cont'd

- Federal employment, correction of earnings from, **12:48**
- Filing requirements, **12:52; 12:53; 12:69; 12:70**
- Foreign countries, **24:37**
- Form SSA-7008, request for, **12:68**
- Form SSA-7004-SM, request for, **12:41**
- Fraud and deceit, **12:55**
- Incorrect reports, **12:28; 12:29**
- Information contained in earnings estimate, **12:42**
- Information on deferred vested pension benefits, **12:45**
- Investigations, **12:60; 12:71**
- Judicial review, **12:74**
- Late or incorrect wage reports, **12:28**
- Liability for overpayment, **33:18**
- Military service, effect of, **12:49**
- Notice of correction, **12:73**
- Obtaining earnings record information
 - generally, **12:39 to 12:45**
 - annual earnings and benefit estimate statements sent without request, **12:43**
 - deferred vested pension benefits, information on, **12:45**
 - estimate of benefits, how to obtain, **12:40; 12:41**
 - form SSA-7004-SM, request for, **12:41**
 - information contained in earnings estimate, **12:42**
 - information on deferred vested pension benefits, **12:45**
 - unrequested statements, **12:43; 12:44**
- Offsets. Reduction or offset of benefits, below
- Place of filing request for correction of earnings record, **12:69**
- Procedure for correction. Correction of earnings records, above
- Railroad retirement, crediting of, **12:56**
- Reduction or offset of benefits
 - another's record, multiple benefits based on, **26:15 to 26:21**
 - child's benefits as affected by, **26:18; 26:19; 26:21; 26:23 to 26:25**
 - workers' compensation reductions, **26:67**
- Reopening and Revising Determinations** (this index)
- Reporting obligations of employers, **12:27**
- Self-employment
 - correction of earnings record, **12:59; 12:65**
 - evidentiary value of earnings records, **12:37**
 - tax return, **12:63**
- SSA investigations, **12:60; 12:71**
- State wage reports, conforming records to, **12:58**

EARNINGS RECORDS—Cont'd

- Statute, wage payments under, **12:61**
- Tax returns of wages or self-employment income, conforming to, **12:62 to 12:64**
- Time limitation, absence of earnings entry after expiration of, **12:33 to 12:38**
- Tolling of time limitation, **12:50**
- Unrequested statements, **12:43; 12:44**
- Weight given to earnings record, **12:32**
- Withdrawal of request for correction of earnings record, **12:72**
- Workers' compensation reductions, **26:67**

EATING

- See also **Obesity** (this index)
- Disorders. **Eating Disorders** (this index)
- Failure to follow prescribed treatment, obesity, **38:8**
- Food Service** (this index)
- Meals and Lodging** (this index)

EATING DISORDERS

- Generally, **42:139; 42:160**

“ECONOMIC REALITY” TEST

- Determination of employee status, **2:38**

ECONOMIC WORTH OF WORK

- Disability** (this index)

EDUCATION

- Age, school records as proof of, **21:15**
- Child's Benefits** (this index)
- Colleges and Universities** (this index)
- Covered Employment** (this index)
- Disability** (this index)
- Employee educational assistance programs, **9:72**
- Students, covered employment, **2:23; 2:24; 2:30**
- Supplemental Security Income** (this index)
- Vocational education, city-sponsored in private plant, as employer, **6:18**
- Wages, **7:19 to 7:22**
- Work program, employer, **6:17**

EFFECTIVE DATE

- Applying for benefits, **30:44 to 30:56**
- Covered Employment** (this index)
- Medicare Part D, effective date of enrollment in a prescription drug plan, **66:4**

ELAPSED YEARS

- Primary insurance amount, effect of disability; freeze period, **23:11**

ELDER CARE

- Self-employment business, **10:50**

ELECTION OFFICIALS AND ELECTION WORKERS

State and local government employees, optional exclusions from coverage, **4:77**

ELECTION OR CHOICE

Covered Employment (this index)

Disability, benefit continuation pending appeal, **44:104 to 44:112**

Hospice care. **Medicare Part A** (this index)

Inpatient hospital services, election not to use lifetime reserve days. **Medicare Part A** (this index)

Medicare Advantage (MA) Program (this index)

Medicare Part A (this index)

Religion and Religious Organizations (this index)

Self-employment, special disaster loss election, **10:45**

Self-employment tax, exemption for clergy or members of religious orders. **Religion and Religious Organizations** (this index)

Self-Employment Tax (this index)

Special Disaster Loss Election (this index)

ELECTROCARDIOGRAMS

Cardiovascular system impairments, adults, **42:38**

ELECTRONICS

FICA Taxes (this index)

ELECTRONIC SERVICE DELIVERY

Appeal and review, **50:2**

ELIGIBILITY

Qualification or Disqualification (this index)

EMBEZZLED FUNDS

Refund of FICA taxes paid on, **72:79**

EMBLEMS

Misuse of Symbols, Emblems or Names (this index)

EMERGENCY ADVANCE PAYMENTS

Supplemental Security Income (this index)

EMERGENCY SERVICES

Medicare (this index)

EMERGENCY SHELTERS

Supplemental Security Income (this index)

EMPLOYEE EXPENSES

Post-retirement earnings, **28:14**

EMPLOYER

Generally, **6:1 to 6:36**

EMPLOYER—Cont'd

Agents authorized to act on behalf of employers generally, **6:30 to 6:36**

FICA, correction of wages reported under FICA, **6:33; 69:80**

reporting agent or subagent, use of, **6:34**

request for, **6:31**

revocation of authorization, **6:35**

state and local health and welfare agencies, agent for welfare recipients, **6:36**

tax returns, filing, **6:32**

Air carriers, **6:28**

Apprenticeship, **6:17**

Authorization, request with respect to agent acting on behalf of employer, **6:31**

Band leaders, **6:21**

Bankruptcy and receivership, **6:6**

Business, lessee of, **6:13**

City-sponsored vocational education, **6:18**

Companion sitting placement services, **6:15**

Consolidations and mergers, statutory, **6:10**

Correction of wages reported under FICA, agents authorized to act on behalf of employers, **6:33**

Crew leader, **6:14**

Decedents' estates, **6:5**

Department store, lessee of space in, **6:12**

Domestic services in private home, **6:25**

Entertainment productions, **6:20**

Estates, **6:5**

FICA Taxes (this index)

Filing of tax returns, agents authorized to act on behalf of employers, **6:32**

Financial management corporation, **6:9**

Fishing boats, **6:16**

Foreign affiliate employee coverage agreement, **3:3; 3:7**

Fraternity, lodge system, **6:24**

Fringe Benefits and Similar Compensation (this index)

Health and welfare agencies of states and localities authorized as agents for welfare recipients, **6:36**

Hospitals, **6:19**

Illegal businesses, **6:26**

Lessees, **6:12; 6:13**

Lodge system, fraternity operated under, **6:24**

Management corporation, **6:7**

Medicare Advantage (MA) program, employer group health plans, **65:16**

Mergers and consolidations, statutory, **6:10**

Orchestra leaders, **6:21**

Parent corporation and subsidiary, **6:11**

INDEX

EMPLOYER—Cont'd

- Partnerships, **6:4**
- Placement services, companion-sitting, **6:15**
- Principal and agent. Agent, above
- Principles for determining who is employer, **6:2; 6:3**
- Private company, city-sponsored vocational education in, **6:18**
- Professional baseball team, **6:27**
- Professional service corporation, **6:8**
- Receivership and bankruptcy, **6:6**
- Reporting agent or subagent, use of, **6:34**
- Revocation of authorization, **6:35**
- School-work program, **6:17**
- Sitting placement services, **6:15**
- State and local health and welfare agencies acting as agent for welfare recipients, **6:36**
- Statutory mergers and consolidations, **6:10**
- Subsidiary and parent corporation, **6:11**
- Tax returns, filing, agents acting on behalf of employers, **6:32**
- Temporary assignment, union members working for union on, **6:23**
- Trucking companies, **6:29**
- Trusts and estates, **6:5**
- Union members, **6:23**
- Vocational education in plant of private company, **6:18**
- Welfare recipients, state and local health and welfare agencies acting as agent for, **6:36**
- Well drilling or boring, **6:22**
- Wrongful discharge recovery, effect of receipt of benefits, **34:72**

EMPLOYER IDENTIFICATION NUMBERS

- Generally, **12:22 to 12:25**

EMPLOYER'S ANNUAL TAX RETURN FOR AGRICULTURAL EMPLOYEES (FORM 943)

- Generally, **70:96**

EMPLOYER'S QUARTERLY FEDERAL TAX RETURN (FORM 941)

- Generally, **70:94**

EMPLOYER'S RECORD OF FEDERAL TAX LIABILITY (FORM 941)

- Generally, **70:95**

EMPLOYMENT

- Compensation** (this index)
- Disability** (this index)
- Foreign Employment** (this index)

EMPLOYMENT—Cont'd

- Management and Managers** (this index)
- Medicare** (this index)
- Part-Time Employment** (this index)
- Public. **Public Officers and Employees** (this index)
- Self-Employment** (this index)
- Taxes** (this index)
- Waiver of entitlement overpayments, **33:87; 33:88**

EMPLOYMENT AGENCY FEE

- Fringe benefits and other compensation, expenses, **9:13**

EMPLOYMENT CONTRACT CANCELLATION

- Fringe benefits and other compensation, employer payments, **9:29**

EMPLOYMENT DISCRIMINATION

- Fringe benefits and other compensation, employer payments, **9:32**

EMPLOYMENT TAXES

- FICA Taxes** (this index)
- Income tax, generally. **Taxes** (this index)

ENCUMBRANCES

- Taxes** (this index)

ENDOCRINE SYSTEM IMPAIRMENTS

- Generally, **42:66 to 42:70**
- Adult impairments, **42:66 to 42:68**
- Children's impairments, **42:69; 42:70**
- Diabetes** (this index)
- Obesity** (this index)

ENDORSEMENT

- Forged endorsement, overpayments, **33:7**

END-STAGE RENAL DISEASE FACILITIES

- Medicare** (this index)

ENFORCEMENT PROCEDURES

- Internal Revenue Service** (this index)

ENHANCEMENT OF FEES

- Attorneys' and Representatives' Fees** (this index)

ENLARGEMENT OF TIME

- Extension of Time** (this index)

ENROLLMENT

- Medicare** (this index)

ENTERTAINMENT

- Covered employment
 - entertainment industry workers as individuals qualifying as common law employees, **5:16 to 5:19**
 - productions, **6:20**
- Employer, entertainment productions, **6:20**

ENTITLEMENT

- Application For Benefits** (this index)
- Disability, trial work periods, **44:128 to 44:130**
- Medicare** (this index)
- Overpayments** (this index)
- Pre-Entitlement Matters** (this index)
- Reentitlement** (this index)
- Simultaneous Entitlement** (this index)

ENVIRONMENTAL CONSIDERATIONS

- Disability** (this index)
- Medicare** (this index)

EPILEPSY

- Neurological impairments, **42:209; 42:223**

EQUAL ACCESS TO JUSTICE ACT

- Generally, **49:80 et seq.**
- Attorneys' and Representatives' Fees** (this index)

EQUALING LISTED IMPAIRMENT

- Listing of Impairments** (this index)

EQUIPMENT

- Fringe benefits, payment for use of employee equipment, **9:18**
- Medicare** (this index)

EQUITY

- Adopted children. **Child's Benefits** (this index)
- Earnings records, equitable tolling of time limitation, **12:50**
- Injunctions and Restraining Orders** (this index)
- Overpayments** (this index)
- Supplemental security income, evidence of equity value of real property, **20:73**
- Supplemental Security Income** (this index)

EQUIVALENT OR EQUIVALENCY

- Cardiovascular system of children, equivalence determination, **42:52**
- Foreign employment, FICA taxes, equivalent amounts, **3:6; 3:14**
- Medicare Part D, disclosure of prices for equivalent drugs, **66:13**

ERRORS

- Appeal and Review** (this index)

ERRORS—Cont'd

- Clerical Error** (this index)
- Correction of Records** (this index)
- FICA and self-employment tax examinations, mathematical or clerical errors, **72:11**
- Foreign affiliate employee coverage agreement, **3:17**
- Foreign employment, error in payment under foreign affiliate employee coverage agreement, **3:17**
- Medicare** (this index)
- Payment under foreign affiliate employee coverage agreement, **3:17**
- Post-judgment remedies, **56:74; 56:82**
- Reopening and Revising Determinations** (this index)
- Res judicata, inapplicability of doctrine, **54:72**
- State and local government employee coverage, modification of agreement to correct error, **4:50**
- Underpayments** (this index)

ESSENTIAL PERSON

- Supplemental Security Income** (this index)

ESTATE OR SURVIVOR PAYMENTS

- Fringe benefits and other compensation, death benefits, **9:51**

ESTATES

- Generally. **Trusts and Estates** (this index)
- Decedents' Estates** (this index)

ESTATE TAXES

- Taxes** (this index)

ESTIMATES

- Computation of Benefits** (this index)
- FICA taxes, withholding on tips, **69:44 to 69:46**

ESTOPPEL

- Waiver and Estoppel** (this index)

EVALUATIONS

- Covered employment, evaluation of employment relationship, **2:39 to 2:51**
- Disability** (this index)
- Evidence of disability. **Disability** (this index)
- Listing of Impairments** (this index)
- Mental Disorders** (this index)
- Pain and Other Symptoms** (this index)
- Post-retirement earnings, evaluating substantial services in self-employment, **28:46 to 28:50**

EVASION OF TAXES

- FICA taxes, willful attempt to evade, **72:57**

EVIDENCE

Age, Proof of (this index)
 Appeal. Judicial review, below
Application For Benefits (this index)
Attorney and Non-Attorney Representation (this index)
Attorneys' and Representatives' Fees (this index)
 Burden of Proof. **Presumptions and Burden of Proof** (this index)
Child's Benefits (this index)
 Covered employment, evidentiary requirements with respect to retirement by ministers and members of religious orders, **5:77**
Disability (this index)
 Disciplinary proceedings against representative. **Attorney and Non-Attorney Representation** (this index)
Discovery (this index)
 District Courts, submitting evidence to, **56:32**
Documentary Evidence (this index)
Earnings Records (this index)
 Employment taxes, proof of underpayment, **73:52**
 Exhibits, **52:44 to 54:46; 58:43**
Experts (this index)
Hearings (this index)
Judicial Review (this index)
Listing of Impairments (this index)
Marital Status, Proof Of (this index)
Medicare (this index)
New Evidence (this index)
Objections (this index)
Overpayments (this index)
Payment and Payment Procedures (this index)
 Post-judgment remedies, newly discovered evidence as basis for motion for relief from judgment, **56:83**
 Post-retirement earnings, requirements for establishing absence of substantial services, **28:45**
Presumptions and Burden of Proof (this index)
Reopening and Revising Determinations (this index)
Representative Payments (this index)
 Res judicata, **54:71**
 Social security numbers, **12:9; 12:10**
 Spouse's benefits, proof of divorced spouse status, **15:25**
 Substantial evidence. **Judicial Review** (this index)
Supplemental Security Income (this index)
Survivor's Benefits (this index)
 Suspension of benefits, residency, **29:19; 29:20; 29:40**

EVIDENCE—Cont'd

Tax Court (this index)
Witnesses (this index)

EXAMINATIONS AND INSPECTIONS

Generally, **72:9 to 72:18**
Disability (this index)
 Examination technique, **72:10; 72:11**
 Freedom of Information Act, available information under, **48:8**
 Infants and toddlers, **42:190**
 Internal Revenue Service procedures, generally, **72:9 et seq.**
Listing of Impairments (this index)
 Mathematical or clerical errors, **72:11**
 Medical expert examination, **52:99 to 52:102**
 Methods of examination
 generally, **72:14 to 72:17**
 area office examinations, **72:16; 72:17**
 field examinations, **72:17**
 re-examinations, **72:18**
 service center examinations, **72:15**
 Musculoskeletal system, **42:171; 42:173; 42:186**
 Public inspection of written determinations, **72:8**
 Representation of taxpayer, **72:13**
 Selection of returns for examination, **72:12**
 Techniques, **72:10; 72:11**
 Witness examination, Generally, **52:83 to 52:88**

EXCEPTIONS

Exemptions and Exclusions (this index)
Objections (this index)

EXCESS EARNINGS

Post-Retirement Earnings (this index)
 Waiver of overpayment, **33:98**

EXCESS RESOURCES

Supplemental Security Income (this index)

EXCHANGE AND DISCLOSURE OF INFORMATION

Foreign employment, totalization agreement, **3:39**

EXCLUSIONS

Exemptions and Exclusions (this index)

EXCLUSIVE REMEDY PROVISION

Judicial review, **55:3; 55:4**

EXCUSABLE NEGLECT

Post-judgment remedies, motion for relief from judgment, **56:82**

EXCUSE AND JUSTIFICATION

- Freedom of Information Act, delay in response to request under, **48:46**
- Neglect excusable, motion for relief from judgment, **56:82**
- Taxes** (this index)

EXECUTIVE BRANCH APPOINTEES

- Federal government employees, coverage, **4:97**

EXEMPT GOVERNMENTAL DEFERRED COMPENSATION PLAN

- Fringe benefits and other compensation, retirement and deferred compensation payments, **9:44**

EXEMPTIONS AND EXCLUSIONS

- Anti-assignment provision exceptions, **34:18 to 34:31**
- Assignment or Attachment of Benefits** (this index)
- Clergy. **Religion and Religious Organizations** (this index)
- Disability, exclusion of certain sources for consultative examinations, **37:48**
- Federal government employees, **4:103**
- FICA Taxes** (this index)
- Freedom of Information Act** (this index)
- Medicare** (this index)
- Payment and Payment Procedures** (this index)
- Post-Retirement Earnings** (this index)
- Privacy Act** (this index)
- Reduction or offset of government pension, **26:31 to 26:38**
- Religion and Religious Organizations** (this index)
- Representatives for claimants, exclusion of federal employees as, **46:12**
- Self-employment, special exemption from tax for special religious groups opposed to insurance, **10:64**
- State and local government employees, **4:22; 4:75 to 4:78**
- Supplemental Security Income** (this index)
- Suspension of benefits for residence outside U.S., **29:23 to 29:34**
- Taxes** (this index)
- Totalization agreements, foreign employment, **3:33 to 3:37**
- Windfall reduction, exemptions from reduction calculation, **24:3**

EXERCISE TESTING

- Cardiovascular system impairments, adult exercise testing, adults, **42:39**
- Listing of Impairments** (this index)

EXERCISE TESTING—Cont'd

- Purchase of exercise test by SSA, **42:40**

EXHIBITS

- Hearings, **52:44 to 54:46; 58:43**

EXPATRIATES

- Suspension of benefits for residence outside of U.S., **29:15 to 29:40**

EXPEDITED PAYMENT

- Generally, **31:32 to 31:35**

EXPEDITED PROCEDURES

- Appeal and Review** (this index)
- Medicare** (this index)

EXPENSES

- Costs and Expenses** (this index)
- Fringe Benefits and Similar Compensation** (this index)

EXPERTS

- Attorneys' fees, compensable services, costs, and expenses under EAJA, **49:116**
- Disability** (this index)
- Dually qualified vocational and medical experts, **52:110**
- Effect of new evidence, **52:108**
- Evidence, **52:89 to 52:110**
- Hearings** (this index)
- Hypothetical questions, Vocational expert, **52:104 to 52:107**
- Medical and vocational experts, **52:90**
 - Distribution of notices, **52:91**
 - Interrogatories to medical expert, **52:93**
 - Interrogatories to vocational expert, **52:94**
 - medical development letter, **52:97**
 - obtaining testimony, **52:96**
 - review of evidence, **52:95**
 - testimony, **52:98**
 - Use of interrogatories, **52:92**
- Medical and vocational experts, Evidence, **52:90 to 52:94**
- Posthearing opinion, **52:109**

EXPIRATION

- Listing of impairments, **42:7**
- Representative of claimant, authority of, **46:16**
- Termination** (this index)

EXPLANATIONS

- Attorney Interview with Client** (this index)

EXTENSION

- Time. **Extension of Time** (this index)

INDEX

EXTENSION OF TIME

- Appeal and review
 - expedited appeals process, extension of time for filing request, **50:52**
 - good cause extension, timeliness of request for review, **50:12**

Circuit Courts (this index)

FICA Taxes (this index)

Final decision requirement, refusal to grant extension of time, **55:27**

Judicial review, extension of time for filing, **55:32 to 55:34**

Medicare (this index)

Post-retirement earnings, **28:59; 28:60**

Self-employment tax returns, **70:21**

Supplemental Security Income (this index)

EXTRAORDINARY WRIT

Appeal to circuit court, **57:7**

EYES AND EYESIGHT

Blindness (this index)

Evaluation of ability to work, **43:45; 43:46; 43:63; 43:200**

Inability to work, **43:45; 43:46; 43:63; 43:200**

Listing of impairments, visual impairments, **42:260 to 42:264**

Medicare (this index)

FACE OF RECORD

Earnings record, error on face of, **12:54**

FACE-TO-FACE INTERVIEWS

Appeal and review, **50:6**

FACT FINDINGS

Findings of Fact (this index)

FACTORIES

Manufacturers and Manufacturing (this index)

FAIR MARKET VALUE

Supplemental security income, disposal of resources for less than fair market value, **20:31**

FALLBACK PRESCRIPTION DRUG PLANS

Medicare Part D, **66:25; 66:26**

FALSE STATEMENTS

Fraud and Deceit (this index)

FAMILY AND RELATIVES

Brother and Sister (this index)

Business Income (this index)

Children and Minors (this index)

Covered Employment (this index)

FAMILY AND RELATIVES—Cont'd

Death, payment due deceased person, **33:135**

Delayed retirement credit, effect of increased widow's, widower's, and surviving divorced spouse's benefits on family maximum, **27:41**

Employment by. **Family Employment** (this index)

Medicare (this index)

Parents (this index)

Partnerships (this index)

Sequential evaluation of disability, questions submitted to relatives or friends of claimant, **36:40**

Spouses (this index)

Waiver of overpayment, **33:83 to 33:85; 33:128**

FARMS AND FARMING

Agriculture (this index)

FAT

Obesity (this index)

FATHERS

Parents (this index)

FATIGUE

Chronic Fatigue (this index)

Neurological impairments, **42:208**

FEAR

Failure to follow prescribed treatment, **38:16**

FEDERAL CENSUS RECORDS

Age, Proof of (this index)

FEDERAL COURT PRECEDENT

Social Security Administration (SSA), requirement to follow precedent, **1:18**

FEDERAL COURTS

Courts (this index)

FEDERAL CROP INSURANCE ACT

Social security numbers, **12:14**

FEDERAL GOVERNMENT

Employees of. **Federal Government Employees** (this index)

Federal Tort Claims Act (this index)

Freedom of Information Act, **48:7**

Officers and employees. **Federal Government Employees** (this index)

Representative of government. **Attorney and Non-Attorney Representation** (this index)

Social Security Administration (this index)

Taxes (this index)

FEDERAL GOVERNMENT EMPLOYEES

- Agencies responsible for particular determinations of employment status, **4:95**
- Break in service for employees hired before 1984, effect of, **4:89**
- Congress members, coverage, **4:96**
- Covered employees, generally, **4:86 to 4:104**
- Determination of employment status, **4:94; 4:95**
- Earnings records, correction of, **12:48**
- Exclusions from coverage, **4:103**
- Executive branch appointees, coverage, **4:97**
- Federal employment status, **4:92 to 4:95**
- Individuals who join retirement system, **4:100**
- Instrumentalities of United States, service for, **4:90**
- International organization service, coverage, **4:102**
- Job Corps, service for, **4:93**
- Judges, coverage, **4:98**
- Legislative branch employees, coverage, **4:99**
- Magistrates, coverage, **4:98**
- Medicare** (this index)
 - 1984, coverage before, **4:87**
 - 1983, coverage after, **4:88**
- Particular employees and services covered, **4:96 to 4:104**
- Peace Corps service, coverage, **4:101**
- Pension offset exception, **26:37**
- President, coverage, **4:96**
- Referees, coverage, **4:98**
- Representatives for claimants, exclusion as, **46:12**
- Tax-exempt instrumentalities of United States, work prior to 1984 for, **4:104**
- Vice-President, coverage, **4:96**
- VISTA, service for, **4:93**
- Workers' Compensation** (this index)

FEDERAL MAGISTRATE JUDGES

- District Court Practice
 - appeal procedure
 - appeal to circuit court from final magistrate judge decision, **56:65**
 - effect of failure to file objections, **56:62**
 - effect of late filing, **56:64**
 - requirement that objections be filed, **56:61**
 - time for filing objections, **56:63**
 - obtaining jurisdiction and conducting proceedings, **56:47 to 56:56**
 - court established rules of governing magistrate judge proceedings, **56:47**
 - court not to influence party decision on consent, **56:52**
 - disqualification, **56:54**

FEDERAL MAGISTRATE JUDGES—Cont'd

- District Court Practice—Cont'd
 - obtaining jurisdiction and conducting proceedings, **56:47 to 56:56**—Cont'd
 - effective consent for complete jurisdiction, constitutes, **56:51**
 - government policy, **56:53**
 - procedures for consent, **56:49**
 - record of proceedings, **56:55**
 - referral of social security appeals, **56:48**
 - requirements for vacating a reference, **56:56**
 - timely execution of consent, **56:50**
 - review of magistrate determinations
 - generally, **56:58 to 56:60**
 - de novo review of recommended decisions, **56:58**
 - revisory power of court, **56:60**
 - standards of review, **56:57**
 - standards of review, no objections are filed, **56:59**
 - role in review process
 - generally, **56:39 to 56:46**
 - authority of magistrate, to exercise complete jurisdiction, **56:45**
 - determination of dispositive matters, **56:42**
 - determination of nondispositive motions, **56:41**
 - introduction, **56:39**
 - other duties, **56:44**
 - scope of authority, **56:40**
 - service as special master, **56:43**
 - validity of statutory grant of complete jurisdiction, **56:46**

FEDERAL PUBLIC DISABILITY BENEFITS

- Reduction based on, **26:56; 26:57**

FEDERAL-QUESTION JURISDICTION

- SSA action, basis for review, **58:13; 58:14**

FEDERAL REGISTER

- Freedom of Information Act, disclosure of information under, **48:7**

FEDERAL TORT CLAIMS ACT

- Medicare, **67:33**
- SSA action, basis for review, **58:15**

FEES

- Appeal to circuit court, **57:24**
- Attorneys' and Representatives' Fees** (this index)
- Business income, directors' fees, **11:13**
- Contingency fee agreements, **49:63; 49:64**

INDEX

FEES—Cont'd

- Freedom of Information Act, request for disclosures under, **48:44**
- Post-retirement earnings, fees of corporate director's, **28:19**
- Privacy Act, request for disclosure under, **48:57**
- Representative Payments** (this index)
- State and local government employees, optional exclusion of persons compensated on fee basis, **4:78**
- Wages, **7:40 to 7:45**

FELLOWSHIPS

- Wages, **7:22**

FELONIES

- Crimes** (this index)

FIBROCYTIS

- Sequential evaluation of disability, **36:22**

FIBROMYALGIA

- Sequential evaluation of disability, **36:22**

FICA AND SELF-EMPLOYMENT TAX LITIGATION

- Generally, **72:103 to 72:128**
- Appeals
 - generally, **72:124 to 72:128**
 - Court of Appeal, below
 - Court of Federal Claims decisions, appeals from, **72:126**
 - District Court decisions, appeals from, **72:125**
 - Supreme Court review of Court of Appeals decisions, **72:128**
 - Tax Court decisions, appeals from, **72:124**
- Collection of tax
 - injunctions against, **72:106**
 - IRS suits to collect FICA and self-employment taxes, **72:107**
- Costs, recovery by successful litigant, **72:105**
- Court of Appeals
 - generally, **72:127**
 - Supreme Court review of Court of Appeals decisions, **72:128**
- Court of Federal Claims proceedings, **72:103; 72:104; 72:126**
- District Court proceedings, **72:103; 72:104; 72:125**
- Injunctions against collection of taxes, **72:106**
- Privacy Act claims, **72:108**
- Supreme Court review of Court of Appeals decisions, **72:128**
- Tax Court** (this index)
- U.S. district court proceedings, **72:103; 72:104**

FICA TAXES

- As to tax matters in general, see index heading TAXES
- Generally, **69:1 to 69:98**
- Accuracy of employee tip reports, employer's duty, **69:36**
- Agent of employer
 - correction of wages reported under FICA, agents authorized to act on behalf of employers, **69:80**
 - liability of, **6:33**
- Agriculture
 - FICA tax return for agricultural employers, **70:29**
 - fringe benefits, FICA tax payments, agricultural employees, **9:76**
 - withholding on remuneration of less than \$150 a year for agricultural labor, **69:23**
- Allocations
 - directly tipped employee, **69:61**
 - establishments with less than 25 full time employees during payroll period, alternative calculation, **69:62**
 - good faith agreement, without, **69:60 to 69:63**
 - gross receipts percentage among employees, **69:57 et seq.**
 - illustrations, without good faith agreement, **69:63**
 - indirectly tipped employee, **69:61**
 - related corporations, tax liability to, **69:97**
 - tipped employee, **69:61**
- American Samoa, FICA taxes on government employees' services, **70:33**
- Annual contribution and benefit base for FICA liability, **69:3**
- Annual tax program, exception and extension of time for employers in, **70:6**
- Application for reduced gross receipts percentage, **69:69; 69:70**
- Armed forces members, withholding statement for, **70:75**
- Attorney and non-attorney representation, **72:13**
- Automobile, withholding for personal use of company vehicle, **69:31**
- Backpay awards, FICA taxation of, **69:11**
- Bankruptcy, withholdings, **69:9**
- Calendar months, tip reporting statements for periods shorter than, **69:35**
- Car, withholding for personal use of company vehicle, **69:31**
- Certified statement of qualification and exchange rate on foreign currency payment, **70:51**
- Check or money order in payment, **70:45; 70:46**

FICA TAXES—Cont'd

- Collection of tax
 - errors in, **70:63**
 - interest on corrected payment, **70:65**
 - overcollection of taxes from employee, **70:63; 70:66**
- Common paymaster of group of related corporations, qualifying as, **69:95**
- Complimentary food or beverages, tips, **69:67**
- Composite return in lieu of specified form, **70:42**
- Computation of FICA liability, **69:5**
- Concurrent employment rule
 - generally, **69:90 to 69:97**
 - allocation of tax liability to related corporations, **69:97**
 - defined, concurrent employment, **69:94**
 - liability for taxes under concurrent employment rule, **69:96**
 - qualifying as common paymaster of group of related corporations, **69:95**
 - “related corporations” under concurrent employment rule, defined, **69:92**
 - “relation” of concurrent employers for less than entire calendar year, effect on contribution and benefit base, **69:93**
- Correction of errors
 - FICA tax return, **70:35**
 - interest on corrected payment, **70:65**
 - overcollection of taxes from employee, **70:66**
 - overpayment of tax by employer, correction, **70:67; 70:68**
- W-2 Forms, **70:82**
- Course of employer’s trade or business, withholding on remuneration of less than \$100 a year for service not in, **69:21**
- Crops. Agriculture, above
- Date. Time or date, below
- Death of employee before cashing paycheck, effect on employer’s duty to withhold tax, **69:8**
- Definitions
 - cafeteria style operation, **69:51**
 - calendar year, **69:55**
 - charge receipts and charged tips, **69:66**
 - concurrent employment, **69:94**
 - directly tipped employee, **69:61**
 - employee’s wages (other than tips) in the employer’s control, **69:41**
 - gross receipts, **69:64**
 - indirectly tipped employee, **69:61**
 - nonallocable receipts, **69:65**
 - related corporations under concurrent employment rule, **69:92**

FICA TAXES—Cont'd

- Definitions—Cont'd
 - tips, below
- Determining FICA taxes on employees, **69:1 to 69:5**
- Directly tipped employee, **69:61**
- Discharge from employment
 - tip reporting statement of terminating employee, **69:34**
 - withholding of tax, effect of discharge on employer’s duty, **69:7**
- District of Columbia, FICA taxes on government employees’ services, **70:34**
- Domestic employees, withholding on remuneration of less than threshold amount, **69:20**
- Due dates, FICA tax returns or payment, **70:38; 70:58**
- Electronic filing, **70:48**
- Employees, determining FICA taxes on, generally, **69:1 to 69:76**
- Employee’s application for permission to use reduced gross receipts percentage, **69:70**
- Employers, agents authorized to act on behalf of employers correction of wages reported under FICA, **6:33**
- Employer’s Annual Tax Return for Agricultural Employees (Form 943), **70:96**
- Employer’s application for permission to use reduced gross receipts percentage, **69:69**
- Employers’ periodic deposits
 - generally, **70:1 to 70:14**
 - agricultural employers, special rules, **70:10**
 - annual tax program, exception and extension of time for employers in, **70:6**
 - backup withholding requirements, applicability to, **70:13**
 - de minimis rule, **70:9**
 - eligible Treasury obligations, deposit with government depository, **70:12**
 - lookback period, **70:4**
 - manner of deposit, **70:12**
 - monthly deposits, **70:2**
 - one-day rule, **70:5**
 - safe harbor rules, **70:8**
 - semi-weekly depositors, **70:3**
 - time of deposit, **70:11**
 - vow-of-poverty religious order members, deposit requirements for noncash support of, **70:14**
- Employer’s Quarterly Federal Tax Return (Form 941), **70:94**
- Employer’s Record of Federal Tax Liability (Form 941, Schedule B), **70:95**

FICA TAXES—Cont'd

- Employer tax on wages, generally, **69:77 to 69:97**
- Establishments with less than 25 full time employees during payroll period, alternative calculation, **69:62**
- Estimates of tips by employer, withholding based on, **69:44 to 69:46**
- Exemptions, exclusions, and exceptions
 - annual tax program, exception and extension of time for employers in, **70:6**
 - employees under foreign social security, employer taxes, **69:79**
 - foreign employment, totalization agreement, **3:36**
 - interest-free adjustments, exception for employers making, **70:7**
- Extension of time
 - annual tax program, exception and extension of time for employers in, **70:6**
 - fling return, generally, **70:39**
 - payment of FICA taxes, extension of time not permitted, **70:69**
 - self-employment tax returns, **70:21**
 - W-2 Form, furnishing, **70:72**
- Farming. Agriculture, above
- Federal employees, FICA taxes on U.S. employees' services, **70:30**
- Filing tax returns, generally, **70:15 to 70:42**
- Final FICA tax return on employer's ceasing business, **70:36**
- Foreign affiliate employee coverage agreements, return filing requirements with respect to, **3:13**
- Foreign employment
 - equivalent amounts, **3:6; 3:14**
 - social security, exemption for employees under foreign, **69:79**
 - tips, **69:76**
 - totalization agreement, **3:35; 3:36**
- Former employee's benefits, employer's liability for withholding taxes on, **69:29**
- Forms
 - employee's report of tips to employer (IRS Form 4070) and employee's record of tips (IRS Form 4070A), **69:98**
 - employer's Annual Tax Return for Agricultural Employees (Form 943), **70:96**
 - employer's Quarterly Federal Tax Return (Form 941), **70:94**
 - household Employer's Tax Guide (Form 926), **70:97**
 - obtaining forms for quarterly report, **70:25**
 - self-employment tax liability, reporting, **70:18**
 - W-3 Form, annual return filed with, **70:81**

FICA TAXES—Cont'd

- Free food or beverages, tips, **69:67**
- Fringe benefits and other compensation
 - generally, **9:75; 9:76**
 - withholding, below
- Good faith agreement, allocation of tips under, **69:59**
- Good faith agreement, allocation of tips without, **69:60 to 69:63**
- Gratuities. Tips, below
- Guam, FICA taxes on government employees' services, **70:32**
- Hand-carried filing, FICA tax returns, **70:41**
- Home work, withholding on remuneration of less than \$100 a year, **69:22**
- Household employees, FICA taxes on wages, **70:28**
- Household Employer's Tax Guide (Form 926), **70:97**
- ID number, explained, **69:72**
- "Immediately-before, and immediately-after" requirement of successor-employer rule, **69:87**
- Indirectly tipped employee, **69:61**
- Interest-free adjustments, exception for employers making, **70:7**
- Large food and beverage establishments, reporting by. Tips, below
- Leaving U.S., effect of employee, **69:14**
- Liability of lenders, sureties, or other persons
 - generally, **70:84 to 70:93**
 - direct payor of wages to another's employees, **70:87**
 - lender of funds used to pay wages to another's employees, **70:88; 70:89**
 - ordinary working capital loans
 - generally, **70:90**
 - actual notice or knowledge that loan to be used to pay net wages, **70:91**
 - "other person," defined, **70:85**
 - other procedural matters, **70:93**
 - payment of lender, surety, or other person's liability, **70:92**
 - 25% of loan, liability for withheld taxes limited to, **70:86**
 - Limitation, annual wage limitation, **69:3; 69:84**
 - Limitations on FICA tax withholding on tip income, **69:40**
 - Litigation. **FICA and Self-Employment Tax Litigation** (this index)
 - Local government employees, coverage based on payment of taxes, **4:52**
 - Magnetic tape, filing W-2 Form on, **70:79**
 - Mail or mailing, payment of tax to IRS, **70:47**

FICA TAXES—Cont'd

- Maximum annual FICA taxes, **69:4**
- Measurement by employee's wages, **69:81**
- Monthly returns, payment of FICA and withheld income tax when required, **70:62**
- Motor vehicle, withholding for personal use of company vehicle, **69:31**
- New business, determining whether subject to tip reporting requirements, **69:71**
- Opting out of social security system, employee not entitled to refund, **69:14**
- Overcollection of taxes from employee, correction, **70:66**
- Overpayment of tax, correction of overpayment of tax by employer, **70:67; 70:68**
- Parent and subsidiary corporations, taxes for officer-employees of both, **69:89**
- Payment of FICA taxes
 - generally, **70:43 to 70:69**
 - accounts and accounting
 - cancellation of separate accounting notice, **70:61**
 - notice to separate account, **70:59**
 - separate accounting procedures, **70:60**
 - American Samoa, government employees' services, **70:33**
 - check or money order, U.S. funds, **70:45; 70:46**
 - commercially acceptable means, payment of FICA taxes by, **70:44**
 - District of Columbia, government employees' services, **70:34**
 - errors in payment or collection, **70:63**
 - extension of time not permitted, **70:69**
 - federal government employees' services, **70:30**
 - foreign currency
 - acceptance, **70:49 to 70:51**
 - certified statement of qualification and exchange rate, **70:51**
 - making payments in, generally, **70:50**
 - fractional parts of cent, **70:54**
 - Guam, government employees' services, **70:32**
 - interest on corrected payment, **70:65**
 - mailing, **70:47**
 - monthly returns, payment of FICA and withheld income tax when required, **70:62**
 - notice and demand for payment, **70:57**
 - notice to separate account, **70:59**
 - overpayment of tax by employer, correction, **70:67; 70:68**
 - prepayment, voluntary, **70:55**
 - receipts, **70:56**
 - state government employees' services, **70:31**

FICA TAXES—Cont'd

- Payment of FICA taxes—Cont'd
 - treasury obligations, payment with, **70:53**
- Peace Corps volunteers and volunteer leaders, withholding statement for, **70:74**
- Prepayment, voluntary, **70:55**
- Procedure, withholding FICA, generally, **69:15 to 69:26**
- Puerto Rico, withholding of taxes by employers in, **70:76**
- Qualifying as common paymaster of group of related corporations, **69:95**
- Quarterly return, FICA
 - generally, **70:23**
 - entities with more than one employer, or employers with multiple businesses or divisions, **70:24**
 - forms, obtaining, **70:25**
 - wages reportable, **70:26**
- Rates for FICA taxes, **69:2; 69:83**
- Receipts, tax payments, **70:56**
- Records
 - employee tips recordkeeping requirements, **69:74; 69:75**
 - employee tips substantiation requirements, **69:75**
 - employer tips recordkeeping requirements, **69:74**
 - filing tax returns, required records, **70:15**
 - tips, employee's record of, **69:37**
 - tips, recordkeeping requirements, **69:74; 69:75**
 - tips, substantiation requirements, **69:75**
- Refunds
 - generally, **72:77 to 72:79; 72:82; 72:84**
 - correction of overpayment by employer, **70:67; 70:68**
 - foreign currency, refunds and credits of U.S. FICA taxes paid in, **70:52**
 - leaving U.S., effect of employee, **69:14**
 - opting out of social security system, employee not entitled to, **69:14**
- Related corporations. Concurrent employment rule, above
- Reportable wages on standard FICA tax return, generally, **70:26**
- Reporting
 - self-employment tax liability, **70:17; 70:18**
 - Tips, below
- Resignation of employee, effect on employer's duty to withhold tax, **69:8**
- Returns, generally, **70:1 to 70:97**
- Seamen's wages, **70:27**
- Self-employment tax returns
 - generally, **70:17 to 70:22**

FICA TAXES—Cont'd

- Self-employment tax returns—Cont'd
 - due date, **70:20**
 - extension of time, **70:21**
 - forms used for reporting self-employment tax liability, **70:18**
 - reporting self-employment tax liability, **70:17; 70:18**
 - signing return, **70:19**
 - where to file, **70:22**
- Service charges billed to customers and remitted to employees, **69:53**
- Sick pay, withholding of taxes from, **70:78**
- Signature, tax return
 - generally, **70:37**
 - self-employment tax returns, **70:19**
- State government employees, **4:52; 70:31**
- Statements, reporting tips to employer, **69:34; 69:35; 69:38**
- “Successor” employers, **69:85 to 69:87**
- Tax returns, generally, **70:1 to 70:97**
- Territories or possessions of United States, withholding by employers in, **70:76**
- Third party, noncash fringe benefits provided by, **69:30**
- Time or date
 - calendar months, tip reporting statements for periods shorter than, **69:35**
 - due date for FICA returns or payment, **70:38; 70:58**
 - employer’s periodic deposits, time of, **70:11**
 - imposition of tax, **69:88**
 - withholding, below
- Tips
 - generally, **69:32 to 69:76**
 - additional tip reporting for food or beverage “large establishments,” **69:49**
 - allocation of gross receipts percentage among employees, **69:57 et seq.**
 - allocation under a good faith agreement, **69:59**
 - allocation without good faith agreement, **69:60 to 69:63**
 - application for reduced gross receipts percentage, **69:69; 69:70**
 - cafeteria style operation, defined, **69:51**
 - calculation available to establishments with less than 25 full time employees during payroll period, alternative, **69:62**
 - calendar year, defined, **69:55**
 - charge receipts and charged tips, defined, **69:66**
 - complimentary food or beverages, **69:67**
 - customary, when tipping is, **69:52**

FICA TAXES—Cont'd

- Tips—Cont'd
 - definitions
 - cafeteria style operation, **69:51**
 - calendar year, **69:55**
 - charge receipts and charged tips, **69:66**
 - gross receipts, **69:64**
 - large food or beverage establishment, **69:50 to 69:53**
 - nonallocable receipts, **69:65**
 - tipped employee, **69:61**
 - determinations regarding employee tips reported to employer, **69:58**
 - directly tipped employee, **69:61**
 - employee, furnishing of statement to, **69:73**
 - employee recordkeeping and substantiation requirements, **69:75**
 - employee’s application for reduced gross receipts percentage, **69:70**
 - employer’s application for reduced gross receipts percentage, **69:69**
 - employer’s FICA tax on certain employee’s tips, generally, **69:82**
 - establishments with less than 25 full time employees during payroll period, alternative calculation, **69:62**
 - filing report, **69:56**
 - foreign operations, **69:76**
 - forms, employee’s report of tips to employer (IRS Form 4070) and employee’s record of tips (IRS Form 4070A), **69:98**
 - good faith agreement, allocation under, **69:59**
 - good faith agreement, allocation without, **69:60 to 69:63**
 - “gross receipts,” defined, **69:64**
 - ID number, explained, **69:72**
 - indirectly tipped employee, **69:61**
 - large food and beverage establishments, reporting by, generally, **69:48 to 69:76**
 - new business, determining whether subject to reporting requirements, **69:71**
 - “nonallocable receipts,” defined, **69:65**
 - recordkeeping requirements, **69:74; 69:75**
 - record of, employee’s, **69:37**
 - reduction of gross receipts percentage for determining amount to be allocated, **69:68 to 69:70**
 - reporting by large food or beverage establishments, generally, **69:48 to 69:76**
 - service charges billed to customers and remitted to employees, **69:53**
 - substantiation requirements, **69:75**

FICA TAXES—Cont'd

- Tips—Cont'd
 - ten employees, determining whether more than ten employees are employed on typical business day, **69:54**
 - tipped employee defined, **69:61**
 - withholding, below
- Transferred property, collection and payment of withholding taxes on noncash fringe benefits, **69:28**
- Treasury obligations
 - employers' periodic deposits, obligations deposited with government depository, **70:12**
 - payment with eligible Treasury obligations, **70:53**
- Trust for U.S., withheld tax held in, **69:26**
- Undercollection or underpayment of tax, correction of, **70:64 to 70:68**
- Wages, employer's FICA tax on, generally, **69:77 to 69:89**
- Waiver of filing requirements, **70:16**
- W-2 Form
 - generally, **70:71**
 - correction, **70:82**
 - electronically filing, **70:79**
 - electronically furnished to employee, **70:73**
 - extension of time for furnishing, **70:72**
 - privately printed, **70:80**
 - several forms may be issued by employer to same employee, **70:83**
- W-3 Form, annual return filed with, **70:81**
- Where to file FICA returns, **70:40**
- Withholding
 - generally, **69:6 to 69:47**
 - accuracy of employee tip reports, employer's duty, **69:36**
 - agricultural labor, remuneration of less than \$150 a year for, **69:23**
 - amount of FICA tax to withhold from employee wages and tips, **69:25**
 - arising of duty to collect tax, **69:16**
 - armed forces members, **70:75**
 - backpay awards, **69:11**
 - bankruptcy of employer, effect on duty to withhold tax, **69:9**
 - calendar months, tip reporting statements for periods shorter than, **69:35**
 - car, withholding for personal use of company vehicle, **69:31**
 - cash wages, how to withhold tax from, **69:17**

FICA TAXES—Cont'd

- Withholding—Cont'd
 - course of employer's trade or business, remuneration of less than \$100 a year for service not in, **69:21**
 - date. Time and date, below this group
 - death of employee before cashing paycheck, effect on employer's duty to withhold tax, **69:8**
 - discharge or resignation of employee, effect on employer's duty to withhold tax, **69:7**
 - domestic service, remuneration of less than threshold amount, **69:20**
 - employee's liability for tax, **69:13**
 - employee's record of tips, **69:37**
 - employee's wages (other than tips) in the employer's control, defined, **69:41**
 - employer's duty to withhold tax from wages, **69:6**
 - employers' periodic deposits, applicability to backup withholding requirements, **70:13**
 - estimates of tips by employer, withholding based on, **69:44 to 69:46**
 - former employee's benefits, employer's liability for taxes on noncash fringe benefits, **69:29**
 - fringe benefits, withholding on noncash
 - generally, **69:27 to 69:31**
 - former employee's benefits, employer's liability for taxes on, **69:29**
 - motor vehicle, withholding for personal use of company vehicle, **69:31**
 - third party, benefits provided by, **69:30**
 - time for collection and payment of taxes, **69:27**
 - transferred property, collection and payment rules, **69:28**
 - home of worker, remuneration of less than \$100 a year for service performed in, **69:22**
 - leaving U.S., effect of employee, **69:14**
 - liability of employer for tax withheld or underwithheld, **69:12**
 - liability of lenders, sureties, or other persons for withheld taxes limited to 25% of loan, **70:86**
 - limitations on FICA tax withholding on tip income, **69:40**
 - new employer acquiring existing business, **70:77**
 - noncash wages, how to withhold tax from, **69:18**
 - Peace Corps volunteers and volunteer leaders, **70:74**
 - procedure for withholding FICA, generally, **69:15 to 69:26**
 - Puerto Rico, employers in, **70:76**

INDEX

FICA TAXES—Cont'd

Withholding—Cont'd

- refund by opting out of social security system, employee not entitled to, **69:14**
- reporting of tips, **69:33 to 69:39**
- returns and payment of taxes, generally, **70:70 to 70:83**
- sick pay, **70:78**
- size of wage payment, effect on employer's duty to withhold tax, **69:10**
- statements, reporting tips to employer, **69:34; 69:35; 69:38**
- terminating employee, tip reporting statement of, **69:34**
- territories or possessions of United States, employers in, **70:76**
- third party, noncash fringe benefits provided by, **69:30**
- time and date
 - collection and payment of taxes on noncash fringe benefits, **69:27**
 - inclusion of employee's reported tips that are in income, **69:39**
 - withholding on wages paid, **69:19**
- tip withholding
 - generally, **69:32 to 69:47**
 - accuracy of employee tip reports, employer's duty, **69:36**
 - adjusting estimate, **69:46**
 - calendar months, employer may require statements for periods shorter than, **69:35**
 - \$20 per month, cash tips of less than, **69:24**
 - "employee's wages (other than tips) in the employer's control," defined, **69:41**
 - estimates of employer, withholding based on, **69:44 to 69:46**
 - excess FICA withholding on reported tip income, employee furnishing, **69:42**
 - excess of tax over amount withheld, reporting by employer to employee, **69:42**
 - excess tips, payment by employee of tax on wages exceeding amount withheld by employer, **69:47**
 - limitations on FICA tax withholding on tip income, **69:40**
 - method for making estimate, **69:45**
 - reporting by employee to employer, necessity of, **69:33**
 - statement reporting tips to employer, **69:34; 69:35; 69:38**
 - terminating employee, reporting statement of, **69:34**

FICA TAXES—Cont'd

Withholding—Cont'd

- tip withholding—Cont'd
 - timing of inclusion of employee's reported tips that are in income, **69:39**
- transferred property, collection and payment on noncash fringe benefits, **69:28**
- trust for U.S., withheld tax held in, **69:26**

FIDUCIARIES

- Generally as to representation. **Attorney and Non-Attorney Representation** (this index)
- Business income, fiduciaries' earnings, **11:14**
- Covered employment, fiduciaries as individuals qualifying as common law employees, **5:21; 5:22**

FIELD EXAMINATIONS

- Internal Revenue Service procedures, **72:17**

FIELD OFFICES OF OFFICE OF HEARINGS AND APPEALS

- Freedom of Information Act, disclosure of information available at field offices, **48:14**

FIFTH AMENDMENT

- Employment taxes, taxpayers rights and defenses, **73:60**

FILING

- Appeal and Review** (this index)
- Application for Benefits** (this index)
- Covered employment, filing certificates of election by ministers and members of religious orders, **5:78**
- Disability, filing of applications for trial work periods, **44:133; 44:134**
- Earnings records, correction of, **12:69; 12:70**
- Employment taxes, federal tax lien, **73:81**
- Expedited appeals process
 - extension of time for filing request, **50:52**
 - place or location, where to file request, **50:53**
 - time to file request, **50:51; 50:52**
- Foreign employment, **3:13**
- Judicial Review** (this index)
- Magistrates, filing of objection, **56:63 to 56:66**
- Medicare** (this index)
- Post-Retirement Earnings** (this index)
- Reconsideration, place to file request for, **50:31**
- Representative payments, filing request to be selected as payee, **32:13**
- Social security numbers, **12:5; 12:6**
- Tax returns, covered employment, agents, **6:32**

FINAL ACCOUNTING

Representative payments, **32:47; 35:109**

FINALITY

Generally, **54:50 to 54:57**
 Administrative law judge's decisions, **53:2; 54:54**
 Affidavit in opposition to motion to dismiss, form of, **55:19**
 Appeals Council's decisions, **54:55**
 Class action, presentment requirement in, **55:8**
 Collateral issues, **55:16**
 Consideration of claim
 generally, **55:20 to 55:24**
 constitutional issue, **55:21; 55:24**
 reconsidering merits, **55:22**
 refusal to consider claim, generally, **55:20 to 55:24**
 reopen claim, refusal to, **55:20 to 55:24**
 res judicata, denial of claim based on, **55:23; 55:24**
 Constitutional issue, **55:18; 55:19; 55:21; 55:24**
 Court waiver of exhaustion requirement, **55:14 to 55:17**
 Dismissal, **55:19; 55:25; 55:26**
 Exhaustion of administrative remedies
 generally, **55:9 to 55:19**
 necessity for final decision, **55:9 to 55:12**
 waiver of exhaustion requirement, **55:13 to 55:19**
 Extension of time, refusal to grant, **55:27**
 Form of affidavit in opposition to motion to dismiss, **55:19**
 Futility of exhaustion, **55:15**
 General rule, **54:50**
 Hearing
 generally, **54:51**
 dismissal of request for, **55:26**
 Initial determinations, **54:52**
 Irreparable harm, **55:17**
 Law of the case, **54:57**
Medicare (this index)
 Necessity for final decision, **55:9 to 55:12**
Post-Judgment Remedies (this index)
 Post-retirement earnings, finality of suspension of benefits, **28:52**
 Presentation of claim, **55:6 to 55:8**
 Reconsidered determinations, **54:53**
 Reconsidering merits, **55:22**
 Refusal
 consideration of claim, **55:20 to 55:24**
 extension of time, refusal to grant, **55:27**
 reopen claim, refusal to, **55:20 to 55:24**

FINALITY—Cont'd

Remand, **53:64; 55:28**
 Reopen claim, refusal to, **55:20 to 55:24**
 Revised determinations or decisions, **54:56**
 Termination of benefits as meeting presentment requirement, **55:7**
 Time
 Appeals Council dismissal of untimely request for review, **55:25**
 refusal to grant extension of, **55:27**
 Waiver of exhaustion requirement
 generally, **55:13 to 55:19**
 affidavit in opposition to motion to dismiss, form of, **55:19**
 collateral issues, **55:16**
 constitutionality, waiver based on issue of, **55:18; 55:19**
 court waiver, **55:14 to 55:17**
 futility of exhaustion, **55:15**
 irreparable harm, **55:17**

FINANCIAL CONSIDERATIONS

Ability to Pay (this index)
 Representative payments, effect of receipt of payments on payee's financial status, **32:27**

FINANCIAL COUNSELING SERVICES

Fringe benefits and other compensation, **9:69**

FINANCIAL HARDSHIP TEST

Waiver of overpayment, **33:117**

FINANCIAL INFORMATION

Freedom of Information Act, confidential information exempt from disclosure, **48:18**

FINANCIAL INSTITUTION ACCOUNTS

Supplemental Security Income (this index)

FINANCIAL INSTITUTIONS

Banks and Banking (this index)

FINANCIAL MANAGEMENT CORPORATION

Covered employment, **6:9**
 Employer, **6:9**

FINDINGS OF FACT

Disability (this index)
 Judicial review, credibility findings, **55:71**
 Listing of impairments, finding of disability mandated if listings met or equaled, **42:17**
 Waiver of overpayment, **33:66; 33:67**

FINE MOTOR SKILLS, LOSS OF

Musculoskeletal system, **42:176**

FINES AND PENALTIES

- Attorneys' and Representatives' Fees** (this index)
- Child in care report untimeliness, **29:8; 29:9**
- Civil Monetary Penalties** (this index)
- Imprisonment** (this index)
- Medicare Part D** (this index)
- Post-Retirement Earnings** (this index)
- Privacy Act, criminal sanctions under, **48:74**
- Representatives engaging in prohibited conduct, sanctions upon findings, **46:29**
- Self-employment tax cases, limitations on assessing deficiencies, **72:49**
- Social Security Act, civil money penalty, **1:5; 1:6**
- Subversive activities, benefit deduction for, **29:10 to 29:14**
- Supplemental Security Income** (this index)
- Taxes** (this index)

FINLAND

- Totalization agreements, **24:42**

FIREFIGHTERS

- State and local government employees, coverage, **4:69 to 4:71**

FISHING AND FISHERMEN

- Boat crew, self-employment business, working for shares, **10:61**
- Covered employment, **2:29; 2:46; 6:16**

FLOW CHARTS

- Disability** (this index)

FOOD

- FICA taxes, tips and complimentary food or beverages, **69:67**
- Meals and Lodging** (this index)
- Skilled nursing care, quality of care, **60:115; 60:116**
- Supplemental Security Income** (this index)

FOOD STAMP PROGRAM

- Social security numbers, **12:13**

FOOT CARE

- Medicare** (this index)

FOREIGN AFFILIATES

- Employee coverage agreement. **Foreign Employment** (this index)

FOREIGN EMPLOYMENT

- Adjustable overpayments, foreign affiliate employee coverage agreement, **3:19**
- Adjustable underpayments, foreign affiliate employee coverage agreement, **3:18**

FOREIGN EMPLOYMENT—Cont'd

- Certification of coverage application under foreign social security system, totalization agreement, **3:38**
- Complete termination of agreement, effect of, foreign affiliate employee coverage agreement, **3:26**
- Countries with which U.S. has agreements in effect, totalization agreement, **3:30**
- Countries with which U.S. may enter into agreements, totalization agreement, **3:31**
- Coverage agreement. Foreign affiliate employee coverage agreement, below
- Coverage exceptions, generally, totalization agreement, **3:34**
- Disclosure and exchange of information, totalization agreement, **3:39**
- Effective period of agreement, foreign affiliate employee coverage agreement, **3:9**
- Effect of agreement on covered employee, foreign affiliate employee coverage agreement, **3:5**
- Employee coverage by successor to American employer, foreign affiliate employee coverage agreement, **3:16**
- Employee's salary deductions for amounts due from American employer, foreign affiliate employee coverage agreement, **3:8; 3:22**
- Employer eligibility, foreign affiliate employee coverage agreement, **3:3**
- Employer's deductions to amounts paid, foreign affiliate employee coverage agreement, **3:7**
- Errors in payments, foreign affiliate employee coverage agreement, **3:17**
- Exception from coverage rule for persons temporarily working abroad, totalization agreement, **3:33**
- Exchange and disclosure of information, totalization agreement, **3:39**
- FICA Taxes** (this index)
- Foreign affiliate employee coverage agreement generally, **3:1**
 - adjustable overpayments, **3:19**
 - adjustable underpayments, **3:18**
 - complete termination of agreement, effect of, **3:26**
 - effective period of agreement, **3:9**
 - effect of agreement on covered employee, **3:5**
 - employee coverage by successor to American employer, **3:16**
 - employer eligibility, **3:3**
 - employer's deductions to amounts paid, **3:7**
 - errors in payments, **3:17**

FOREIGN EMPLOYMENT—Cont'd

- Foreign affiliate employee coverage agreement
 - Cont'd
 - foreign affiliate as separate entity for purposes of agreement, **3:10**
 - identification requirements, **3:12**
 - liability of American employer for amounts equivalent to FICA taxes, **3:6**
 - making of coverage agreement, **3:4**
 - nonadjustable overpayments, **3:21**
 - nonadjustable underpayments, **3:20**
 - partial termination of agreement, effect, **3:27**
 - payment of amounts equivalent to FICA taxes, **3:14**
 - requirements and duties of American employer, **3:11**
 - return filing requirements, **3:13**
 - revocation of IRS termination of agreement, **3:25**
 - salary deductions, **3:8; 3:22**
 - separate entity for purposes of agreement, foreign affiliate as, **3:10**
 - services applicable, **3:2**
 - termination of agreement due to change in ownership of foreign affiliate, **3:24**
 - transfer of ownership interest in foreign affiliate, effect on agreement, **3:15**
 - voluntary termination of agreement by U.S. employer, **3:23**
- Foreign social security taxes exemption, totalization agreement, **3:35**
- Identification requirements, foreign affiliate employee coverage agreement, **3:12**
- Liability of American employer for amounts equivalent to FICA taxes, foreign affiliate employee coverage agreement, **3:6**
- Making of coverage agreement, foreign affiliate employee coverage agreement, **3:4**
- Nonadjustable overpayments, foreign affiliate employee coverage agreement, **3:21**
- Nonadjustable underpayments, foreign affiliate employee coverage agreement, **3:20**
- Partial termination of agreement, effect, foreign affiliate employee coverage agreement, **3:27**
- Payment of amounts equivalent to FICA taxes, foreign affiliate employee coverage agreement, **3:14**
- Provisions, totalization agreement, **3:29**
- Requirements and duties of American employer, foreign affiliate employee coverage agreement, **3:11**
- Restriction of coverage, totalization agreement, **3:32**

FOREIGN EMPLOYMENT—Cont'd

- Return filing requirements, foreign affiliate employee coverage agreement, **3:13**
- Revocation of IRS termination of agreement, foreign affiliate employee coverage agreement, **3:25**
- Salary deductions, foreign affiliate employee coverage agreement, **3:8; 3:22**
- Services applicable, foreign affiliate employee coverage agreement, **3:2**
- Substantiating exemption from SECA taxes, totalization agreement, **3:37**
- Termination of agreement, foreign affiliate employee coverage agreement, **3:23 to 3:27**
- Totalization agreement
 - generally, **3:28**
 - certification of coverage application under foreign social security system, **3:38**
 - countries with which U.S. has agreements in effect, **3:30**
 - countries with which U.S. may enter into agreements, **3:31**
 - coverage exceptions, **3:34**
 - exception from coverage rule for persons temporarily working abroad, **3:33**
 - exchange and disclosure of information, **3:39**
 - FICA taxes exemption, **3:36**
 - foreign social security taxes exemption, **3:35**
 - provisions, **3:29**
 - restriction of coverage, **3:32**
 - substantiating exemption from SECA taxes, **3:37**
- Transfer of ownership interest in foreign affiliate, foreign affiliate employee coverage agreement, **3:15**
- Voluntary termination of agreement by U.S. employer, foreign affiliate employee coverage agreement, **3:23**

FOREIGN GOVERNMENTS, AMERICAN EMPLOYEES OF

- Self-employment tax, **71:15**

FOREIGN LANGUAGE

- Administrative proceedings, notice of initial determinations in foreign language, **50:23**
- Appeal and review, foreign languages translations, **50:5**

Interpreters (this index)

FOREIGN SOCIAL SECURITY SYSTEM

Insured Status (this index)

FOREIGN SOCIAL SECURITY TAXES

- Foreign employment, totalization agreement, **3:35**

FOREIGN SOCIAL SERVICE OR PENSION SYSTEM

Suspension of benefits, **29:26; 29:27**

FOREIGN SOURCES INCOME

Self-Employment (this index)

FOREIGN STATE OR COUNTRY

Generally, **3:1 et seq.; 24:35 to 24:44**

Adjustments of contract payments

generally, **3:17 to 3:22**

deductions from employees' remuneration, **3:22**

errors in payments, **3:17**

overpayments, **3:19; 3:21**

underpayments, **3:18; 3:20**

Agreements. Contracts, below

Agricultural workers, **2:22**

American aircraft, **2:3**

American employer, work or service for outside the U.S., **2:5; 2:6**

Application For Benefits (this index)

Australia, totalization agreements, **24:42**

Austria, totalization agreements, **24:42**

Auxiliary benefits, **24:41**

Belgium, totalization agreements, **24:42**

Canada, totalization agreements, **24:42**

Certification of coverage under foreign social security system, totalization agreement, **3:38**

Change in ownership of foreign affiliate, contract coverage terminations, **3:24**

Chile, totalization agreements, **24:42**

Complete termination of foreign affiliate employee coverage agreement, effect of, **3:26**

Continuation of coverage by successor to American employer, **3:16**

Contracts

generally, **3:1 to 3:27**

adjustments of contract payments, above applicability of services, **3:2**

coverage agreements, below

eligibility of American employers, **3:3**

termination of contract coverage, below

totalization agreements, below

Coverage agreements

generally, **3:4 to 3:16**

adjustments of contract payments, above

continuance by successor to American employer, **3:16**

covered employee, effect of agreement on, **3:5**

deductions, **3:7; 3:8; 3:22**

effective period of coverage, **3:9**

FOREIGN STATE OR COUNTRY—Cont'd

Coverage agreements—Cont'd

FICA taxes, payment of equivalent amounts to, **3:6; 3:14**

filing requirements, **3:13**

identification requirements, **3:12**

making of agreement, **3:4**

ownership, below

requirements and duties of American employer, **3:11**

return filing requirements, **3:13**

separate entity, foreign affiliate as, **3:10**

successor to American employer, continuance by, **3:16**

transfer of ownership interest, **3:15**

Covered/noncovered employment, generally, **2:3 et seq.**

Czech Republic, totalization agreements, **24:42**

Deductions, coverage agreements, **3:7; 3:8; 3:22**

Denmark, totalization agreements, **24:42**

Disclosure of information under totalization agreement, **3:39**

Earnings records, **24:37**

Eligibility

generally, **24:35 to 24:44**

foreign affiliate employee coverage agreements, eligibility of American employers, **3:3**

Employment in. **Foreign Employment** (this index)

Errors in payments under foreign affiliate employee coverage agreement, adjustments of, **3:17**

Exceptions or exemptions, totalization agreements, **3:33 to 3:37**

FICA Taxes (this index)

Filing requirements with respect to coverage agreements, **3:13**

Finland, totalization agreements, **24:42**

France, totalization agreements, **24:42**

Germany, totalization agreements, **24:42**

Governments or instrumentalities of foreign governments, **2:18; 2:19**

Greece, totalization agreements, **24:42**

Identification requirements, **3:12**

Insurance amount, **24:38**

International organizations, **2:17**

International Organizations (this index)

Ireland, totalization agreements, **24:42**

IRS, termination of foreign affiliate employee coverage agreement, **3:25**

Italy, totalization agreements, **24:42**

Japan, totalization agreements, **24:42**

Korea, totalization agreements, **24:42**

Language. **Foreign Language** (this index)

FOREIGN STATE OR COUNTRY—Cont'd

Luxembourg, totalization agreements, **24:42**

Medicare
 direct payment, entitlement to, **68:6 to 68:8; 68:12**
 exclusions, **67:93; 67:94**
 items and services provided in foreign countries, **67:93; 67:94**

Multiple totalization agreements, **24:43**

Netherlands, totalization agreements, **24:42**

Norway, totalization agreements, **24:42**

Overpayments under foreign affiliate employee coverage agreement, adjustments regarding, **3:19; 3:21**

Ownership
 contract coverage terminations, ownership change of foreign affiliate, **3:24**
 transfer of ownership interest, effect on coverage agreement, **3:15**

Partial termination of foreign affiliate employee coverage agreement, effect of, **3:27**

Payment and Payment Procedures (this index)

Portugal, totalization agreements, **24:42**

Post-Retirement Earnings (this index)

Primary insurance amount, **24:38**

Pro rata benefits determination, **24:36**

Qualification. Eligibility, above

Recomputation, **24:40**

Restricted coverage
 foreign employment, **3:32**
 totalization agreements regarding residence of employed or self-employed person, **3:32**

Return filing requirements with respect to coverage agreements, **3:13**

Revocation of termination of foreign affiliate employee coverage agreement, **3:25**

Rounding of benefits, **24:39**

Self-Employment (this index)

Separate entity, foreign affiliate as for purposes of employee coverage agreement, **3:10**

Ships and vessels, covered employment, **2:3; 2:4**

Spain, totalization agreements, **24:42**

Successor to American employer, continuation of coverage by, **3:16**

Supplemental security income, foreign real property, **20:74**

Survivors benefits, **24:41**

Sweden, totalization agreements, **24:42**

Switzerland, totalization agreements, **24:42**

Technical adjustments, generally, **24:35 to 24:44**

Termination of contract coverage
 generally, **3:23 to 3:27**

FOREIGN STATE OR COUNTRY—Cont'd

Termination of contract coverage—Cont'd
 complete termination, effect of, **3:26**
 IRS termination, **3:25**
 ownership change, termination due to, **3:24**
 partial termination, effect of, **3:27**
 revocation of termination, **3:25**
 voluntary termination, **3:23**

Theoretical earnings record, **24:37**

Theoretical primary insurance amount, **24:38**

Time or date, effective period of foreign affiliate employee coverage agreement, **3:9**

Totalization agreements
 generally, **3:28 to 3:39; 24:35 to 24:44**
 appeals procedure, **24:44**
 certification of coverage, place of application for, **3:38**
 countries with which U.S. may enter into agreements, **3:31**
 exceptions and exemptions, **3:33 to 3:37**
 FICA taxes, exemption from, **3:37**
 foreign social security taxes, exemption from, **3:35**
 place of application for certification of coverage, **3:38**
 restricted coverage, **3:32**
 self-employed person, restricted coverage, **3:32**
 self-employment taxes, **3:37**
 totalization agreements in effect, **3:30**

Transfer of ownership interest, effect on coverage agreement, **3:15**

Treaties (this index)

Underpayments under foreign affiliate employee coverage agreement, adjustments regarding, **3:18; 3:20**

United Kingdom, totalization agreements, **24:42**

Vessels and aircraft, work or service for outside the U.S., **2:2; 2:4**

Voluntary termination of foreign affiliate employee coverage agreement, **3:23**

Wages, **7:53**

FORFEITURE
 Wages
 property subject to substantial risk of forfeiture, **7:77**

FORGERY
 Checks, **31:51; 68:2**
 Medicare, replacement of forged check of intermediary or carrier, **68:2**
 Overpayment, forged endorsement, **33:7**

FORMALITY OR INFORMALITY

Reconsideration (this index)

FORMA PAUPERIS

Circuit court appeal, **57:25**

Leave to proceed, **56:14**

Motion to proceed, **55:36**

FORMER

See index headings beginning: **Prior**

FORM LETTER

Waiver of overpayment, form letter requesting, **33:48**

FORMS

Affidavit in opposition to motion to dismiss, **55:19**

Application for Benefits (this index)

Attorney and non-attorney representation, appointment of representative [Form SSA-1696], **46:35**

Attorneys' fees

fee agreement process under Social Security Act generally, **49:27**

permissibility of particular provisions, **49:28**

signature requirements, **49:29**

fee petition under Social Security Act, Form SSA-1560, **49:15**

sample fee agreements under Social Security Act, **49:43; 49:44**

Social Security Act, **49:15; 49:27 to 49:29; 49:43; 49:44**

Authorization to release medical information. Disability, below

Common law marriage

Statement of Marital Relationship [Form SSA-754], **21:67**

Statement Regarding Marriage [Form SSA-753], **21:68**

Complaint, **56:7**

Disability (this index)

Earnings records, Form SSA-7008 request for correction of, **12:68**

Employee's report of tips to employer (IRS Form 4070) and employee's record of tips (IRS Form 4070A), **69:98**

Employer identification number (Form SS-4), application for, **12:25**

FICA Taxes (this index)

Judicial review, complaint, **56:7**

Marriage

marriage Certification [Form SSA-3], **21:42**

statement of Marital Relationship [Form SSA-754], **21:67**

FORMS—Cont'd

Marriage Certification [Form SSA-3], **21:42**

Payment and payment procedures

expedited payment, **31:34**

representative payments, below

request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**

Petition for extension of time to file for judicial review, **55:34**

Post-Retirement Earnings (this index)

Reconsideration

disability report, **50:41**

requesting reconsideration, **50:33; 50:34**

Representative payments, statement of care and responsibility for beneficiary (Form SSA-788), **32:49**

Request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**

Self-Employment Tax (this index)

Social security card (Form SS-5), application for, **12:4**

Statement of Marital Relationship [Form SSA-754], **21:67**

Statement Regarding Marriage [Form SSA-753], **21:68**

Underpayments, claim for amounts due in the case of a deceased beneficiary [Form SSA-1724-F4], **33:138**

FOSTER PARENTING

Self-employment business, **10:51**

FRACTURES

Musculoskeletal system, **42:181; 42:184**

FRANCE

Totalization agreements, **24:42**

FRATERNITIES

Lodge system, employer status of fraternity operated under, **6:24**

FRATERNITY UNDER LODGE SYSTEM

Covered employment, **6:24**

FRAUD AND DECEIT

Application for Benefits (this index)

Civil Monetary Penalties (this index)

Crimes (this index)

Disability, re-evaluations, **44:60**

District Court Practice

independent actions, actions for fraud upon court generally, **56:86 to 56:89**

FRAUD AND DECEIT—Cont'd

- District Court Practice—Cont'd
 - independent actions, actions for fraud upon court—Cont'd
 - action may be brought
 - when, **56:87**
 - where, **56:88**
 - set aside judgment for fraud upon the court, **56:89**
 - motion for relief from judgment
 - fraud, misrepresentation, or misconduct of opposing party, **56:82**
 - Earnings records, correction of, **12:55**
 - Medicare, extension of filing period for claims because of misrepresentation, **68:27**
 - Post-Judgment Remedies** (this index)
 - Reopening and Revising Determinations** (this index)
 - Taxes** (this index)
 - Trial work period, concealing work activity, **44:127**

FREEDOM OF INFORMATION ACT

- Generally, **48:4; 48:7 to 48:22; 48:42 to 48:50; 48:69 to 48:71**
- Administrative review of refusal, **48:50**
- Appeal and review
 - administrative review of refusal, **48:50**
 - judicial review and remedies, below
- Applications and requests procedures
 - generally, **48:42 to 48:50**
 - contents of requests, **48:43**
 - fees for requests, **48:44**
 - location or place where made, **48:42**
 - obtaining records when request granted, **48:47**
 - records which must be provided on request, **48:10**
 - refusal to disclose, **48:49; 48:50; 48:71**
 - safeguards against unauthorized redisclosure or use, **48:48**
 - time limits upon SSA responses, **48:45; 48:46**
- Arbitrary refusal to release information, special remedy for, **48:71**
- Availability of information, generally, **48:7 to 48:12**
- Branch offices of SSA, information available at, **48:13**
- Contents of requests for information, **48:43**
- Copying, information required to be made available for, **48:8**
- Delay in response to request for information, justification for, **48:46**
- Descriptive detail, deletion of, **48:11**

FREEDOM OF INFORMATION ACT—Cont'd

- District court, judicial review in, **48:69**
- District offices of SSA, information available at, **48:13**
- Examination, information required to be made available for, **48:8**
- Exceptions. Exemptions and exclusions, below
- Excuse for delay in responding to request for information, **48:46**
- Exemptions and exclusions
 - generally, **48:15 to 48:22**
 - confidential commercial or financial information, **48:18**
 - internal memoranda, **48:19**
 - law enforcement records, **48:21**
 - personnel, medical, or similar files, **48:16**
 - principles, **48:15**
 - Privacy Act, inapplicability of exemptions, **48:28**
 - statutorily-exempt matters, **48:17**
 - trade secrets, **48:18**
 - unwarranted invasion of privacy, information disclosure constituting, **48:20**
- Federal Register, information required to be published in, **48:7**
- Fees, **48:44**
- Freedom of Information officer, **48:42**
- Hearings and Appeal Office, information available at field offices of, **48:14**
- Identifying details, deletion of, **48:11**
- Indexing requirements, **48:9**
- Inspection, information required to be made available for, **48:8**
- Internal memoranda, exemption, **48:19**
- Invasion of privacy
 - personnel or medical files, exemption from disclosure, **48:18**
 - unwarranted invasion, exemption from disclosure of information constituting, **48:20**
- Judicial review and remedies
 - generally, **48:69 to 48:71**
 - arbitrary refusal to release information, special remedy for, **48:71**
 - available remedies, **48:70**
 - district court, right to bring suit in, **48:69**
- Justification for delay in responding to request for information, **48:46**
- Law enforcement records, exemption from disclosure, **48:21**
- Location. Place or location, below
- Medical files, exemption of information in, **48:16**
- Obtaining records when request granted, **48:47**
- Offices of SSA, information at, **48:13; 48:14**

FREEDOM OF INFORMATION ACT—Cont'd

- Personnel files, exemption of information contained in, **48:16**
- Place or location
 - district and branch offices of SSA, location of information, **48:13**
 - field offices of Office of Hearings and Appeals, location of information, **48:14**
 - information, location of, **48:13; 48:14**
 - requests, place where may be made, **48:42**
 - SSA and its regional offices, location of information, **48:13**
- Privileged and confidential matters
 - confidential commercial or financial information, exemption, **48:18**
 - trade secrets, exemption, **48:18**
- Procedure for requests for disclosure, **48:42 to 48:50**
- Refusal to disclose, **48:49; 48:50; 48:71**
- Regional offices of SSA, information available at, **48:13**
- Remedies. Judicial review and remedies, above
- Requests for disclosures. Applications and requests procedures, above
- Responses by SSA to requests, time limit for, **48:45; 48:46**
- Safeguards against unauthorized redisclosure or use, **48:48**
- Scope of Freedom of Information Act, **48:4**
- SSA office, availability of information at, **48:13**
- Time limits in responding to requests for information, **48:45; 48:46**
- Timely or updated materials, right to, **48:12**
- Trade secrets, exemption, **48:18**
- Unauthorized redisclosure or use, safeguards against, **48:48**

FREE FOOD OR BEVERAGES

- FICA taxes, tips, **69:67**

FRIENDS

- Covered employment, domestic service workers as individuals qualifying as common law employees, **5:15**
- Sequential evaluation of disability, questions submitted to friends of claimant, **36:40**

FRINGE BENEFITS AND SIMILAR COMPENSATION

- Generally, **7:8; 7:71; 9:1 to 9:76**
- Adoption assistance program payments, **9:73**
- Age 62 and over, payments for non-work periods to employees, **9:23**
- Agricultural employees, FICA tax payments, **9:76**

FRINGE BENEFITS AND SIMILAR COMPENSATION—Cont'd

- Annuity plans, retirement and deferred compensation payments, **9:42**
- Armed Forces members, employer payments, **9:27**
- Awards and prizes, **9:11; 9:30; 9:62**
- Backpay** (this index)
- Bonus plans, retirement and deferred compensation payments, **9:41**
- Business expenses, generally, **9:3**
- Cafeteria plans, **9:70**
- Cash or deferred arrangements, retirement and deferred compensation payments, **9:45**
- Clothing allowances or reimbursements, **9:16**
- Commission sales people, expenses, **9:10**
- Constructive payment, **7:71**
- Death benefits
 - generally, **9:47 to 9:51**
 - employer plan payments, **9:47**
 - payments made after termination of employee relationship because of death, **9:49**
 - plan requirements, **9:48**
 - salary payment made to survivor in year of employee's death, **9:50**
 - survivor or estate payments after year of death, **9:51**
- Deferred compensation. Retirement and deferred compensation payments, below
- Dependent care assistance program, **9:71**
- Disability
 - entitlement of employee to disability benefits, **9:57**
 - third party payments for sickness or accident disability, **9:56**
- Dismissal pay, **9:28**
- Domestic service employees, FICA tax payments, **9:76**
- Education, employee educational assistance programs, **9:72**
- Employee equipment used for business, **9:18**
- Employee expenses paid by employer
 - generally, **9:3 et seq.**
 - business expenses, **9:3**
 - clothing allowances or reimbursements, **9:16**
 - identifying employer expenses, **9:4**
 - interviewing expenses, reimbursement, **9:12**
- Meals and Lodging** (this index)
- moving expenses, **9:14**
- prizes and awards, **9:30**
- sale of personal residence, **9:67**
- Travel and Transportation Expenses** (this index)

**FRINGE BENEFITS AND SIMILAR
COMPENSATION—Cont'd**

- Employer contributions to state and local government plans, retirement and deferred compensation payments, **9:39**
- Employer expenses, identifying, **9:4**
- Employer plan payments, death benefits, **9:47**
- Employment agency fee, expenses, **9:13**
- Employment contract cancellation, consideration for, **9:29**
- Employment discrimination, **9:32**
- Entitlement of employee to disability benefits, disability, **9:57**
- Equipment of employee, payment for use, **9:18**
- Exempt governmental deferred compensation plan, retirement and deferred compensation payments, **9:44**
- Expenses of employee
 - awards and prizes, **9:11**
 - business expenses, generally, **9:3**
 - clothing allowances and reimbursements, **9:16**
 - commission sales people, **9:10**
 - employer expenses, identifying, **9:4**
 - employment agency fee, **9:13**
 - interviewing expenses, **9:12**
 - meals and lodging, **9:5; 9:6**
 - moving expenses, **9:14**
 - prizes and awards, **9:11**
 - tools and supplies, **9:15**
 - transportation reimbursements and allowances, **9:9**
 - travel expenses, **9:7; 9:8**
- FICA Taxes** (this index)
- Financial counseling services, **9:69**
- Gifts, **9:65**
- Group legal services, **9:68**
- Guaranteed annual wage, **9:19**
- Identifying expenses, **9:4**
- Idle time pay, **9:21**
- Income tax
 - payment by employer, **9:74**
 - withholding rules, **9:2**
- Interruption of business, **9:20**
- Interviewing expenses, **9:12**
- Judgments and settlements, **9:30**
- Jury duty, **9:26**
- Loans, **9:66**
- Loss on sale of personal residence, reimbursement, **9:67**
- Manufacturer payment to non-employee salesperson, third party payments, **9:63**
- Minimum wages unpaid, **9:33**

**FRINGE BENEFITS AND SIMILAR
COMPENSATION—Cont'd**

- Moving expenses, **9:14**
- No employment relationship existed, **9:34**
- Nonqualified deferred compensation plan, retirement and deferred compensation payments, **9:40**
- Nonwork, payments for nonwork periods, **9:19 to 9:27**
- Other than employment, payments from employer for, **9:17; 9:18**
- Overtime compensation unpaid, **9:33**
- Payments made after termination of employee relationship because of death, death benefits, **9:49**
- Performance of services for employer, third party payments, **9:59**
- Plan requirements, death benefits, **9:48**
- Prizes and awards, **9:11; 9:30; 9:62**
- Reimbursement, see more specific lines throughout this heading
- Retirement and deferred compensation payments
 - generally, **9:36 to 9:46**
 - annuity plans, **9:42**
 - bonus plans, **9:41**
 - cash or deferred arrangements, **9:45**
 - early retirement, **9:37**
 - employer contributions to state and local government plans, **9:39**
 - exempt governmental deferred compensation plan, **9:44**
 - nonqualified deferred compensation plan, **9:40**
 - partnership payments under, **11:9; 11:10**
 - profit-sharing plans, **9:41**
 - retirement plan other than cash or deferred arrangements, **9:46**
 - retirement plan other than employer's, **9:38**
 - simplified employee pension (SEP), **9:43**
 - state or local government plans, employer contributions to, **9:39**
 - stock bonus plans, **9:41**
- Royalty payments, **9:17**
- Salaries paid by customers, third party payments, **9:61**
- Salary payment made to survivor in year of employee's death, death benefits, **9:50**
- Selling expenses of personal residence, reimbursement, **9:67**
- Settlements and judgments, **9:30**
- Sickness or accident disability, **9:56**
- Sick Pay** (this index)
- Simplified employee pension (SEP), retirement and deferred compensation payments, **9:43**

INDEX

FRINGE BENEFITS AND SIMILAR

COMPENSATION—Cont'd

- Spouse, third party payments, **9:58**
- Strike related duties, third party payments, **9:64**
- Supplemental unemployment benefits, **9:24**
- Survivor or estate payments after year of death, death benefits, **9:51**
- Taxation
 - FICA Taxes** (this index)
 - income tax, above
 - payments by employer, generally, **9:74 to 9:76**
 - Third party payments
 - generally, **9:58 to 9:64**
 - awards made at expense of sales managers, **9:62**
 - manufacturer to non-employee salesperson, **9:63**
 - performance of services for employer, **9:59**
 - salaries paid by customers, **9:61**
 - sickness or accident disability, **9:56**
 - spouse of employee, payments made to, **9:58**
 - strike related duties, **9:64**
 - supervisor, wages received through, **9:60**
 - Tools and supplies, **9:15**
 - Travel and Transportation Expenses** (this index)
 - Union, back pay award from employer and, **9:35**
 - Union fund layoff payments, **9:22**
 - Vacation pay, **9:25**

FROZEN MINIMUM

- Computation of benefits, **25:5 to 25:7**

FULL-TIME LIFE INSURANCE

SALESPERSONS

- Covered employment, **5:68**

FULLY INSURED STATUS

- Insured Status** (this index)

FUNCTIONAL LIMITATIONS

- Listing of Impairments** (this index)

FUNCTIONAL LOSS

- Listing of Impairments** (this index)

FUNCTIONALLY EQUIVALENT IMPAIRMENTS

- Listing of impairments, examples of functionally equivalent impairments, **42:14**

FUTILITY OF EXHAUSTION

- Final decision requirement, **55:15**

GARDEN

- Child's benefits, dependency requirement, **16:79**

GARNISHMENT

- Assignment or Attachment of Benefits** (this index)
- Overpayment collection by administrative wage garnishment, **33:32**

GAS

- Oil and Gas** (this index)

GAS EXCHANGE

- Respiratory System Disorders** (this index)

GASTROINTESTINAL HEMORRHAGING

- Listing of impairments, from any cause, **42:58**

GENERAL AGENTS

- Covered employment, general agents as individuals qualifying as common law employees, **5:29**

GENERAL WAGE INCREASES

- Cost-of-Living and General Increases** (this index)

GENETIC PHOTOSENSITIVITY DISORDERS

- Skin disorders, **42:253**

GENITOURINARY IMPAIRMENTS

- Adult impairments, **42:71 to 42:73**
- Children and minors, **42:74; 42:75**
- Chronic kidney disease, **42:72**
- Nephrotic syndrome in adults, **42:73**

GERMANY

- Totalization agreements, **24:42**

GIFTS

- Fringe benefits and other compensation, **9:65**
- Supplemental Security Income** (this index)

GLAUCOMA SCREENING

- Medicare
 - exclusions, **67:11**
 - physicians' services, Part B, **64:72; 64:73**

GOOD ACQUITTANCE REQUIREMENT

- Underpayment, payment due deceased person, **33:137**

GOOD CAUSE

- Appeal or review, timeliness of request for review
 - examples of, **50:14**
 - existence of good cause, determination of, **50:13**
 - extension of time, **50:12**
- Judicial review, remand, **55:78 to 55:83**
- Medicare, **68:85**
- Post-retirement earnings, good cause for failure to file report, **28:65 to 28:67**

GOOD CAUSE—Cont'd
Reopening and Revising Determinations (this index)

GOOD CONSCIENCE
Overpayments (this index)

GOOD FAITH
 Equal Access to Justice Act, attorneys' and representatives' fees, **49:81**
FICA Taxes (this index)
 Overpayment, waiver of, **33:90**

GOODS OR SERVICES
 Covered employment, sellers of goods or services as individuals qualifying as common law employees, **5:40**

GOVERNMENT
Federal Government (this index)
Public Officers and Employees (this index)

GOVERNMENT ASSISTANCE
 Anti-assignment provision, **34:13**
 Anti-assignment provision and reimbursement, **34:12**

GOVERNMENT CONTRACTORS
 Wages, government contractors as successor employers, **7:82**

GOVERNMENT EMPLOYMENT
Public Officers and Employees (this index)

GRACE PERIOD
 Medicare, grace period for payment of overdue premiums, **64:60 to 64:62; 64:61 to 64:63**
 Post-retirement earnings, **28:37 to 28:50**

GRANDCHILDREN
Child's Benefits (this index)

GRATUITIES
Tips (this index)

GREECE
 Totalization agreements, **24:42**

GROSS INCOME
 Benefits includable, federal taxation, **34:37 to 34:41**
 Self-employment tax, **71:7**

GROUP BILLING
Medicare (this index)

GROUP LEGAL SERVICES
 Fringe benefits and other compensation, **9:68**

GROUP PURCHASES
 Representative payments, **32:34**

GROWTH
 Children, growth impairments of. See **Children and Minors** (this index)

GUAM
 Covered employment, services performed by resident of Republic of Philippines while temporarily in Guam, **2:16**
 FICA taxes on government employees' services in Guam, **70:32**
 State and local government employees, coverage, **4:6**

GUARANTEED ALTERNATIVE METHOD OF COMPUTATION
 Primary insurance amount, **23:27; 23:28**

GUARANTEED ANNUAL WAGE
 Fringe benefits and other compensation, **9:19**

GUARDIANS
 Ad litem guardian. **Guardian Ad Litem** (this index)
 Covered employment, individuals qualifying as common law employees, **5:21; 5:22**

HAIRDRESSER
 Self-employment business, **10:52**

HALLEX
 Generally, **1:29**

HANDBOOKS
Publications of SSA (this index)

HARDSHIP
 Financial hardship test for waiver of overpayment, **33:117**

HARMLESS ERROR
 Generally, **55:63**
 Civil monetary penalties, **58:53**

HARVESTING
Agriculture (this index)

HCFA
Health Care Financing Administration (this index)

HEAD OF HOUSEHOLD
 Supplemental security income, eligibility requirements, **18:68**

INDEX

HEALTH CARE WORKERS

Covered employment, health care workers as individuals qualifying as common law employees, **5:23; 5:24**

HEALTH CONCERNS

Privacy Act, individual's consent for disclosures, **48:37**

HEALTH FACILITIES

Hospitals (this index)

HEALTH INSURANCE

Medicare (this index)

HEALTH MAINTENANCE ORGANIZATIONS

Medicare (this index)

HEARING IMPAIRMENTS

Evaluation of ability to work, **43:44; 43:200**
Exclusion of expenses for hearing aids and examinations, Medicare, **67:103**
Sign language interpreters and other aids for hearing-impaired claimants, **52:56**
Skilled nursing care, Medicare Part A, **60:121**
Special senses, **42:265; 42:270**

HEARINGS

Generally, **52:1 et seq.**
Adjournments and continuance of hearing, **52:60**
Administrative Law Judges (this index)
Administrative proceedings, generally, **52:1 to 52:126**
Admissibility of evidence, **52:58; 52:59**
Air travel, reimbursable expenses, **52:77**
Arguments, **52:61**
Blind claimants, special notices for, **52:8**
Civil Monetary Penalties (this index)
Closing of hearing, **52:62**
Consolidated hearing, **52:20**
Death of claimant, dismissal of hearing request on generally, **51:36 to 51:40**
ascertainment of adversely affected interest, **51:39**
issue involving earnings record revision, **51:40**
SSI claim, **51:38**
Disciplinary proceedings against attorney.
Attorney and Non-Attorney Representation (this index)
Discovery (this index)
Dismissal of hearing request generally, **51:31 to 51:35**
death of claimant generally, **51:36 to 51:40**

HEARINGS—Cont'd

Dismissal of hearing request—Cont'd
death of claimant—Cont'd
ascertainment of adversely affected interest, **51:39**
issue involving earnings record revision, **51:40**
SSI claim, **51:38**
effect of dismissal, **51:35**
failure to appear
generally, **51:41 to 51:44**
good cause for failure to appear, **51:43**
procedures to develop good cause, **51:44**
representative's appearance, effect of, **51:42**
notice of dismissal, **51:33**
vacating dismissal, **51:34**
withdrawal of request for hearing, **51:32**
Dismissal of request for hearing as final decision requirement, **55:26**
Documentary evidence, **52:59**
Evidence
Discovery (this index)
documentary evidence, **52:59**
examination of witnesses, below
submission of, **52:5**
Examination of witnesses
generally, **52:83 to 52:110**
credibility determinations, **52:88**
cross-examination, **52:86; 52:87**
expert evidence
generally, **52:89 to 52:110**
dually-qualified vocational and medical experts, **52:110**
hypothetical questions, **52:104 to 52:107**
interrogatories, use of, **52:92 to 52:94**
medical development letter to medical source, **52:97**
medical expert, **52:90 to 52:95; 52:98 to 52:101; 52:110**
new evidence, effect of, **52:108**
notice to claimants and representatives, medical and vocational experts, **52:91**
obtaining testimony from medical source, **52:96**
posthearing opinion, **52:109**
professional qualification requirement, **52:89**
residual functional capacity, evaluation of, **52:101**
review of evidence by medical expert, **52:95**
vocational expert, **52:90 to 52:94; 52:102 to 52:107; 52:110**
oaths and affirmations, **52:84**

HEARINGS—Cont'd

- Examination of witnesses—Cont'd
 - severity of claimant's impairment, sample testimony of nonexpert witness as to, **52:85**
 - written reports, applicability of authors of, **52:87**
- Exhibits, **52:44 to 54:46; 58:43**
- Expert evidence. Examination of witnesses, above
- Failure to appear, dismissal of hearing request upon generally, **51:41 to 51:44**
 - good cause for failure to appear, **51:43**
 - procedures to develop good cause, **51:44**
 - representative's appearance, effect of, **51:42**
- Finality** (this index)
- Foreign language interpreters, **52:55**
- Hearing process
 - generally, **52:1**
 - evidence submission, **52:5**
 - judicial remand, **52:2**
 - notice of issues, **52:3**
 - objecting to issues, **52:4**
 - procedures, Generally, **52:52 to 52:65**
 - Record of hearing, **52:63 to 52:65**
 - spanish translations, **52:7**
 - status reports, **52:6**
 - visually impaired claimants, **52:8**
- Hearing process, generally, **52:1 et seq.**
- Introductions and opening statement, **52:57**
- Joint hearings, **52:21; 52:54**
- Judicial remand
 - hearing process, **52:2**
- Medicare** (this index)
- Notice of hearing
 - generally, **51:27 to 51:30**
 - acknowledging receipt of notice, **51:29**
 - amended notice, **51:30**
 - content, **51:28**
- Notice of issues
 - hearing process, **52:3**
- Notice of issues, generally, **52:3**
- Objections
 - issues, objecting to, **52:4**
 - time, place and method of hearing, objection to, **51:24 to 51:26**
 - video conferencing, **51:22; 51:24**
- Off-the-record discussions, record of hearing, **52:64**
- Omissions or inaudibles, record of hearing, **52:65**
- On-the-record decision, **52:16 to 52:19**
- Oral hearings, generally, **52:9 to 52:15**
- Persons who may be present, generally, **52:53; 52:54**
- Posthearing actions, **52:66 to 52:73**

HEARINGS—Cont'd

- Prehearing procedures, generally, **52:43 to 52:51**
- Prisoner's right to oral hearing, **52:11**
- Reconsideration** (this index)
- Record of hearing, **52:63 to 52:65**
- Reimbursement for travel expense, **52:74 to 52:82**
- Remand, hearing process following judicial remand, **52:2**
- Reopening determinations, **54:11**
- Request for hearing
 - generally, **51:1 to 51:44**
 - acknowledging receipt of notice of hearing, **51:29**
 - acknowledgment of request for hearing, **51:12**
 - completing SSA's official form for request, **51:11**
 - content of request, **51:6**
 - death of claimant, dismissal of hearing request upon
 - generally, **51:36 to 51:40**
 - ascertainment of adversely affected interest, **51:39**
 - issue involving earnings record revision, **51:40**
 - SSI claim, **51:38**
 - determinations and decisions from which request may be made, **51:2**
 - dismissal of hearing request
 - generally, **51:31 to 51:35**
 - death of claimant, dismissal of hearing request upon, above
 - effect of dismissal, **51:35**
 - failure to appear, dismissal of hearing request upon, below
 - notice of dismissal, **51:33**
 - vacating dismissal, **51:34**
 - withdrawal of request for hearing, **51:32**
 - extension of time for request
 - generally, **51:17**
 - determination of administrative law judge on request for extension, **51:19**
 - good cause requirement for extension of time, **51:18**
 - failure to appear, dismissal of hearing request upon
 - generally, **51:41 to 51:44**
 - good cause for failure to appear, **51:43**
 - procedures to develop good cause, **51:44**
 - representative's appearance, effect of, **51:42**
- Form HA-501, request for hearing by ALJ, **51:9**
- forms of request, **51:7 to 51:10**
- Form SSA-3441, Disability Report-Appeal, **51:10**

HEARINGS—Cont'd

- Request for hearing—Cont'd
 - hearing delays as violation of right to reasonable notice and opportunity for hearing, **51:14**
 - letter from Member of Congress as request, **51:8**
 - notice of hearing
 - generally, **51:27**
 - amended notice, **51:30**
 - content, **51:28**
 - time of mailing or serving notice, **51:27**
 - waiver of right to advance notice, **51:27**
 - OASDI claims, **51:37**
 - parties to hearing, **51:4**
 - persons adversely affected by decision or determination, **51:3**
 - Railroad Retirement Board, requests filed with, **51:16**
 - revised determination, effect of, **51:13**
 - right to hearing
 - acknowledgment of request for hearing, **51:12**
 - completing SSA's official form for request, **51:11**
 - content of request, **51:6**
 - determinations and decisions from which request may be made, **51:2**
 - Disability Report-Appeal (Form SSA-3441), **51:10**
 - forms of request, **51:7 to 51:10**
 - hearing delays as violation of right to reasonable notice and opportunity for hearing, **51:14**
 - letter from Member of Congress as request, **51:8**
 - OASDI case, right to request hearing following, **51:2**
 - parties to hearing, **51:4**
 - persons adversely affected by decision or determination, **51:3**
 - request for hearing by ALJ (Form HA-501), **51:9**
 - revised determination, effect of, **51:13**
 - Spanish, availability of forms of request in, **51:7**
 - SSI case, right to request hearing following, **51:2**
 - where to file request, **51:5**
 - written request, general requirement for, **51:1**
 - Spanish, availability of forms of request in, **51:7**
 - SSI case, right to request hearing following, **51:2**
 - time, place, and method of hearing
 - generally, **51:20 to 51:26**

HEARINGS—Cont'd

- Request for hearing—Cont'd
 - time, place, and method of hearing—Cont'd
 - availability of claimant, representative, and witnesses, consideration of in scheduling, **51:22**
 - changing time or place, **51:23**
 - confinement of claimant, consideration of in scheduling, **51:22**
 - death as good cause for objection to time or place, **51:26**
 - foreign claimant, hearing requested by, **51:21**
 - good cause objection to time or place, **51:25; 51:26**
 - illness as good cause for objection to time or place, **51:26**
 - number and type of cases to be set, consideration of in scheduling, **51:22**
 - objection to time, place, or method of hearing, **51:24 to 51:26**
 - personal circumstances of claimant, consideration of in scheduling, **51:22**
 - physical condition of claimant, consideration of in scheduling, **51:22**
 - proximity of hearing site to claimant's residence or place of business, consideration of in scheduling, **51:22**
 - scheduling, **51:22**
 - video teleconferencing, **51:22; 51:24**
 - weather as good cause for objection to time or place, **51:26**
 - timeliness of request
 - generally, **51:15 to 51:19**
 - determination of administrative law judge on request for extension, **51:19**
 - extension of time, **51:17 to 51:19**
 - good cause requirement for extension of time, **51:18**
 - Railroad Retirement Board, requests filed with, **51:16**
 - VA, requests filed with, **51:16**
 - VA, requests filed with, **51:16**
 - vacating dismissal of hearing request, **51:34**
 - waiver of right to advance notice, **51:27**
 - where to file request, **51:5**
 - withdrawal of request of hearing, **51:32**
 - written request, general requirement for, **51:1**
- Res judicata, waiver, **54:75**
- Scope of hearing, **52:1; 52:2**
- Sign language interpreters and other aids for hearing-impaired claimants, **52:56**
- Social Security Act, civil money penalty, **1:9**

HEARINGS—Cont'd

- Spanish language, **51:7; 52:7**
- Status letters, **52:6**
- Time, place, and method of hearing
 - generally, **51:20 to 51:26**
 - availability of claimant, representative, and witnesses, consideration of in scheduling, **51:22**
 - changing time or place, **51:23**
 - confinement of claimant, consideration of in scheduling, **51:22**
 - death as good cause for objection to time or place, **51:26**
 - foreign claimant, hearing requested by, **51:21**
 - good cause objection to time or place, **51:25; 51:26**
 - illness as good cause for objection to time or place, **51:26**
 - number and type of cases to be set, consideration of in scheduling, **51:22**
 - objection to time or place, **51:24 to 51:26**
 - personal circumstances of claimant, consideration of in scheduling, **51:22**
 - physical condition of claimant, consideration of in scheduling, **51:22**
 - proximity of hearing site to claimant's residence or place of business, consideration of in scheduling, **51:22**
 - scheduling, **51:22**
 - video teleconferencing, **51:22; 51:24**
 - weather as good cause for objection to time or place, **51:26**
- Travel expenses, reimbursement for, **52:74 to 52:82**
- Unrepresented claimant's right to fair hearing
 - generally, **52:111 to 52:126**
 - development of evidence, ALJ's duty, **52:124**
 - development of record, ALJ's duty, **52:120 to 52:123**
 - disability cases, ALJ's duty, **52:125**
 - duty of ALJ, **52:119 to 52:125**
 - education, factors relating to claimant, **52:115**
 - examination of claimant and other witnesses, ALJ's duty, **52:122**
 - knowledge of hearing procedures, factors relating to claimant, **52:116**
 - mental capacity, factors relating to claimant, **52:113**
 - notice of right to counsel, **52:118**
 - remand, ALJ's actions in rendering decision as basis for, **52:126**
 - remand for new hearing, **52:112**

HEARINGS—Cont'd

- Unrepresented claimant's right to fair hearing
 - Cont'd
 - self-expression, capacity for, factors relating to claimant, **52:114**
 - SSA and Administrative Law Judges, factors relating to, **52:118 to 52:126**
 - substantiality of hearing, ALJ's duty, **52:123**
 - waiver of right to counsel, **52:117**
- Vacating dismissal of hearing request, **51:34**
- Waiver
 - oral hearing, **52:12 to 52:15**
 - posthearing evidence, waiver of right to examine, **52:71**
- Withdrawal of request of hearing, **51:32**

HEART

- Cardiovascular System Impairments** (this index)
 - Transplants, inpatient hospital services, Medicare Part A, **60:72**

HEAVY WORK

- Disability** (this index)

HEMATOLOGICAL DISORDERS

- Adults, generally, **42:76 to 42:81**
- Bone marrow failure, **42:79**
- Bone marrow transplantation, hematological disorders treated by, **42:80**
- Children's disorders, **42:82; 42:83**
- Hemolytic anemia, adults, **42:77**
- Hemostasis, adults, **42:78**
- Repeated complications, **42:81**
- Stem cell transplantation, hematological disorders treated by, **42:80**
- Thrombosis and hemostasis, adults, **42:78**

HEMIC AND LYMPHATIC SYSTEM DISORDERS

- Leukemia** (this index)

HEMOLYTIC ANEMIA

- Listing of impairments, **42:77**

HEMOSTASIS

- Hematological disorders, **42:78**

HEPATITIS

- Digestive system impairments, **42:54**

HERNIATED NUCLEUS PULPOSUS

- Musculoskeletal system, **42:177**

HIGH BLOOD PRESSURE

- Hypertension** (this index)

INDEX

HIV INFECTION (AIDS)

- Generally, **42:108 to 42:116**
- Children and Minors** (this index)
- Criteria for meeting HIV listing, **42:110 to 42:113**
- Documenting HIV infection, **42:114 to 42:116**
- Functional limitations, **42:111; 42:113**
- Manifestations of HIV infection, documenting generally, **42:113**
 - women, manifestations specific to, **42:116**
- Treatment, effect of, **42:109**
- Women, manifestations specific to women, **42:116**

HMO [HEALTH MAINTENANCE ORGANIZATIONS]

- Medicare** (this index)

HOBBIES

- Disability, inability to work, **43:24; 43:96**

HOME

- Domicile and Residence** (this index)

HOME DIALYSIS

- Medicare, **64:86; 64:87**

HOME ENERGY ASSISTANCE

- Supplemental security income, unearned income exclusions, **19:87**

HOME ENVIRONMENT

- Comprehensive outpatient rehabilitation facility services, Medicare, **64:116**

HOME HEALTH AIDE SERVICES

- Medicare Part A** (this index)

HOME HEALTH CARE

- Medicare** (this index)
- Medicare Part A** (this index)

HOME PRODUCE

- Supplemental security income, unearned income exclusions, **19:79**

HOME WORKERS

- Covered employment generally, **5:69**
 - industrial home workers, individuals qualifying as common law employees, **5:26**
- FICA taxes, withholding on remuneration of less than \$100 a year, **69:22**
- Wages, **7:34 to 7:39; 7:75**

HOMICIDE

- Reopening determinations, **54:42**
- Suspension of benefits on murder of insured, **29:54 to 29:57**

HONORARIA

- Supplemental Security Income** (this index)

HORTICULTURE

- Agriculture** (this index)

HOSPICE CARE

- Medicare advantage (MA) program, **65:22**
- Medicare exclusions, **67:6**
- Medicare Part A** (this index)
- Medicare** (this index)

HOSPITAL INSURANCE

- Medicare Part A** (this index)

HOSPITALITY INDUSTRY WORKERS

- Covered employment, hospitality industry workers as individuals qualifying as common law employees, **5:25**

HOSPITALS

- Age, hospital birth records as proof of, **21:7**
- Applying for benefits, statements filed with hospital, **30:30**
- Covered employment, **2:12; 6:19**
- Employer generally, **6:19**
 - Interns** (this index)
- Inpatient hospital services. **Medicare Part A** (this index)
 - Interns** (this index)
- Medicare, emergency services at nonparticipating U.S. hospital, **68:4; 68:5**
- Medicare** (this index)
- Mental patients. **Mental Disorders** (this index)
- State and local government employees, coverage, **4:14**
- Wages, payments to religious organization for services of volunteer members, **7:30**

HOSTILE FIRE PAY

- Supplemental security income, unearned income exclusions, **19:95**

HOUSEHOLD EMPLOYEES

- FICA taxes on wages paid to domestic workers, **70:28**

HOUSEHOLD EMPLOYER'S TAX GUIDE (FORM 926)

- Generally, **70:97**

HOUSEHOLD GOODS

- Supplemental security income, personal property and other interests, **20:90**

HOUSEHOLD MEMBERS

- Family and Relatives** (this index)
- Living in Same Household** (this index)

HUSBAND AND WIFE

- Spouses** (this index)

HYPERTENSION

- Generally, **42:34**
- Chronic pulmonary hypertension, **42:231**

IDENTIFICATION AND IDENTIFICATION REQUIREMENTS

- Foreign affiliate employee coverage agreements, identification requirements with respect to, **3:12**
- Foreign employment, foreign affiliate employee coverage agreement, **3:12**
- Freedom of Information, deletion of identifying details, **48:11**
- Numbers. **Identification Numbers** (this index)
- Primary insurance amount, bench mark year, **23:8**
- Privacy Act, verification of requester's identity, **48:54**
- Res Judicata** (this index)
- Social Security Numbers** (this index)
- State and local government employees, coverage, **4:51**

IDENTIFICATION NUMBERS

- As to social security numbers. **Social Security Numbers** (this index)

IDLE TIME PAY

- Fringe benefits and other compensation, **9:21**

ID NUMBER

- Identification Numbers** (this index)

ILLEGAL ACTIVITIES

- Defined, **40:4**
- Self-employment business, **10:59**

ILLEGAL BUSINESSES

- Covered employment, **6:26**
- Employer status, **6:26**

ILLEGITIMATE CHILDREN

- Child's Benefits** (this index)

ILLITERACY

- Inability to work, **43:155; 43:168**

ILLNESS

- Sick Pay** (this index)

“IMMEDIATELY-BEFORE, AND IMMEDIATELY-AFTER” REQUIREMENT

- FICA taxes, successor-employer rule, **69:87**

IMMEDIATE PAYMENTS

- Critical cases, **31:43; 31:44**

IMMIGRATION AND NATURALIZATION

- Age, proof of from immigration records, **21:22**
- Social security numbers, **12:6**

IMMUNE SYSTEM DISORDERS

- HIV Infection (AIDS)** (this index)
- Non-HIV Immune System Disorders** (this index)

IMMUNIZATIONS

- Medicare** (this index)

IMPLIED CONTRACTS

- Child's Benefits** (this index)

IMPRISONMENT

- Administrative proceedings, prisoner's right to oral hearing, **52:11**
- Child's benefits, **16:91**
- Inability to work, **43:90**
- Medicare, conditions for payment of services for individuals in custody of penal authorities, **67:28**
- Supplemental Security Income** (this index)
- Suspension of benefits generally, **29:48 to 29:53**
- constitutionality of suspension provision, **29:50**
- Time, impairment arising during incarceration, **36:10**

IMPULSE-CONTROL DISORDERS

- Generally, **42:136; 42:157**

INABILITY TO WORK

- Disability** (this index)

“IN CARE” REQUIREMENT

- Child-In-Care** (this index)

INCLUDED EARNINGS

- Cost-of-living and general increases, **24:28**

INCOME

- See also **Earnings** (this index)
- Definition, **33:110**
- Gross Income** (this index)
- Self-Employment** (this index)
- Supplemental Security Income** (this index)
- Taxes** (this index)
- Wages** (this index)

INDEX

INCOME TAXES

Taxes (this index)

INCOMPETENT AND INSANE PERSONS

Generally. **Mental Disorders** (this index)

Determination of insured status, failure to file because of mental condition, **13:40**

Failure to follow prescribed treatment, justification, **38:14**

Husband and wife's benefits, child in care requirement, **15:19**

Judicial review, **55:40**

Medicare, statement of mental incapacity of beneficiary, **68:23**

Mental institutions, Medicare Part B, **64:117**

Privacy Act, special rules, **48:53**

Representative payments, **32:3 to 32:9**

Res judicata, inapplicability of doctrine, **54:74**

Sequential evaluation of disability, **36:20**

INCONSISTENT EVIDENCE

Disability determination, effect on, **37:69**

INCONTINENCE

Inability to work, **43:50**

INCREASE

Age of Beneficiary, Effect On Benefit Computation (this index)

Attorneys' and Representatives' Fees (this index)

Cost-of-Living and General Increases (this index)

Supplemental security income, increase in value of burial funds, **20:65**

INDEMNIFICATION

Medicare, indemnification of beneficiary, **68:42 to 68:45**

Social Security Administration employees, indemnification of SSA employees, **58:4**

INDEPENDENT CONTRACTORS

State and local government employees, coverage, **4:18**

INDEXES

Attorneys' fees under Equal Access to Justice Act, relevant index to measure cost of living increase, **49:104**

Average-Indexed-Monthly-Earnings (this index)

Cost-of-living and general increases, **24:29**

Employment taxes, filing and indexing federal tax liens, **73:81**

Freedom of Information Act, indexing requirements for disclosure under, **48:9**

INDEXES—Cont'd

Primary insurance amount, average indexed monthly earnings method of computation, **23:18; 23:21**

Windfall reduction, **24:5**

INDIANS

Native Americans (this index)

INDIGENT PERSONS

Poor Persons (this index)

INDIVIDUALLY HELD ACCOUNTS

Supplemental security income, financial institution accounts, **20:34**

INDIVIDUALS QUALIFYING AS COMMON LAW EMPLOYEES

Covered employment, **5:3 et seq.**

INDUSTRY AND INDUSTRIAL MATTERS

Covered employment

agents, industrial agents as individuals qualifying as common law employees, **5:28**

home workers, industrial home workers as individuals qualifying as common law employees, **5:26**

INELIGIBILITY

Qualification or Disqualification (this index)

INFANTS

Children and Minors (this index)

INFECTIONS

AIDS. **HIV Infection (AIDS)** (this index)

Respiratory system disorders, **42:236**

INFIRM PERSONS

Self-employed person, caregiver as, **10:50**

INFORMAL CONFERENCE

Reconsideration, **50:26**

IN FORMA PAUPERIS

Forma Pauperis (this index)

INITIAL AND FINAL DETERMINATIONS

Generally, **50:15 et seq.**

Effect of, **50:16**

Medicare (this index)

Notice of initial determinations

generally, **50:21 to 50:23**

content, **50:22**

foreign language notices, **50:23**

languages, foreign language notices, **50:23**

Social Security Act, civil money penalty, **1:10; 58:50; 58:52; 58:54**

INITIAL AND FINAL DETERMINATIONS

—Cont'd

- Title II administrative actions, **50:17; 50:18**
- Title XVI administrative actions, **50:19; 50:20**

INITIAL GRACE YEAR

- Post-retirement earnings, **28:38**

INITIAL PREVENTATIVE PHYSICAL EXAMINATION

- Medicare exclusions, **67:16**

INITIATION OF REVIEW

- Disability, re-evaluations, **44:2**

INJUNCTIONS AND RESTRAINING ORDERS

- Generally, **55:88**
- Civil monetary penalties, false or misleading statements, **58:31**
- Employment taxes, collection procedures, **73:68**
- FICA and self-employment tax litigation, injunction against collection of taxes, **72:106**

IN KIND

- Supplemental Security Income** (this index)

IN-LAWS

- Covered employment, **2:60**

INMATES

- Imprisonment** (this index)
- Supplemental Security Income** (this index)

INOCULATIONS

- Medicare** (this index)

INPATIENT HOSPITAL SERVICES

- Medicare Advantage (MA) Program** (this index)
- Medicare Part A** (this index)

INPATIENTS

- Medicare** (this index)

INSANE PERSONS

- Incompetent and Insane Persons** (this index)

INSOLVENCY

- Bankruptcy** (this index)

INSPECTIONS

- Examinations and Inspections** (this index)

INSPECTOR GENERAL

- Fraud in applying for benefits, action by Inspector General, **30:68**

INSTALLERS

- Covered employment, installers as individuals qualifying as common law employees, **5:47**

INSTALLMENTS

- Dedicated accounts and installment payments for certain past due benefits, **35:99**
- Large past-due benefits, **35:60**
- Supplemental Security Income** (this index)

INSTITUTIONAL CARE

- Representative payments, **32:31 to 32:33; 35:96; 35:97**

INSTRUMENTALITIES OF STATE OR LOCAL GOVERNMENT

- State and local government employees, coverage, **4:8 to 4:14**

INSTRUMENTALITIES OF UNITED STATES

- Federal government employees, coverage for service, **4:90**

INSURANCE

- Agents. **Insurance Agents** (this index)
- Attorney interview with client, insured status, **47:7**
- Attorneys' fees, direct payment from past-due benefits, exclusion of continuing or interim OASDI benefits in calculations, **49:76**
- Child's Benefits** (this index)
- Coinsurance, hospice services. See **Medicare Part A** (this index)
- Covered employment
 - agents. **Insurance Agents** (this index)
 - full-time life insurance salespersons, **5:68**
 - individuals qualifying as common law employees, **5:27 to 5:29**
 - soliciting insurance agents, individuals qualifying as common law employees, **5:28**
- Determining insured status, generally. **Insured Status** (this index)
- Hospital insurance. See **Medicare Part A** (this index)
- Life Insurance** (this index)
- Medicare** (this index)
- Old-Age, Survivors, and Disability Insurance** (this index)
- Primary Insurance Amount** (this index)
- Representative payments, **32:30**
- Self-employment, special exemption from tax for special religious groups opposed to insurance, **10:64**
- Status as insured. **Insured Status** (this index)
- Supplemental Security Income** (this index)
- Unemployment Insurance** (this index)

INSURANCE AGENTS

- Covered employment
 - generally, **5:27 to 5:29**

INSURANCE AGENTS—Cont'd

- Covered employment—Cont'd
 - full-time life insurance salespersons, **5:68**
 - individuals qualifying as common law employees, **5:27 to 5:29**
 - soliciting insurance agents, individuals qualifying as common law employees, **5:28**
- Self-employment, termination payments and extended earnings, **10:27**

INSURED STATUS

- Generally, **13:1 to 13:44**
- Agricultural labor. Quarters of coverage, below
- Armed forces. Military service, below
- Assignment of quarters of coverage to specific calendar years, **13:19**
- Blind persons, eligibility of, **13:38**
- Commencement of fully insured status, **13:6**
- Commencement of period of disability, **13:43**
- Currently insured status
 - generally, **13:9 to 13:11**
 - quarters of coverage required
 - generally, **13:10; 13:11**
 - effect of period of disability, **13:11**
- Disability. Period of disability, below
- Filing of application requirement. Period of disability, below
- Foreign social security system, effect of work under
 - generally, **13:31; 13:32**
 - crediting quarters of coverage, **13:32**
 - totalization agreement, obtaining insured status under, **13:31**
- Fully insured status
 - generally, **13:2 to 13:8**
 - commencement of fully insured status, **13:6**
 - nonprofit organizations, elderly employees of, **13:8**
 - obtainable benefits upon demonstration of fully insured status, **13:3**
 - quarters of coverage required
 - generally, **13:4; 13:5**
 - period of disability, effect of, **13:5**
 - World War II veterans, **13:7**
- Military service
 - crediting, **13:36**
 - World War II veterans, **13:7**
- Nonprofit organizations, elderly employees of, **13:8**
- Period of disability
 - generally, **13:33 to 13:44**
 - blind persons, eligibility of, **13:38**
 - commencement of period, **13:43**
 - disability insured status, **13:35; 13:36**

INSURED STATUS—Cont'd

- Period of disability—Cont'd
 - duration of period of disability
 - generally, **13:43; 13:44**
 - commencement of period, **13:43**
 - termination of period, **13:44**
 - eligibility requirements, **13:34**
 - filing of application requirement
 - generally, **13:39 to 13:42**
 - after retirement age, application filed, **13:41**
 - deceased persons, application filed for, **13:42**
 - physical or mental condition, failure to file because of, **13:40**
 - five full months, requirement that period of disability last for, **13:37**
 - military service, crediting, **13:36**
 - physical or mental condition, failure to file because of, **13:40**
 - railroad employment, crediting, **13:36**
 - Physical or mental condition, failure to file because of, **13:40**
- Quarters of coverage
 - generally, **13:12 to 13:30**
 - agricultural labor. 1978, crediting earnings before, below this group
 - assignment of quarters of coverage to specific calendar years, **13:19**
 - currently insured status, above
 - foreign social security system, **13:32**
 - fully insured status, above
 - minimum self-employment income required before earnings can be credited for quarter of income, **13:13**
 - 1977, crediting earnings after
 - generally, **13:17 to 13:20**
 - allocating self-employment income to particular calendar year, **13:20**
 - assignment of quarters of coverage to specific calendar years, **13:19**
 - earnings for quarters of coverage in future years tied to national increases in average years, **13:18**
 - 1978, crediting earnings before
 - generally, **13:21 to 13:30**
 - agricultural labor
 - generally, **13:29; 13:30**
 - reassignment of quarters of coverage, **13:30**
 - 1937, crediting wages paid in, **13:26**
 - reassignment of quarters of coverage, agricultural labor, **13:30**
 - self-employment income
 - generally, **13:27; 13:28**

INSURED STATUS—Cont'd

- Quarters of coverage—Cont'd
 - 1978, crediting earnings before—Cont'd
 - self-employment income—Cont'd
 - effect of maximum taxable self-employment income plus wages, **13:28**
 - wages
 - generally, **13:21 to 13:26**
 - alternative method applicable to wages earned from 1937 to 1950, **13:25**
 - calendar quarter, wages must have been paid or constructively paid in, **13:22**
 - crediting wages paid in 1937, **13:26**
 - establishment of a quarter of coverage for persons alive prior to Jan. 1, 1955 who attained certain age or died before July 1, 1957, **13:24**
 - establishment of four quarters of coverage by earning maximum taxable wages for calendar years after 1936 but before 1978, **13:23**
 - proving sufficiency of earnings for quarter of coverage, **13:16**
 - quarters that cannot be quarters of coverage, **13:14**
 - self-employment income. 1978, crediting earnings before, above this group
 - wages. 1978, crediting earnings before, above this group
 - when quarters of coverage are credited, **13:15**
 - Self-employment income. Quarters of coverage, above
 - Wages. Quarters of coverage, above

INTENT

- Applying for benefits, intent to file, **30:25**
- Crimes, intent to defraud or deceive as element of crime, **59:21**
- Good Faith** (this index)
- Murder of insured, suspension of benefits on, **29:56**
- Taxes** (this index)

INTERCEPTION

- Checks, interception of mailed checks by SSA, **31:16**

INTEREST ON MONEY

- Attorneys' fees and costs under Equal Access to Justice Act, **49:84**
- Dividends and Interest** (this index)
- Medicare, interest on amounts in controversy during EAJR process, **68:88**
- Overpayment refunds, **72:92 to 72:95**
- Supplemental Security Income** (this index)

INTEREST ON MONEY—Cont'd

- Taxes
 - generally, **73:1 to 73:7**
 - accrual period, **73:3**
 - collection procedures, payment of interest on wrongful levies, **73:74**
 - compounding of interest, **73:5**
 - late payment penalties and interest, generally, **73:4**
 - rate of interest, **73:2**
 - termination of interest before payment, **73:6**
 - underpayments, interest on, **73:7**
 - wrongful levies, interest on, **73:74**

INTERIM ASSISTANCE REIMBURSEMENT Supplemental Security Income (this index)

INTERIM BENEFITS

- Judicial review, award of interim benefits, **55:89**

INTERIM PAYMENTS

- Administrative delay cases, **31:6**

INTERLOCUTORY ORDERS

- Appeal to circuit court, **57:5; 57:6**

INTERNAL REVENUE SERVICE

- Acquiescence or nonacquiescence in court decisions, **72:4**
- Appeal and Review** (this index)
- Assessments** (this index)
- Closing agreements, **72:41; 72:42**
- Court decisions, acquiescence or nonacquiescence, **72:4**
- Deficiency assessments. **Assessments** (this index)
- Determination letters, **72:6**
- Enforcement procedures, generally, **72:9 to 72:43**
- Examinations and Inspections** (this index)
- FICA litigation. **FICA and Self-Employment Tax Litigation** (this index)
- Foreign affiliate employee coverage agreement, **3:25**
- Letter rulings, **72:5**
- 90-Day Letter** (this index)
- Organization, generally, **72:1**
- Procedures, generally, **72:1 et seq.**
- Public inspection of written determinations, **72:8**
- Refunds** (this index)
- Regulations, generally, **72:2**
- Revenue rulings and revenue procedures, **72:3**
- Self-employment litigation. **FICA and Self-Employment Tax Litigation** (this index)
- Settlement procedures. **Compromise and Settlement** (this index)

INDEX

INTERNAL REVENUE SERVICE—Cont'd

- Summonses. **Service of Process and Papers** (this index)
- Technical advice memoranda, **72:7**

INTERNATIONAL ORGANIZATIONS

- Covered employment, **2:17**
- Federal government employees, coverage for service, **4:102**
- Self-employment tax, **71:15**

INTERNS

- Covered employment, **2:12**

INTERPRETATION

- Construction and Interpretation** (this index)

INTERPRETERS

- Foreign language interpreters, **52:55**
- Sign language interpreters and other aids for hearing-impaired claimants, **52:56**

INTERRUPTION OF BUSINESS

- Fringe benefits, business interruption payments, **9:20**

INTERSTATE INSTRUMENTALITIES

- State and Local Government Employees** (this index)

INTERVENTION

- District Court Practice
 - postjudgment remedies, **56:23 to 56:24**
- Judicial review, **55:55; 56:23; 56:24**
- Medicare, intervention rights in recovery of conditional primary payments, **67:56**

INTERVIEW

- Appeal and Review** (this index)
- Attorney and Non-Attorney Representation** (this index)
- Attorney Interview with Client** (this index)
- Face-to-face interview, **50:6**
- Fringe benefits and other compensation, interviewing expenses, **9:12**
- Payment and payment procedures
 - nonreceipt of payment, beneficiary, **31:49**
 - waiver of overpayment, **33:52**
- Waiver of overpayment, **33:52**

INVESTIGATIONS

- Crimes** (this index)
- Earnings records, **12:60; 12:71**

INVESTMENTS

- Post-retirement earnings, **28:12**

INVESTMENTS—Cont'd

- Representative payments, surplus funds, **32:39; 32:41**
- Supplemental security income, **35:100**

IRELAND

- Totalization agreements, **24:42**

IRREPARABLE HARM

- Final decision requirement, **55:17**

IRS

- Internal Revenue Service** (this index)

ISCHEMIC HEART DISEASE

- Cardiovascular system impairments, adults, **42:30 to 42:33**

ITALY

- Totalization agreements, **24:42**

JAPAN

- Totalization agreements, **24:42**

JEOPARDY ASSESSMENTS

- FICA tax cases, **72:50**
- Review, **72:52**

JOB CORPS

- Federal government employees, coverage, **4:93**

JOHN DOE SUMMONSES

- IRS procedures, **72:23**

JOINTLY HELD ACCOUNTS

- Supplemental security income, **20:35; 20:36**

JUDGES

- Assignment of Judge** (this index)
- Federal government employees, coverage, **4:98**
- Magistrate Judges** (this index)
- Wages, payment for services performed by certain retired justices and judges, **7:57**

JUDGMENTS, ORDERS, AND DECREES

- Decisions and Opinions** (this index)
- Declaratory Judgments** (this index)
- District Court Practice
 - motion for new trial or to alter or amend judgment, **56:67 to 56:71**
 - appellate review of denial of motion, **56:71**
 - effect of motion on finality of judgment, **56:69**
 - effect of motion on time limit for appeal of judgment, **56:70**
- Fringe benefits and other compensation, employer payments, **9:30**
- Injunctions and Restraining Orders** (this index)
- Judicial Review** (this index)

JUDGMENTS, ORDERS, AND DECREES**—Cont'd**

Medicare, judgment on recovery of conditional primary payment, **67:54**

Post-Judgment Remedies (this index)

Privacy Act, consent to disclosure, **48:36**

Remand (this index)

Wages, **7:50**

JUDICIAL NOTICE

Judicial review, **55:65**

JUDICIAL REVIEW

Generally, **55:1 to 55:92**

Acknowledgment of mailed process, **56:13**

Administrative review, decision of administrative law judge different than Appeals Council, **55:70; 55:71**

Amending pleadings, **56:28**

Answer, good cause for remand before SSA's answer is filed, **55:78**

Appeal to Circuit Court. **Circuit Courts** (this index)

Application for benefits, reviewability of decision made on claim applying for, **30:43**

Assignment of judge, **56:9**

Attorney representation or legal advice, **55:41; 55:53**

Attorneys' and Representatives' Fees (this index)

Briefs, **56:36**

Changes and modifications, **56:28; 56:29**

Circuit Courts (this index)

Civil monetary penalties

generally, **1:11; 58:55**

administrative findings, conclusiveness of, **58:56**

Class actions, **55:52 to 55:54**

Commissioner as defendant, **55:56**

Commonality, class actions, **56:19**

Competing policies, **55:62**

Complaint (this index)

Constitutional issue, **55:44**

Contempt proceedings, **55:90**

Court, role of, generally, **55:59 to 55:62**

Credibility findings, **55:71**

Date. District Courts, below

Death, substitution for deceased claimant, **55:51**

Decision of administrative law judge different than appeals council, **55:70; 55:71**

Declaratory judgments, **55:87**

Default judgment against Commissioner, availability of, **55:91**

Denial of review by Appeals Council, **55:68**

JUDICIAL REVIEW—Cont'd

Disciplinary proceedings against representatives, **46:33**

Discovery, District Courts, **56:31**

Dismissal for failure to prosecute, **55:92**

Disposition on review

generally, **55:72 to 55:92**

judgment, generally, **55:72**

mootness, **55:73**

remand, below

Disqualification of magistrate, **56:55**

District Courts

generally, **56:1 to 56:42**

amending pleadings, **56:28**

Answer (this index)

appeal to Circuit Court. **Circuit Courts** (this index)

assignment of judge, **56:9**

briefs, **56:36**

changes in pleadings or parties, **56:28; 56:29**

Class Actions (this index)

commonality, class actions, **56:19**

Complaint (this index)

contents of complaint, **56:4; 56:5**

date. Time and date, below this group

decision of court, **56:38**

discovery, **56:31**

disqualification of magistrate, **56:55**

evidence, submitting to court, **56:32**

extensions of time, **56:39**

filing complaint, **56:8**

forma pauperis, leave to proceed in, **56:14**

form complaint, **56:7**

Freedom of Information Act (this index)

intervention, **56:23; 56:24**

Magistrate Judges (this index)

maintainability, class actions, **56:22**

motion to dismiss, **56:27**

numerosity, class actions, **56:18**

opportunity to present case, **56:34**

oral argument, **56:37**

Post-Judgment Remedies (this index)

prerequisites for class review, **56:17**

Privacy Act, **48:72**

procedural rules, applicability of, **56:2**

process

acknowledgment of mailed process, **56:13**

individual capacity, process against Social Security Administration officials, **56:12**

Social Security Administration or Commissioner, process directed to, **56:11**

JUDICIAL REVIEW—Cont'd

District Courts—Cont'd
 pro se claimants, **56:15**
 sample complaint, **56:5**
 scheduling case for hearing, **56:16**
 service of summons and complaint, **56:10 to 56:13**
 social security number, inclusion of, **56:6**
 state, intervention by, **56:24**
 submission of case
 generally, **56:30 to 56:38**
 brief, **56:36**
 decision of court, **56:38**
 evidence, submitting to court, **56:32**
 opportunity to present case, **56:34**
 oral argument, **56:37**
 summary judgment motion, **56:30**
 time summary judgment motion must be submitted, **56:35**
 substitution of parties, **56:29**
 summary judgment motion, **56:30**
 time and date
 answer by SSA, **56:25**
 complaint commencing action, **56:3**
 summary judgment motion, submission, **56:35**
 transcript of record, filing by SSA, **56:26**
 typicality, class actions, **56:20**
 Earnings records, correction of, **12:74**
 Estoppel, **55:43**
 Evidence
 material evidence, **55:79; 55:82; 55:83**
 new evidence, **55:79; 55:81**
 remand for additional evidence, **57:13**
 submitting to court, **56:32**
 substantial evidence standard, below
 Exclusive remedy provision, **55:3; 55:4**
 Exhaustion of administrative remedies. **Finality** (this index)
 Extension of time, **55:32 to 55:34; 56:39**
 Filing
 appeal to Circuit Court. **Circuit Courts** (this index)
 complaint, **56:8**
Finality (this index)
 Form, petition for extension of time to file for judicial review, **55:34**
Forma Pauperis (this index)
 Form of complaint, **56:7**
Freedom of Information Act (this index)
 Good cause for remand, **55:78 to 55:83**
 Harmless error, **55:63**

JUDICIAL REVIEW—Cont'd

Illustrations, **55:75; 55:80; 55:83**
 Indigent persons. **Forma Pauperis** (this index)
 Individual claimants, **55:48**
 In forma pauperis. **Forma Pauperis** (this index)
Injunctions and Restraining Orders (this index)
 Interim benefits, award of, **55:89**
 Interpretation of regulations, **55:61**
 Intervention, **55:55; 56:23; 56:24**
 Judgments and decrees
 declaratory judgments, **55:87**
 default judgment against Commissioner, availability of, **55:91**
 disposition on review, above
 remand, below
 Jurisdiction, finality of decisions
 appeal to circuit court, **57:2; 57:3**
 jurisdictional requisite, **55:5**
 Law of the case doctrine, **55:86**
 Limitation of actions. Timely filing for review, below
 Limits on remand proceedings, **55:85**
Magistrate Judges (this index)
 Material evidence, **55:79; 55:82; 55:83**
 Medicare Part D, plan enrollee's right to review, **66:32**
Medicare (this index)
 Member of class action, **55:54**
 Mental impairment, **55:40**
 Mootness, **55:73**
 Motion to proceed in forma pauperis, **55:36**
 New evidence, **55:79; 55:81**
 Notice, **55:65**
 Numerosity, class actions, **56:18**
 Oral argument, **56:37**
 Parties
 generally, **55:48 to 55:57**
 class actions, **55:52 to 55:54**
 commissioner as defendant, **55:56**
 deceased claimant, substitution for, **55:51**
 individual claimants, **55:48**
 intervenor, **55:55**
 member of class action, **55:54**
 private organization claimants, **55:50**
 representation of class actions, **55:53**
 state agency claimants, **55:49**
 third parties, **55:57**
 Pleadings
 Answer (this index)
 Complaint (this index)
 Poor persons. **Forma Pauperis** (this index)

JUDICIAL REVIEW—Cont'd

- Post-Judgment Remedies** (this index)
- Presumption of timely receipt, rebuttal of, **55:35**
- Privacy Act** (this index)
- Private organization claimants, **55:50**
- Process
 - acknowledgment of mailed process, **56:13**
 - individual capacity, process against Social Security Administration officials, **56:12**
 - Social Security Administration or Commissioner, process directed to, **56:11**
- Prosecute, dismissal for failure to, **55:92**
- Rebutting presumption of timely receipt, **55:35**
- Records and recording
 - searching record, obligation to search entire record, **55:67; 55:68**
 - timely filing for review, below
- Remand
 - generally, **55:74 to 55:86**
 - answer, good cause for remand before SSA's answer is filed, **55:78**
 - good cause for remand, generally, **55:78 to 55:83**
 - illustrations, **55:75; 55:80; 55:83**
 - limits on proceedings, **55:85**
 - material evidence, **55:79; 55:82; 55:83**
 - new evidence, **55:79; 55:81**
 - reversal in lieu of remand, **55:77**
 - sentence six remands
 - generally, **55:78 to 55:83**
 - answer, good cause for remand before SSA's answer is filed, **55:78**
 - good cause for remand, generally, **55:78 to 55:83**
 - illustrations, **55:80; 55:83**
 - material evidence, **55:79; 55:82; 55:83**
 - new evidence, **55:79; 55:81**
- Remedies, generally, **55:72 to 55:92**
- Representation of class actions, **55:53**
- Res judicata grounds, judicial review of refusal to reopen on, **54:80**
- Reversal in lieu of remand, **55:77**
- Scheduling case for hearing, **56:16**
- Scope of judicial review, generally, **55:58 to 55:71**
- Sentence six remands. Remand, above
- Service of summons and complaint, **56:10 to 56:13**
- Social security number, inclusion of, **56:6**
- Sovereign immunity, **55:2**
- Standards for review, generally, **56:59 to 56:61**
- State agency claimants, **55:49**
- State law, **55:64**
- States, intervention by state, **56:24**

JUDICIAL REVIEW—Cont'd

- Statute of limitations. Timely filing for review, below
- Statutory basis for review, **55:1; 55:2**
- Submission of case. District Courts, above
- Substantial evidence standard of review
 - generally, **55:66 to 55:71**
 - credibility findings, **55:71**
 - decision of administrative law judge different than appeals council, **55:70; 55:71**
 - denial of review by appeals council, **55:68**
 - elements of substantial evidence review, **55:69**
 - record, obligation to search entire record, **55:67; 55:68**
- Substitution of parties, **55:51; 56:29**
- Third parties, **55:57**
- Timely filing for review
 - generally, **55:29 to 55:44**
 - attorney representation or legal advice, **55:41**
 - constitutional issue, **55:44**
 - estoppel, **55:43**
 - extension of time for filing, **55:32 to 55:34**
 - form, petition for extension of time to file for judicial review, **55:34**
 - limitation of action, time requirement as, **55:37 to 55:44**
 - mental impairment, **55:40**
 - motion to proceed in forma pauperis, **55:36**
 - rebutting presumption of timely receipt, **55:35**
 - statute of limitations, generally, **55:37 to 55:44**
 - tolling statute of limitation, **55:38 to 55:42**
 - undisclosed policy, **55:39**
- Time or date
 - district courts, above
 - filing for review. Timely filing for review, above
- Transcript of record, filing by SSA, **56:26**
- Transfer of venue, **55:46**
- Typicality, class actions, **56:20**
- Undisclosed policy, **55:39**
- Venue, **55:45 to 55:47**
- Waiver of venue request, **55:47**

JURISDICTION

- Appeal to Circuit Court. **Circuit Courts** (this index)
- Circuit Courts** (this index)
- Employment taxes, collection procedures, jurisdiction of Tax Court in bankruptcy case, **73:85**
- Judicial Review** (this index)
- Magistrate Judges** (this index)
- Mandamus** (this index)
- 90 day letter, settlement of docketed cases, **72:37**

INDEX

JURY AND JURY TRIAL

Employment taxes, taxpayers' rights and defenses, **73:60**

Fringe benefits, jury duty, **9:26**

Social security numbers, **12:19**

JUSTICE DEPARTMENT

Department of Justice (this index)

JUSTICES

Judges (this index)

JUSTIFICATION

Excuse and Justification (this index)

JUVENILE DELINQUENTS

Suspension of benefits due to imprisonment or institutionalization of claimant, **29:49**

JUVENILES

Children and Minors (this index)

KIDNEY DISEASE EDUCATION SERVICES

Medicare exclusions, **67:20**

KIDNEYS

See also topics beginning **Renal**

Disease.**Medicare** (this index)

Medicare Part A coverage of inpatient hospital services. **Medicare Part A** (this index)

Transplants, inpatient hospital services, Medicare Part A, **60:71**

KILLING

Homicide (this index)

KNOWLEDGE

Notice and Knowledge (this index)

KOREA

Totalization agreements, **24:42**

LABOR OR WORK ACTIVITIES

See also **Compensation; Employer; Employment Work Activity** (this index)

LABOR UNION

Unions (this index)

LACHES AND DELAY

Attorneys' fees and costs under Equal Access to Justice Act, **49:112; 49:125**

Freedom of Information Act, justification for delay in responding to request under, **48:46**

Payment and Payment Procedures (this index)

LANDLORD AND TENANT

Disability, substantial gainful activity, farm landlords, **40:37**

LANDLORD AND TENANT—Cont'd

Leases (this index)

Rental income. **Self-Employment** (this index)

LANGUAGE

Foreign Language (this index)

Interpreters (this index)

LATE APPLICATION

Adjustment, application of family maximum to benefits, **25:22**

Computation of benefits, adjustment to family maximum where late applicant entitled, **25:22**

LATE ENROLLMENT PENALTY

Medicare Part D, **66:9**

LATE FILING

Earnings records, **12:28**

Magistrates, late filing of objection, **56:66**

LATE PAYMENTS

Delinquent and Overdue Payments (this index)

LAW ENFORCEMENT

Covered employment, law enforcement personnel as individuals qualifying as common law employees, **5:30**

Freedom of Information Act, law enforcement records exempt from disclosure under, **48:21**

Privacy Act, consent required for disclosures under, **48:34**

State and local government employees, coverage, **4:69 to 4:71**

LAW OF THE CASE

Finality of determinations, **54:57**

Judicial review, **55:86**

LAW REPORTERS

Covered employment, law reporters as individuals qualifying as common law employees, **5:6**

LAW STUDENTS

Attorneys' fees, compensable services, costs, and expenses under Equal Access to Justice Act, **49:118**

LAYOFF PERIOD

Union fund payment, fringe benefits, **9:22**

LEASES

Covered employment, vehicle operators as individuals qualifying as common law employees, **5:55**

Employer, **6:12; 6:13**

Rent and Rentals (this index)

Self-Employment (this index)

LEGAL COSTS

Costs and Expenses (this index)

LEGAL REPRESENTATION

Attorney and Non-Attorney Representation (this index)

LEGISLATIVE BRANCH

Federal government employees, coverage, **4:99**

LENDERS

Loans Taxes (this index)

LENGTH OF EMPLOYMENT

Determination of employee status, **2:43**

LESSEES

Covered employment, **6:12; 6:13**

LETTER RULINGS

IRS procedures, **72:5**

LETTERS

Disciplinary proceedings against representatives, inquiry letter, **46:19**

Weight of medical opinions, letter to physician requesting opinion whether impairment meets or equals particular listing, **42:24; 42:25**

LEUKEMIA

Children and minors, **42:201**

Malignant neoplastic diseases, **42:197; 42:201**

LIABILITY INSURANCE

Medicare (this index)

LIABILITY OF AMERICAN EMPLOYER FOR AMOUNTS EQUIVALENT TO FICA TAXES

Foreign employment, foreign affiliate employee coverage agreement, **3:6**

LIBERAL CONSTRUCTION

Generally, **1:13; 1:15**

Regulations, **1:24**

LIBRARIES

State and local government employees, coverage, **4:14**

LIENS AND ENCUMBRANCES

Taxes (this index)

LIFE INSURANCE

Covered employment, full-time life insurance salespersons, **5:68**

Representative payments, **32:30**

Supplemental Security Income (this index)

LIGHT WORK

Disability (this index)

LIMITATIONS AND RESTRICTIONS

Restrictions and Limitations (this index)

Statute of Limitations (this index)

LIMITED EDUCATION

Inability to work, **43:157**

LIQUID RESOURCES

Supplemental Security Income (this index)

LISTING OF IMPAIRMENTS

Generally, **42:1 et seq.**

Generally, **42:60; 42:257**

Age as factor for child claimant, meeting or equaling listed impairment, **42:16**

AIDS. HIV Infection (AIDS) (this index)

Analytical findings required, meeting or equaling listed impairment, **42:26**

Arthritis (inflammatory), **42:93; 42:106**

Asthma (this index)

Back impairments. **Musculoskeletal System** (this index)

Balance impairment, special senses, **42:266**

Blindness (this index)

Bones. **Musculoskeletal System** (this index)

Cardiovascular System Impairments (this index)
Catastrophic congenital abnormalities or diseases, **42:274**

Categories of impairments, **42:4**

Chest discomfort, ischemic heart disease of adults, **42:31**

Children and Minors (this index)

Chronic heart failure, children, **42:48**

Chronic kidney disease, **42:72**

Chronic liver disease, digestive system impairments, **42:54; 42:61**

Chronic respiratory impairments. **Respiratory System Disorders** (this index)

Clinical tests, cardiovascular system, **42:38 to 42:41**

Combinations of impairments, meeting or equaling listed impairment, **42:10**

Comprehensive, analytical findings required, **42:26**

Congenital Disorders (this index)

Congenital heart disease, children, **42:47**

Contents of listings, **42:2 to 42:4**

Criteria for meeting HIV listing, HIV infection (AIDS), **42:110 to 42:113**

Cystic Fibrosis (this index)

Dermatomyositis, non-HIV immune system disorders, **42:91; 42:103**

LISTING OF IMPAIRMENTS—Cont'd

Diabetes, endocrine system disorders, **42:68; 42:70**

Digestive System Impairments (this index)

Division into adult and child parts, generally, **42:3**

Documentation

cardiovascular system, children, **42:44**

Children and Minors (this index)

HIV infection (AIDS), **42:114 to 42:116**

musculoskeletal system, **42:171**

skin disorders, **42:251**

Down Syndrome (this index)

Duration requirement, meeting or equaling listed impairment, **42:20**

Electrocardiograms (ECGs), adults, **42:38**

Endocrine System Impairments (this index)

Equaling listed impairment. Meeting or equaling listed impairment, below

Equivalence determination, cardiovascular system of children, **42:52**

Evaluation

Mental Disorders (this index)

Evidence

malignant neoplastic diseases, **42:192**

meeting or equaling listed impairment, evidence of medical findings required, **42:21; 42:22**

symptoms, evidence of medical findings required, **42:22**

Examinations

musculoskeletal system, **42:171; 42:186; 42:187**

tests and testing, below

Exercise testing, cardiovascular system, adult, **42:39; 42:40**

Expiration dates, **42:7**

Finding of disability mandated if listings met or equaled, **42:17**

Functional limitations

HIV infection (AIDS), **42:111**

meeting or equaling listed impairment, **42:12**

Mental Disorders (this index)

Functionally equivalent impairments, **42:13 to 42:16**

Gas. **Respiratory System Disorders** (this index)

Gastrointestinal hemorrhaging from any cause, **42:58**

Genitourinary Impairments (this index)

Growth impairments of children. See **Children and Minors** (this index)

Hearing impairment, special senses, **42:265; 42:270**

Hematological Disorders (this index)

HIV Infection (AIDS) (this index)

Hypertension (this index)

LISTING OF IMPAIRMENTS—Cont'd

Immune System Disorders (this index)

Inflammatory arthritis, **42:93; 42:106**

Inflammatory bowel disease, **42:55; 42:62**

Intestinal failure, **42:56**

Intestinal failure in children, **42:63**

Ischemic heart disease, **42:30 to 42:33**

Letter to physician requesting opinion whether impairment meets or equals particular listing, weight of medical opinions, **42:24; 42:25**

Leukemia (this index)

Liver disease, chronic, **42:54; 42:61**

Liver transplantation, **42:59**

Low birth weight. See **Children and Minors** (this index)

Lumbar impairments. **Musculoskeletal System** (this index)

Lupus, non-HIV immune system disorders, **42:88; 42:100**

Malignant Neoplastic Diseases (this index)

Medical equivalence to listed impairment

generally, **42:9**

combinations of impairments, **42:10**

particular impairments, **42:11**

Medical improvement standard of review

generally, **44:84**

meeting or equaling listed impairment, **44:37**

Medically equaling listed impairment, **42:11**

Medication. Drugs, above

Meeting or equaling listed impairment

generally, **42:8 to 42:26**

age as factor for child claimant, **42:16**

analytical findings required, **42:26**

Children and Minors (this index)

combinations of impairments, **42:10**

comprehensive, analytical findings required, **42:26**

duration requirement, **42:20**

evidence of medical findings required, **42:21; 42:22**

examples of functionally equivalent impairments, **42:14**

examples of impairments not equivalent to listings, **42:15**

finding of disability mandated if listings met or equaled, **42:17**

functional limitations, effect of, **42:12**

letter to physician requesting opinion whether impairment meets or equals particular listing, weight of medical opinions, **42:24; 42:25**

LISTING OF IMPAIRMENTS—Cont'd

- Meeting or equaling listed impairment—Cont'd
 - not meeting or equaling listed impairment, effect of, **42:18**
 - particular impairments, **42:11**
 - symptoms, evidence of medical findings required, **42:22**
 - weight of medical opinions, **42:23 to 42:25**
 - widows' benefits, claimants for, **42:19**
- Mental Disorders** (this index)
- Motor Function or Skill** (this index)
- Musculoskeletal System** (this index)
- Nephrotic syndrome in adults, **42:73**
- Neurological Impairments** (this index)
- Not meeting or equaling listed impairment, effect of, **42:18**
- Obesity** (this index)
- Pancreas transplantation, **42:59**
- Peripheral vascular disease, **42:35**
- Polymyositis, non-HIV immune system disorders, **42:91; 42:103**
- Psychiatric technique review form, special evaluation procedure, **42:130**
- Psychological tests. **Mental Disorders** (this index)
- Purchase of exercise test by SSA, **42:40**
- Rating degree of functional limitation, mental disorders, **42:128**
- Rejection of claim, cardiovascular system, **42:32; 42:33**
- Respiratory System Disorders** (this index)
- Scleroderma, systemic sclerosis, non-HIV immune system disorders, **42:102**
- Sclerosis (scleroderma), non-HIV immune system disorders, **42:90; 42:102**
- Senses. **Special Senses** (this index)
- Severity determination, special evaluation of mental disorders procedure, **42:129**
- Severity of impairment, level required for listings, **41:5**
- Shortcomings of listing, **42:6**
- Sjogren's syndrome, **42:94; 42:107**
- Skin Disorders** (this index)
- Small intestine transplantation, **42:59**
- Special evaluation procedure. **Mental Disorders** (this index)
- Special Senses** (this index)
- Speech, loss of, **42:267**
- Spine. **Musculoskeletal System** (this index)
- Statutory blindness, special senses, **42:264**
- Statutory disability standard, relationship to, **42:5**
- Symptoms
 - evidence of medical findings required, **42:22**

LISTING OF IMPAIRMENTS—Cont'd

- Symptoms—Cont'd
 - musculoskeletal system, examination of claimant's back impairment, **42:186**
- Systemic lupus erythematosus, non-HIV immune system disorders, **42:88; 42:100**
- Systemic sclerosis (scleroderma), non-HIV immune system disorders, **42:90; 42:102**
- Systemic vasculitis, non-HIV immune system disorders, **42:89; 42:101**
- Tests and testing
 - exercise testing, cardiovascular system, adult, **42:39**
- Mental Disorders** (this index)
- Respiratory System Disorders** (this index)
- Thrive, failure to. See **Children and Minors** (this index)
- Thrombosis and hemostasis, adults, **42:78**
- Transplantation
 - Liver, **42:59**
 - pancreas, **42:59**
 - small intestine, **42:59**
- Undifferentiated and mixed connective tissue disorders, **42:92; 42:104**
- Vasculitis, non-HIV immune system disorders, **42:89; 42:101**
- Vertigo, special senses, **42:266**
- Visual impairments, **42:260 to 42:264**
- Weight loss due to any digestive disorder, **42:57**
- Weight of medical opinions, meeting or equaling listed impairment, **42:23 to 42:25**
- Widows' benefits claimants, meeting or equaling listed impairment, **42:19**
- Women, HIV infection (AIDS), **42:116**

LITIGATION COSTS

- Costs and Expenses** (this index)

LITIGATION MATERIALS

- Privacy Act, exemptions to disclosure under, **48:27**

LIVER

- Chronic liver disease, **42:54; 42:61**
- Digestive system impairments, **42:54; 42:61**
- Listing of impairments, transplantation, **42:59**
- Transplantation in children, **42:65.50**

LIVING ARRANGEMENTS

- Mental disorders, consideration of living arrangements, **42:126; 42:151**

LOADERS

- Covered employment, loaders and unloaders as individuals qualifying as common law employees, **5:53**

INDEX

LOANS

- FICA Taxes** (this index)
- Fringe benefits and other compensation, **9:66**
- Self-employment business, lending money as, **10:58**
- Supplemental Security Income** (this index)

LOCAL GOVERNMENT

- As to municipalities, see **Municipalities**
- Employees. **State and Local Government Employees** (this index)
- Medicare** (this index)
- Vocational education, city-sponsored, in plant of private company as employer, **6:18**

LOCATION

- Place or Location** (this index)

LODGES

- Employer, fraternity operated under lodge system as, **6:24**

LODGING

- Meals and Lodging** (this index)

LOGGING INDUSTRY WORKERS

- Covered employment, individuals qualifying as common law employees, **5:31; 5:32**

LONG-TERM CARE FACILITIES

- Nursing and Nursing Facilities** (this index)

LORD MANSFIELD RULE

- Child's Benefits** (this index)

LOSS OR LOSSES

- Special Disaster Loss Election** (this index)

LOST OR STOLEN CHECKS

- Generally, **31:52**
- Duplicate payments, **33:82**
- Medicare, **68:2**

LOW BIRTH WEIGHT

- Children and Minors** (this index)

LUMBAR SPINAL STENOSIS

- Musculoskeletal system, **42:178**

LUMP-SUM BENEFITS AND PAYMENTS

- Survivor's Benefits** (this index)
- Withholding or recovery of lump-sum death payment, **33:25**
- Workers' Compensation (this index)

LUNG IMPAIRMENTS

- Respiratory System Disorders** (this index)

LUNG TRANSPLANTATION

- Respiratory system disorders, **42:232; 42:246**

LUPUS

- Children and minors, non-HIV immune system disorders, **42:100**
- Non-HIV immune system disorders, systemic lupus erythematosus, **42:88; 42:100**

LUXEMBOURG

- Totalization agreements, **24:42**

LYMPHOMA

- Malignant neoplastic diseases, **42:196; 42:200**

MAGAZINES

- Covered employment, **2:26**

MAGISTRATE JUDGES

- Generally, **56:40 to 56:67**
- Appeal procedure
 - generally, **56:63 to 56:67**
 - circuit court, appeal to, **56:67; 57:8**
 - failure to file objections, **56:64**
 - filing of objection, **56:63 to 56:66**
 - late filing of objection, **56:66**
 - time for filing objections, **56:65**
- Circuit court, appeal to, **56:67; 57:8**
- Complete jurisdiction, **56:46; 56:47**
- Conducting proceedings. Obtaining jurisdiction and conducting proceedings, below
- Consent, **56:50 to 56:53**
- Date. Time and date, below
- De novo review of recommended decisions, **56:60**
- Dispositive motion, determination of, **56:43**
- District Courts, disqualification of magistrate, **56:55**
- Federal government employees, coverage, **4:98**
- Filing of objection, **56:63 to 56:66**
- Influence by court with parties' decision whether to consent, **56:53**
- Judicial review. Review of determinations, below
- Jurisdiction, generally, **56:46 to 56:58**
- Late filing of objection, **56:66**
- Nondispositive motion, determination of, **56:42**
- Obtaining jurisdiction and conducting proceedings
 - generally, **56:48 to 56:58**
 - consent, **56:50 to 56:53**
 - effective consent for complete jurisdiction, **56:52**
 - influence by court with parties' decision whether to consent, **56:53**
 - record of proceedings, **56:56**
 - referral of social security appeals to magistrates, **56:49**

MAGISTRATE JUDGES—Cont'd

- Obtaining jurisdiction and conducting proceedings
 - Cont'd
 - rules establishment by courts, **56:48**
 - timely execution of consent, **56:51**
 - vacating a reference, **56:57**
- Record of proceedings, **56:56**
- Referral of social security appeals to magistrates, **56:49**
- Review of determinations
 - generally, **56:59 to 56:62**
 - de novo review of recommended decisions, **56:60**
 - revisory power of court, **56:62**
 - standards of review, **56:59 to 56:61**
- Revisory power of court, **56:62**
- Role in review process, generally, **56:40 to 56:47**
- Scope of magistrates' authority, **56:41**
- Special master, service as, **56:44**
- Standards of review, **56:59 to 56:61**
- Statutory grant of complete jurisdiction, validity of, **56:47**
- Time and date
 - consent, timely execution of, **56:51**
 - objections, filing, **56:65; 56:66**
- Vacating reference, **56:57**

MAGNETIC TAPE

- FICA Taxes, filing W-2 Form on, **70:79**

MAIL AND MAILING

- Applying for benefits, **30:22; 35:15**
- Checks, **31:15; 31:16**
- FICA Taxes** (this index)
- Judicial review, acknowledgment of mailed process, **56:13**
- Supplemental security income, application for benefits, **35:15**

MAINTENANCE

- Support** (this index)

MALIGNANCIES

- Cancer** (this index)

MALIGNANT NEOPLASTIC DISEASES

- Adults, generally, **42:191 to 42:198**
- Bone marrow transplantation, **42:194**
- Children and minors
 - generally, **42:199 to 42:202**
 - leukemia, **42:201**
 - lymphoma, **42:200**
 - other impairments, **42:202**
- Effects of therapy, **42:193**

MALIGNANT NEOPLASTIC DISEASES

—Cont'd

- Evidence, **42:192**
- Impairments, generally, **42:198; 42:202**
- Length of disability, **42:195**
- Leukemia, **42:197; 42:201**
- Lymphoma, **42:196; 42:200**
- Onset, **39:40**
- Stem cell transplantation, **42:194**
- Therapy
 - bone marrow or stem cell transplantation, **42:194**
 - effects of therapy, **42:193**

MAMMOGRAPHY

- Medicare, **64:78; 64:79; 67:10**

MANAGEMENT AND MANAGERS

- Covered employment, branch or district managers as individuals qualifying as common law employees, **5:29**

MANAGEMENT CORPORATION

- Covered employment, **6:7**
- Employer, **6:7**

MANDAMUS

- Generally, **58:5 to 58:11**
- Constitutional duty, compelling SSA to comply with, **58:10**
- Court proceedings, compelling SSA to comply with, **58:8**
- Exclusive remedy provision of Social Security Act, **58:3**
- Jurisdiction
 - generally, **55:4**
 - constitutional duty, compelling SSA to comply with, **58:10**
 - reopening, jurisdiction to review administrative decisions regarding, **58:9**
 - statutes, regulations, procedures, or court proceedings, compelling SSA to comply with, **58:8**
- Nondiscretionary, SSA's duty to act must be, **58:7**
- Other remedies, effect of, **58:11**
- Procedures, compelling SSA to comply with, **58:8**
- Regulations, compelling SSA to comply with, **58:8**
- Reopening, jurisdiction to review administrative decisions regarding, **58:9**
- Requirements for mandamus actions, **58:6**
- Review of Social Security Administration decisions, generally, **58:5 et seq.**
- Social Security Administration decisions, review of, generally, **58:5 et seq.**
- Statutes, compelling SSA to comply with, **58:8**

INDEX

MANDATORY COVERAGE

State and local government employees, **4:21 to 4:43**

MANDATORY FEE AWARD

Attorneys' fees, Equal Access to Justice Act, **49:82**

MANUALS

Publications of SSA (this index)

MARGINAL EDUCATION

Inability to work, **43:156**

MARINE PILOTS

Covered employment, individuals qualifying as common law employees, **5:33**

MARITAL STATUS, PROOF OF

Generally, **21:41 to 21:85**

Agreement, present agreement to be married generally, **21:61**
future intent to be married, effect of, **21:63**
illustrative cases, **21:62**

Ceremonial marriages

generally, **21:47 to 21:58**
Chinese custom, marriage according to, **21:49**
invalid ceremonial marriages, common law marriages arising from, **21:65**
marriages deemed valid, **21:51 to 21:58**
proof of, **21:54**
tribal Indian custom, marriage according to, **21:50**

valid ceremonial wedding, evidence of, **21:48**

Certificate of attorney as to recognition of common law marriage, **21:71**

Chinese custom, marriage according to, **21:49**

Common law marriages

generally, **21:59 to 21:65**
agreement, present agreement to be married, **21:61 to 21:63**
certificate of attorney as to recognition of common law marriage, **21:71**
cohabitation, requirement of, **21:64**
complaint alleging validity of common law marriage, **21:72**
convincing evidence, **21:66**
invalid ceremonial marriages, common law marriages arising from, **21:65**
proof of common law marriage, **21:66 to 21:72**
state law, applicability of, **21:60**
statement of facts showing valid common law marriage, **21:69**
statement of Marital Relationship [Form SSA-754], **21:67**

MARITAL STATUS, PROOF OF—Cont'd

Common law marriages—Cont'd

statement Regarding Marriage [Form SSA-753], **21:68**

valid written contract, statement to prove nonceremonial marriage by, **21:70**

Conflicting marriages, effect of, **21:82 to 21:85**

Death, evidence of termination of marriage by, **21:75**

Divorce

estoppel, parties estopped from denying validity of divorce, **21:80**

evidence of, **21:75**

validity, determining validity of divorce, **21:78 to 21:80**

Domicile, what constitutes, **21:45**

Estoppel, parties estopped from denying validity of divorce, **21:80**

Evidence of deemed-valid marriage, **21:53 to 21:58**

Future intent to be married, effect of, **21:63**

Good-faith belief in validity of marriage, **21:55; 21:56**

Impediment

statement by spouse of insured person as to impediment to marriage, **21:56**

what constitutes legal impediment, **21:52**

Invalid ceremonial marriages, common law marriages arising from, **21:65**

Last marriage, presumption of validity of generally, **21:82**

applicability, determining whether the presumption applies, **21:84; 21:85**

illustrative cases, **21:83**

Living in same household, requirement of, **21:57; 21:58**

Marriage Certification [Form SSA-3], **21:42**

Putative marriages under state law, **21:46**

Remarriage, divorce and, **21:81**

Residence requirements, effect on validity of divorce, **21:79**

State law, applicability of state law in determining marriage validity, **21:44 to 21:46**

Statement of Marital Relationship [Form SSA-754], **21:67**

Statement Regarding Marriage [Form SSA-753], **21:68**

Termination of marriage

generally, **21:73 to 21:81**

annulment, evidence of, **21:75**

death, evidence of, **21:75**

divorce

determining validity of, **21:78 to 21:80**

MARITAL STATUS, PROOF OF—Cont'd

- Termination of marriage—Cont'd
 - divorce—Cont'd
 - evidence of, **21:75**
 - estoppel, parties estopped from denying validity of divorce, **21:80**
 - notice requirements, effect on validity of divorce, **21:79**
 - remarriage, divorce and, **21:81**
 - residence requirements, effect on validity of divorce, **21:79**
 - void and voidable marriages, **21:76; 21:77**
 - when proof of termination is required, **21:74**
- Tribal Indian custom, marriage according to, **21:50**
- Types of marriages recognized for social security purposes, **21:43**
- Validity, ceremonial marriages deemed valid generally, **21:51**
 - evidence of deemed-valid marriage, **21:53 to 21:58**
 - good-faith belief in validity of marriage, **21:55; 21:56**
 - impediment, what constitutes legal impediment, **21:52**
- Void and voidable marriages, **21:76; 21:77**
- When proof is required, **21:41; 21:42**

MARITIME WORKERS

- Covered employment, individuals qualifying as common law employees, **5:33**

MARKET VALUE

- Supplemental security income, rebutting evidence of current market value of real property, **20:72**

MARRIAGE

- Generally. **Spouses** (this index)
- Child's benefits, **16:5; 16:7; 16:21; 16:52**
- Common Law Marriages** (this index)
- Divorce and Separation** (this index)
- Remarriage** (this index)
- Spouses** (this index)
- Survivors' Benefits** (this index)

MATERIAL EVIDENCE

- Generally, **55:79; 55:82; 55:83**

MATERIALITY

- Crimes, material fact, **59:4; 59:20**
- Waiver of overpayment, **33:70; 33:71**

MATHEMATICAL ERRORS

- FICA and self-employment tax examinations, **72:11**

MAXIMUM ALLOWABLE RESOURCES

- Supplemental Security Income** (this index)

MAXIMUM FAMILY BENEFIT

- Waiver of overpayment, **33:85; 33:128**

MEALS AND LODGING

- Generally, **9:5; 9:6**
- Food Service** (this index)
- In kind, **9:5**
- Overseas civilian government employees, **9:6**
- Refunds, employer's FICA refund claims, **72:78**

MEDICAID

- Blind and disabled claimants, special coverage for, **44:149 to 44:157**
- Medicare, State Medicaid agencies as parties to proceedings, **68:58**
- Supplemental Security Income** (this index)

MEDICAL CONDITION AND TREATMENT

- Children and minors
 - relationship to other impairments, **42:46**
 - treatment and relationship to functional status of cardiovascular system, **42:45**
- Covered Employment** (this index)
- HIV infection (AIDS), effect of treatment, **42:109**
- Hospice care. **Medicare** (this index)
- Medicare** (this index)
- Physicians and Surgeons** (this index)
- Records. **Medical Records and Reports** (this index)
- Supplemental Security Income** (this index)

MEDICAL CONSULTANTS

- Evidence as to onset date of disability, **39:10**

MEDICAL EVIDENCE

- Disability** (this index)

MEDICAL IMPROVEMENT

- Defined, **44:35**

MEDICAL INSURANCE, SUPPLEMENTAL

- Benefits, recovery of overpayment, **33:30**

MEDICAL OPINIONS

- Attorneys' fees, preclusion or denial under Equal Access to Justice Act, rejection of medical opinion, **49:134**
- Disability determination, **37:71 et seq.**

MEDICAL RECORDS AND REPORTS

- Freedom of Information Act, exemptions, **48:16**
- Privacy Act, special rules for requests, **48:58**

INDEX

MEDICAL RECOVERY

Waiver of overpayment, **33:86**

MEDICAL SOCIAL SERVICES

Medicare Part A (this index)

MEDICAL VOCATIONAL GUIDELINES (GRIDS)

Inability to work, **43:162 to 43:181**

MEDICARE

Generally, **1:33; 1:41; 1:42**

Administrative determinations

generally, **68:56 to 68:125**

appeal and review, below

appointed representatives, **68:59; 68:60**

assignment of appeal rights, **68:61; 68:62**

dismissal, below

entitlement, generally, **68:56 to 68:62**

Health Maintenance Organizations, below

hearings, below

HMOs. Health Maintenance Organizations, below

initial determinations, below

judicial review, below

Part B benefit determinations, below

parties to proceedings, **68:57; 68:58**

QIC reconsideration of redetermination.

Redeterminations, below

reconsideration of redetermination. Redeterminations, below

redeterminations, below

reopenings, below

responsibilities and authority of appointed representatives, **68:60**

responsibilities and rights of assignees, **68:62**

State Medicaid agencies as parties to proceedings, **68:58**

Administrative law judges. Hearings, below

Administrative record, **68:108**

Admission of residents, skilled nursing care, Part A. **Part A** (this index)

Age

compromise or termination of action to recover overpayment, **68:55**

employed aged or spouse, exclusion of health plan paid services, below

old-age, survivors, and disability insurance, below

Alien absent from United States, limitations on coverage, **64:4**

Ambulance services

generally, **64:84; 64:85**

MEDICARE—Cont'd

Ambulance services—Cont'd

exclusions, **67:26**

United States, services furnished outside, **64:85; 64:86**

Ambulatory surgical center facility services, **64:102; 64:103**

Amendment or modification

premiums for Part B insurance, change from quarterly to monthly payment, **64:46; 64:47**
state buy-in agreements, **64:19**

Amount

amount in controversy, below

Part B supplementary medical insurance benefits, amount of, **64:65; 64:66**

Amount in controversy

hearings

generally, **68:91**

Health Maintenance Organizations, hearing by ALJ, **68:141**

judicial review, **68:88**

Annual deductible, entitlement, Part B, **64:68; 64:69**

Antigens, Part B drugs and biologicals, **64:81; 64:82**

Appeal and review

as to court review. Judicial review, below
assignment of appeal rights, **68:61; 68:62**

Health Maintenance Organizations and competitive medical plans, below

judicial review, below

Medicare Appeals Council review

generally, **68:112 to 68:121**

content of request for Council review, **68:115**

decision of Council, **68:121**

dismissal of request for Council review, **68:116**

Health Maintenance Organizations and competitive medical plans, **68:144**

Medicare Advantage (MA) program grievances, **65:72**

Medicare Part D, plan enrollee's right to Medicare Appeals Council review, **66:31**

own motion, request for Council review on, **68:117**

procedures, **68:118; 68:119**

remand by Council, **68:120**

request for Council review of ALJ's decision, **68:113**

request for escalation to Council review, **68:114**

submission of evidence, **68:119**

MEDICARE—Cont'd

- Appeal and review—Cont'd
 - Part D. **Medicare Part D** (this index)
 - right to hearing or review of dismissal by ALJ, **68:90**
 - submission and review of evidence, **68:96**
- Appliances. Supplies, appliances and equipment, below
- Appointed representatives, **68:59; 68:60; 68:155 to 68:157**
- Assignment of appeal rights, **68:61; 68:62**
- Assignments. Claims for payment of benefits, below
- Assisted suicide services, exclusions, **67:109**
- Attorneys' fees, **49:2**
- Balance billing if assignment of claims not accepted, **68:37**
- Beneficiaries
 - claims for payment of benefits, below
 - liability of beneficiary, below
 - no-fault or liability insurance, exclusion of items or services paid by, **67:67 to 67:70**
 - overpayments, recovery of, below
- Bills and billing
 - balance billing if assignment of Part B claim not accepted, **68:37**
 - itemized bill to be provided with claim for payment, **68:20**
 - premiums for Part B supplementary medical insurance, below
- Biologicals. Drugs and biologicals, below
- Blood
 - clotting factor, **64:80; 64:81**
 - deductibles, **64:69; 64:70**
 - Part A, blood deductible, general limitations on coverage, **60:51; 60:52**
- Blood test, exclusions, **67:17**
- Bone mass measurement, Part B, **64:76; 64:77**
- Buy-in agreements. Entitlement, Part B supplementary medical insurance, below
- Calculation of increased premiums for Part B supplementary medical insurance, **64:33; 64:34; 64:34; 64:35**
- Cancellation or termination
 - action to recover overpayment, **68:55**
 - entitlement (Part B), below
 - notification of termination of provider services, **68:153**
 - Part D, termination of plan sponsor's contract, **66:24**
 - premiums for Part B supplementary medical insurance, below

MEDICARE—Cont'd

- Cardiovascular screening blood test, exclusions, **67:17**
- Carriers
 - generally, **64:2**
 - claims for payment of benefits, replacement of lost or forged check of intermediary or carriers, **68:2**
- Certificates and certification, physicians, **64:105**
- Change. Amendment or modification, above
- Charges paid by governmental entity, exclusions, **67:29**
- Chiropractors' services, **64:71; 64:72**
- Choice. Election or choice, below
- Claims for payment of benefits
 - generally, **68:18 to 68:37**
 - assignment of Medicare Part B claims
 - balance billing if assignment not accepted, **68:37**
 - court-ordered assignments, **68:35**
 - exceptions to restriction on claim assignment, **68:34 to 68:36**
 - governmental agencies and entities, assignment to, **68:36**
 - liability of beneficiary, effect of assignment acceptance on, **68:33**
 - right to assign, **68:32**
 - court-ordered assignment of claims, **68:35**
 - death of beneficiary affecting benefit payments and premiums, **68:24**
 - error or misrepresentation, extension of filing period because of, **68:27**
 - extension of filing period, **68:27; 68:28**
 - federal nonworkday, extension of filing period because of, **68:28**
 - filing claims, generally, **68:18**
 - governmental agencies and entities, assignment to, **68:36**
 - incapacity of beneficiary, statement of, **68:23**
 - itemized bill provided with claim, **68:20**
 - liability of beneficiary, below
 - multiple use of single payment request, **68:31**
 - overpayments, recovery of, below
 - Part B benefits, generally, **68:25**
 - party submitting claim, **68:19**
 - request by beneficiary for payment, **68:29 to 68:31**
 - signature of beneficiary on claim, **68:21 to 68:23**
 - third-party payments, obtaining deceased beneficiary's benefits for, **68:24**
 - time or date
 - filing of claims, limitations on, **68:26 to 68:28**

MEDICARE—Cont'd

- Claims for payment of benefits—Cont'd
 - time or date—Cont'd
 - request for payment, limitations on, **68:30**
 - unpaid services, obtaining Part B benefits for, **68:25**
- Clinical care
 - items and services, exclusions, **67:8**
 - rural health clinic services, **64:96; 64:97**
- CMS or contractor participation, **68:92**
- Collection procedures
 - Medicare Part D, **66:18**
 - overdue premiums, **64:59; 64:60**
 - overpayments, recovery of, **68:54; 68:55**
- Colorectal cancer screening
 - diagnostic services, **64:78; 64:79**
 - exclusions, **67:13**
- Colorectal Cancer Screening** (this index)
- Community mental health centers, **64:117**
- Competitive bidding program item or service,
 - exclusions, **67:112**
- Competitive medical plans. Health Maintenance Organizations and competitive medical plans, below
- Complementary health coverage, Part B benefits, **68:13**
- Comprehensive outpatient rehabilitation facility services, Part B
 - generally, **64:104 to 64:116**
 - drugs and biologicals, **64:114**
 - home environment evaluation, **64:116**
 - nursing services, **64:113**
 - occupational therapy, **64:109**
 - orthopedic devices, **64:111**
 - physical therapy services, **64:107**
 - physicians' services, Part B, **64:104 to 64:106**
 - plan of treatment, **64:105**
 - prosthetic devices, **64:111**
 - psychological and social services, **64:112**
 - respiratory therapy, **64:110**
 - speech pathology, **64:108**
 - supplies, appliances, and equipment, **64:115**
 - therapeutic services, **64:108 to 64:110**
- Compromise and settlement
 - conditional primary payment, recovery of, **67:54**
 - overpayment, action to recover, **68:55**
 - workers' compensation, exclusion of services paid by, **67:63 to 67:65**
- Conditional payments
 - conditional primary payments, below
 - foreign providers of emergency and nonemergency services, **68:7; 68:8**

MEDICARE—Cont'd

- Conditional payments—Cont'd
 - no-fault or liability insurance, exclusion of items or services paid by, **67:69; 67:70**
 - renal disease health plan, conditional payments for beneficiaries, **67:75 to 67:81**
- Conditional primary payments
 - employed aged or spouse, exclusion of health plan paid services, **67:89; 67:90**
 - exclusion, generally, **67:48 to 67:56**
 - recovery of
 - generally, **67:48 to 67:56**
 - beneficiary's cooperation in recovering overpayment, lack of, **67:53**
 - improperly filed claims, **67:52**
 - intervention rights, **67:56**
 - judgment or settlement on recovery, **67:54**
 - parties receiving third-party payments, **67:51**
 - third party payer, **67:50**
 - waiver of recovery, **67:55**
 - renal disease health plan, limitation on conditional primary payments, **67:80; 67:81**
- Consolidated proceedings, **68:109**
- Contractor participation, **68:92**
- Cosmetic surgery, exclusion of expenses for, **67:108**
- Costs and expenses. Expenses, below
- Court-ordered assignment of claims, **68:35**
- Courts. Judicial review, below
- Covered services
 - home health care, below
 - hospice care, below
 - inpatient hospital care, below
 - nursing services, below
 - rehabilitation, below
 - skilled nursing care (Part A). **Medicare Part A** (this index)
- Custodial care, exclusions, **67:97**
- Date. Time or date, below
- Death** (this index)
- Deductibles
 - entitlement, Part B, **64:67 to 64:69; 64:68 to 64:70**
 - exclusion of items and services covered by third-party payment, **67:45**
- Definition
 - good cause, **68:85**
 - initial determinations, **68:63**
- Delinquent premiums. Overdue premiums, below
- Dental services, exclusion of expenses for, **67:98**
- Diabetes
 - screening, exclusions, **67:18**

MEDICARE—Cont'd

- Diabetes—Cont'd
 - special shoes for diabetics, **64:98**
- Diagnostic services
 - bone mass measurement, Part B, **64:76; 64:77**
 - colorectal cancer screening, **64:78; 64:79**
 - Part B
 - generally, **64:75 to 64:78; 64:76 to 64:79**
 - bone mass measurement, **64:76; 64:77**
 - colorectal cancer screening, **64:78; 64:79**
 - hospital diagnostic services, **64:75; 64:76**
 - laboratory tests, **64:77; 64:78**
 - prostate cancer screening, **64:78; 64:79**
 - screening mammography services, **64:78; 64:79**
 - x-ray services, **64:76; 64:77**
 - prostate cancer screening, **64:78; 64:79**
- Dialysis
 - home dialysis (Part B), **64:86; 64:87**
 - institutional dialysis (Part B), **64:87; 64:88**
 - Part A, hospital insurance without premium, **60:23**
- Direct payment of benefits, **68:3 to 68:14**
- Disability
 - old-age, survivors, and disability insurance, below
 - Part A hospital insurance entitlement. **Medicare Part A** (this index)
 - payment to widows and widowers, Medicare claims cases, onset date, **39:33**
 - qualified government employment claims, **39:35**
- Disallowance of claim, payment of nonreimbursable expenses, **68:38**
- Discovery, **68:102**
- Disenrollment
 - Part D. **Medicare Part D** (this index)
 - state buy-in agreement, request for disenrollment under, **64:28; 64:29**
- Dismissal
 - Medicare Appeals Council review, request for, **68:116**
 - redeterminations, withdrawal or dismissal of request for, **68:70; 68:78**
 - request for ALJ hearing or review of a QIC dismissal, removal or dismissal of, **68:95**
 - right to hearing or review of dismissal by ALJ, **68:90**
- Drugs and biologicals
 - comprehensive outpatient rehabilitation facility services, **64:114**
 - exclusions, **67:15**

MEDICARE—Cont'd

- Drugs and biologicals—Cont'd
 - “less than effective” drugs, exclusion of expenses for, **67:99**
 - Part B supplementary medical insurance
 - generally, **64:79 to 64:83; 64:80 to 64:84**
 - antigens, **64:81; 64:82**
 - blood clotting factor, **64:80; 64:81**
 - comprehensive outpatient rehabilitation facility services, **64:114**
 - immunosuppressive drugs related to organ transplants, **64:82; 64:83**
 - limitations on coverage, **64:79; 64:80**
 - oral cancer drugs, **64:83; 64:84**
- Durable medical equipment, **64:88; 64:89**
- Duration of benefits
 - entitlement (Part B), below
 - inpatient hospital care, below
 - Part A. **Medicare Part A** (this index)
 - skilled nursing care. **Medicare Part A** (this index)
- Election or choice, hospice care. **Medicare Part A** (this index)
- Emergency services
 - foreign providers, **68:8**
 - nonparticipating provider, **68:11**
 - nonparticipating U.S. hospital, **68:4; 68:5**
- Employed aged or spouse, exclusion of health plan paid services
 - generally, **67:82 to 67:90**
 - conditional primary benefits, **67:89; 67:90**
 - disabled aged beneficiaries who are considered employed, **67:86**
 - limitations on conditional payments, **67:90**
 - primary Medicare benefits payments despite third-party payer, **67:88**
 - re-employed retiree or annuitant, **67:85**
 - religious orders, members of, **67:87**
 - requirements, **67:83 to 67:87**
 - secondary Medicare payments, **67:82**
- End-stage renal disease
 - claims for payment of Part B benefits, **68:14**
 - health plan. Renal disease health plan, exclusion of services paid by, below
 - Part A. **Medicare Part A** (this index)
- Enrollment
 - entitlement, below
 - Medicare Part D** (this index)
- Entitlement
 - administrative determinations, above
 - enrollment. Part B supplementary medical insurance, below in this group

MEDICARE—Cont'd

Entitlement—Cont'd

oral cancer drugs, **64:83; 64:84**Part A hospital insurance. **Medicare Part A** (this index)

Part B supplementary medical insurance

generally, **64:5 to 64:29**age 65 or over, special enrollment, **64:15**automatic enrollment, **64:6; 64:7; 64:20; 64:21**

buy-in agreements. State buy-in agreements, below this subgroup

cancellation or termination

generally, **64:25 to 64:28; 64:26 to 64:29**state buy-in agreements, **64:20**

diagnostic services (Part B), above

disabled persons, special enrollment, **64:16**

duration of benefits

generally, **64:20 to 64:28; 64:21 to 64:29**automatic enrollment, **64:20; 64:21**general enrollment period, **64:22; 64:23**initial enrollment period, **64:21; 64:22**request for disenrollment under state buy-in agreement, **64:28; 64:29**special enrollment period, **64:23; 64:24**state buy-in agreements, **64:24; 64:25; 64:26 to 64:28; 64:27 to 64:29**termination of entitlement, **64:25 to 64:28; 64:26 to 64:29**

enrollment

generally, **64:5 to 64:17**automatic enrollment, **64:6; 64:7**correction of enrollment error, **64:10**eligibility, **64:5**means of applying for enrollment, **64:9**periods for enrollment, below this subgroup
request for, **64:8**state buy-in agreements, **64:18 to 64:20**general enrollment period, **64:13; 64:22; 64:23**initial enrollment period, **64:12; 64:21; 64:22**

medical services and equipment (Part B), below

modification of state buy-in agreements, **64:19**

periods for enrollment

generally, **64:11 to 64:17**age 65 or over, special enrollment, **64:15**disabled persons, special enrollment, **64:16**exceptional conditions, **64:17.50**general enrollment period, **64:13**initial enrollment period, **64:12****MEDICARE—Cont'd**

Entitlement—Cont'd

Part B supplementary medical insurance

—Cont'd

periods for enrollment—Cont'd

special enrollment period, generally, **64:14**volunteers serving abroad, **64:17**

physician services (Part B), below

premiums for Part B supplementary medical insurance, below

special enrollment period, **64:23; 64:24**special enrollment period, generally, **64:14**

state buy-in agreements

generally, **64:18 to 64:20**enrollment in Part B insurance under, **64:25**termination of entitlement, **64:20; 64:26 to 64:28; 64:27 to 64:29**

termination. Cancellation or termination, above this subgroup

time or date

duration of benefits, above this subgroup

periods for enrollment, above this subgroup

volunteers serving abroad, special enrollment, **64:17**Environment of facilities, comprehensive outpatient rehabilitation facility services, home environment evaluations, **64:116**

Equipment. Supplies, appliances and equipment, below

Error. Mistake or error, below

Estoppel. Waiver and estoppel, below

Evidence

Health Maintenance Organizations and competitive medical plans, submitting evidence on reconsideration, **68:137**Medicare Appeals Council review, **68:119**redeterminations, QIC reconsideration of, **68:75**submission and review of evidence, **68:96**

Exceptions. Exclusions, below

Exclusions

generally, **67:1 to 67:112**ambulance services, **67:26**assisted suicide services, **67:109**beneficiary's cooperation in recovering overpayment, lack of, **67:53**biologicals, **67:15**blood test, **67:17**cardiovascular screening blood test, **67:17**charges paid by governmental entity, **67:29**claim assignments, exceptions to restriction on, **68:34 to 68:36**clinical care items and services, **67:8**

MEDICARE—Cont'd

Exclusions—Cont'd

- colorectal cancer screening, **67:13**
- competitive bidding program item or service, **67:112**
- conditional primary payments, above
- construction of exclusions, **67:1**
- cosmetic surgery expenses, **67:108**
- dental services, **67:98**
- diabetes screening, **67:18**
- drugs and biologicals, **67:15**
- drugs that are “less than effective,” **67:99**
- employed aged or spouse, exclusion of health plan paid services, above
- expenses, generally, **67:97 to 67:112**
- eye wear and eye examinations, **67:100**
- federal, state, or local government items or services paid for or provided by
 - generally, **67:29 to 67:34**
 - charges paid by governmental entity, **67:29**
 - Federal Tort Claims Act, relationship to, **67:33**
 - Indian Health Service, **67:32**
 - public expense, services furnished at, **67:31**
- Federal Tort Claims Act, relationship to, **67:33**
- foot care, **67:101; 67:102**
- foreign country, items and services provided in, **67:93; 67:94**
- glaucoma screening, **67:11**
- health care research related items and services, **67:9**
- hearing aids and examinations, **67:103**
- home health services, **67:14; 67:111**
- hospice care, **67:6**
- household members, charges imposed by, **67:35 to 67:37**
- immunizations, **67:7; 67:104**
- Indian Health Service, **67:32**
- indigents, waiver of charges for, **67:23**
- initial preventative physical examination, **67:16**
- inpatient services furnished by entity other than hospital, **67:95**
- intervention rights in recovery of conditional primary payments, **67:56**
- judgment or settlement on recovery of conditional primary payment, **67:54**
- kidney disease education services, **67:20**
- legal obligation to pay or provide, lack of, **67:22 to 67:28**
- local government items or services. Federal, state, or local government items or services paid for or provided by, above this group
- no-fault or liability insurance, below

MEDICARE—Cont'd

Exclusions—Cont'd

- occupational and physical therapy services, **67:110**
- orthopedic shoes and other supportive devices, **67:102**
- other health insurance affecting legal obligation to pay, **67:24**
- pap smears, **67:10**
- penal authorities, individuals in custody of, **67:28**
- personal comfort items and services, **67:105**
- personalized prevention plan services, **67:21**
- physical examination, initial preventative, **67:16**
- physical therapy services, **67:110**
- physicians and surgeons, below
- place where services provided, **67:5**
- prostate cancer screening, **67:12**
- public expense, services furnished at, **67:31**
- Quality Improvement Organization (QIO), assumption of review responsibilities for items and services, **67:91**
- relatives, charges imposed by, **67:35 to 67:37**
- religious orders, members deemed obligated to pay, **67:27**
- renal disease health plan, exclusion of services paid by, below
- routine physical checkups and screenings, **67:106**
- screening mammography, **67:10**
- secondary payments, **67:40 to 67:43**
- services furnished by individuals or entities excluded from Medicare program, **67:96**
- ships, items and services performed aboard, **67:94**
- state government items or services. Federal, state, or local government items or services paid for or provided by, above this group
- surgical assistance, **67:107; 67:108**
- third-party payment, items and services covered by
 - generally, **67:38 to 67:47**
 - conditional primary payments, above
 - deductibles affected by, **67:45**
 - employed aged or spouse, exclusion of health plan paid services, above
 - information, release of, effect of filing claim, **67:39**
 - limitations on beneficiary's liability, **67:46; 67:47**
 - no-fault or liability insurance, exclusion of items or services paid by, below
 - nonparticipating suppliers, **67:47**

MEDICARE—Cont'd

- Exclusions—Cont'd
 - third-party payment, items and services covered by—Cont'd
 - Part A benefit utilization, effect of third-party payment on, **67:44**
 - renal disease health plan, exclusion of serviced paid by, above
 - secondary payments, **67:40 to 67:43**
 - workers' compensation, exclusion of services paid by, below
 - ultrasound screening for abdominal aortic aneurysm, **67:19**
 - United States, items and services performed outside of, **67:93; 67:94**
 - unreasonable and unnecessary items and services, **67:3 to 67:21**
 - vaccines, **67:7; 67:104**
 - waiver
 - indigents, waiver of charges for, **67:23**
 - recovery of conditional primary payment, **67:55**
 - war, items and services resulting from, **67:92**
 - warranty, medicare payment for items under, **67:25**
 - workers' compensation, exclusion of services paid by, below
- Exemptions. Exclusions, above
- Expedited access to judicial review (EAJR), **68:86 to 68:88**
- Expedited reconsideration of HMO determinations, **68:136; 68:139; 68:148**
- Expediting determinations of HMOs, **68:132**
- Expenses
 - exclusions, above
 - nonreimbursable expenses, **68:38 to 68:41**
- Extension of time
 - ALJ hearing or review of QIC dismissal, filing request for, **68:94**
 - claims for payment of benefits, **68:27; 68:28**
- Eyes and eyesight
 - eye wear and eye examinations, exclusion of expenses for, **67:100**
 - glaucoma screening, below
 - ophthalmologists and optometrists, **64:72; 64:73**
- Family. Relatives or family members, below
- Federal, state, or local government items or services paid for or provided by. Exclusions, above
- Federal court review, generally, **68:123 et seq.**
- Federal government employees, entitlement, Part A, above
- Federally qualified health center services, **64:97**

MEDICARE—Cont'd

- Federal Tort Claims Act, **67:33**
- Filing
 - claims for payment of benefits, **68:18; 68:26 to 68:28; 68:45**
 - extension of time to file request for ALJ hearing or review of QIC dismissal, **68:94**
 - Health Maintenance Organizations, below
 - initial determinations, below
 - judicial review, time frames for filing court action, **68:124**
 - redeterminations, filing request for, **68:69**
- Foot care
 - exclusion of expenses, **67:101; 67:102**
 - shoes, **64:98; 67:102**
- Foreign State or Country** (this index)
- Forged check of intermediary or carrier, replacement of, **68:2**
- Future benefits, indemnification of beneficiary affecting entitlement to, **68:43**
- General enrollment period for Part B supplementary medicare insurance, **64:13; 64:22; 64:23**
- Glaucoma screening
 - exclusions, items and services that are not reasonable and necessary, **67:11**
 - physicians' services, Part B, **64:72; 64:73**
- Good cause defined, **68:85**
- Grace period for payment of overdue premiums, **64:60 to 64:62; 64:61 to 64:63**
- Group billings. Premiums for Part B supplementary medical insurance, below
- Health care research related items and services exclusions, **67:9**
- Health Maintenance Organizations and competitive medical plans
 - generally, **68:126 et seq.**
 - ALJ hearing
 - forms, **68:158; 68:159**
 - request for, **68:142; 68:158; 68:159**
 - right to, **68:141**
 - time and place of, **68:143**
 - amount in controversy, **68:141**
 - appeal and review, above
 - appeals and grievances, generally, **68:126 et seq.**
 - beneficiary grievances, **68:126 et seq.**
 - determinations by organization, **68:130 to 68:133**
 - effectuating expedited reconsideration determinations or decisions, **68:148**
 - effectuating standard reconsideration determinations or decisions, **68:147**

MEDICARE—Cont'd

Health Maintenance Organizations and competitive medical plans—Cont'd
 establishing and maintaining grievance appeals procedure, **68:127**
 evidence, submitting evidence on reconsideration, **68:137**
 expedited reconsideration, **68:136; 68:139; 68:148**
 expediting determinations, **68:132**
 fast-track appeal of service termination to independent review entity (IRE), **68:154**
 grievance mechanism, **68:128**
 grievance procedure, **68:129**
 grievances and appeals, generally, **68:126 et seq.**
 hospital discharge, review of, **68:149 to 68:152**
 immediate QIO review of hospital discharge decision, **68:150 to 68:152**
 independent review entity, reconsideration by, **68:140**
 judicial review, **68:145**
 Medicare Appeals Council, review by, **68:144**
 no-fault or liability insurance, HMOs excepted from liability, **67:73**
 notice
 discharge appeal rights, **68:149**
 grievances and appeal of claims, **68:131; 68:133**
 termination of provider services, **68:153**
 organization determinations, generally, **68:130 to 68:133**
 reconsideration, **68:134 to 68:140**
 reopening and revising determinations and decisions, **68:146**
 termination of provider services, notification of enrollee of, **68:153**
 time
 ALJ hearing, **68:143**
 filing request for reconsideration, **68:135**
 grievances and appeal of claims, **68:131; 68:133**
 reconsideration determinations, **68:139**
 standard reconsideration determinations, **68:138**
 Hearing aids and examinations, **67:103**
 Hearings
 generally, **68:89 to 68:111**
 administrative record, **68:108**
 amount in controversy, above
 CMS or contractor participation, **68:92**
 consolidated proceedings, **68:109**
 decision without hearing, **68:106**

MEDICARE—Cont'd

Hearings—Cont'd
 discovery, **68:102**
 disqualification of ALJ, **68:99**
 effect of ALJ's or attorney adjudicator's decision, **68:111**
 extension of time to file request for ALJ hearing or review of QIC dismissal, **68:94**
 Health Maintenance Organizations and competitive medical plans, above
 issues before ALJ, **68:104**
 notice of ALJ hearing, **68:98**
 notice of ALJ's or attorney adjudicator's decision, **68:110**
 objection, **68:97**
 parties to ALJ hearing, **68:92**
 prehearing and posthearing conferences, **68:107**
 process and procedure of ALJ hearing, **68:100; 68:101**
 removal or dismissal of request for ALJ hearing or review of QIC dismissal, **68:95**
 request for ALJ hearing, **68:92 to 68:95**
 requesting information from the QIC, **68:105**
 right to hearing or review of dismissal by ALJ, **68:90**
 subpoenas, **68:101**
 time and place of ALJ hearing, **68:97**
 time frames for ALJ hearing, **68:103**
 waiver, **68:97**
 HMOs. Health Maintenance Organizations, above
 Home dialysis, **64:86; 64:87**
 Home environment evaluation, **64:116**
 Home health care
 covered services
 generally, **64:89; 64:90**
 Part B coverage, **64:89; 64:90**
 exclusions, **67:14; 67:111**
 Part B coverage, **64:89; 64:90**
 Hospice care
 exclusions, **67:6**
 Medicare Part A (this index)
 Hospitals, rural hospitals or health clinics, covered services, **64:96; 64:97**
 Household members, exclusion of charges imposed by, **67:35 to 67:37**
 Husband and wife
 employed aged or spouse, exclusion of health plan paid services, above
 Widows or Widowers (this index)
 Immunization. Vaccines and vaccination, below
 Immunosuppressive drugs related to organ transplants, **64:82; 64:83**

MEDICARE—Cont'd

- Imprisonment, conditions for payment of services for individuals in custody of penal authorities, **67:28**
- Incapacity of beneficiary, statement of, **68:23**
- Income-related monthly adjustment to Part B premium, **64:33; 64:34; 64:34; 64:35**
- Indemnification of beneficiary, **68:42 to 68:45**
- Indian Health Service, exclusion of items or services provided by, **67:32**
- Indigents, waiver of charges for, **67:23**
- Initial determinations
 - generally, **68:63 to 68:67**
 - actions as not initial determinations, **68:64**
 - definition, **68:63**
 - effect of initial determination, **68:67**
 - Medicare Part A** (this index)
 - notice of decision, **68:66**
 - Part A. **Medicare Part A** (this index)
 - time frame for processing, **68:65**
- Initial enrollment period for Part B supplementary medical insurance, **64:12**
- Initial preventative physical examination, exclusions, **67:16**
- Inoculations. Vaccines and vaccination, below
- Inpatient hospital care or services, covered services
 - exclusion of inpatient services furnished by entity other than hospital, **67:95**
 - Medicare Part A** (this index)
- Institutional dialysis, **64:87; 64:88**
- Interest on amounts in controversy during EAJR process, **68:88**
- Intervention rights in recovery of conditional primary payments, **67:56**
- Itemized bill provided with claim for payment, **68:20**
- Judgment on recovery of conditional primary payment, **67:54**
- Judicial review
 - generally, **68:122 to 68:125**
 - expedited access to judicial review (EAJR), **68:86 to 68:88**
 - Health Maintenance Organizations and competitive medical plans, **68:145**
 - interest on amounts in controversy during EAJR process, **68:88**
 - Plan D, **66:32**
 - remand by court and subsequent procedures, **68:125**
 - request for EAJR, **68:87**
 - request for escalation to federal court, **68:123**
 - time frames for filing court action, **68:124**

MEDICARE—Cont'd

- Kidney disease. Renal disease, below
- Knowledge. Notice and knowledge, below
- Laboratory tests, **64:77; 64:78**
- “Less than effective” drugs, exclusion of expenses for, **67:99**
- Level of care, skilled nursing care. **Medicare Part A** (this index)
- Liability insurance. No-fault or liability insurance, exclusion of items or services paid by, below
- Liability of beneficiary
 - assignment of Medicare Part B claims, **68:33**
 - excluded individuals or entities, obtaining payment for services furnished by, **68:47**
 - indemnification of beneficiary, **68:42 to 68:45**
 - limitation on. Limitation of beneficiary’s liability when coverage not available, above
 - nonreimbursable expenses, **68:38 to 68:41**
 - waiver of liability for services resulting from erroneous transfer of beneficiary from facility, **68:46**
- Limitation of beneficiary’s liability when coverage not available
 - generally, **68:38 to 68:47**
 - disallowance of claim, payment of nonreimbursable expenses, **68:38**
 - excluded individuals or entities, obtaining payment for services furnished by, **68:47**
 - future benefits, indemnification of beneficiary affecting entitlement to, **68:43**
 - indemnification of beneficiary, **68:42 to 68:45**
 - limitation on filing indemnification request, **68:45**
 - nonreimbursable expenses, **68:38 to 68:41**
 - notice and knowledge
 - indemnification of beneficiary, **68:44**
 - nonreimbursable expenses, knowledge of, **68:40; 68:41**
 - waiver of liability for nonreimbursable expenses, **68:38; 68:39**
 - waiver of liability for services resulting from erroneous transfer of beneficiary from facility, **68:46**
- Limitations and restrictions
 - ambulatory surgical center facility, limitations on coverage in, **64:102**
 - beneficiary’s liability. Limitation of beneficiary’s liability when coverage not available, above
 - drugs and biologicals, Part B supplementary medical insurance coverage, **64:79; 64:80**
 - employed aged or spouse, limitations on conditional payments, **67:90**

MEDICARE—Cont'd

- Limitations and restrictions—Cont'd
 - Part B limitations, **64:3; 64:4; 64:79; 64:80; 68:34 to 68:36**
 - renal disease health plan, limitation on conditional primary payments, **67:80; 67:81**
 - third-party payments, exclusion of time and services covered by, **67:46; 67:47**
- Local government items or services paid for or provided by. Exclusions, above
- Lost check of intermediary or carrier, replacement of, **68:2**
- Lump-sum awards in workers' compensation claims, **67:62 to 67:65**
- Mammography services, **64:78; 64:79; 67:10**
- Medicaid, State Medicaid agencies as parties to proceedings, **68:58**
- Medical services and equipment, Part B generally, **64:70 to 64:117; 64:71 to 64:117**
 - ambulance services, above
 - ambulatory surgical center facility services, **64:102; 64:103**
 - comprehensive outpatient rehabilitation facility services, above
 - diagnostic services, above
 - dialysis services and supplies, **64:86; 64:87; 64:87; 64:88**
 - drugs and biologicals, above
 - durable medical equipment, **64:88; 64:89**
 - federally qualified health center services, **64:96; 64:97**
 - home health services, **64:89; 64:90**
 - nursing services, **64:90; 64:91; 64:113**
 - orthopedic devices, **64:111**
 - outpatient therapeutic services, **64:93; 64:94; 64:94; 64:95**
 - physician assistants, **64:91; 64:92**
 - physicians' services, Part B, below
 - preventive services, **64:100**
 - prosthetic devices, **64:95; 64:96; 64:111**
 - psychological and social services, **64:92; 64:93; 64:112**
 - rural health clinic services, **64:96; 64:97**
 - special shoes for diabetics, **64:98**
 - therapeutic services, **64:93; 64:94; 64:94; 64:95**
 - vaccines, **64:99**
- Medicare Advantage (MA) Program** (this index)
- Medicare Appeals Council (MAC) review. Appeal and review, above
- Medicare Part A
 - generally. **Medicare Part A** (this index)
 - see also other entries throughout this topic

MEDICARE—Cont'd

- Medicare Part D** (this index)
- Mental incapacity of beneficiary, statement of, **68:23**
- Misrepresentation, extension of filing period for claims because of, **68:27**
- Mistake or error
 - enrollment error for Part B supplementary medical insurance, **64:10**
 - extension of filing period for claims because of, **68:27**
 - premiums for Part B supplementary medical insurance, below
- Modification. Amendment or modification, above
- Motion, request for Council review on own motion, **68:117**
- Multiple use of single payment request, **68:31**
- No-fault or liability insurance, exclusion of items or services paid by
 - generally, **67:66 to 67:74**
 - beneficiaries, **67:67 to 67:69**
 - conditional payments, **67:69; 67:70**
 - failure to file proper claim, **67:68**
 - health maintenance organizations excepted from liability, **67:73**
 - limitation on beneficiary's liability as result of liability insurance, **67:72 to 67:74**
 - nonparticipating suppliers excepted from liability, **67:74**
 - Oregon claims, limitation of liability, **67:74**
 - prepaid health plans excepted from liability, **67:73**
 - recovery of conditional payment from beneficiary, **67:71**
- Notice and knowledge
 - ALJ hearing, **68:98**
 - ALJ's or attorney adjudicator's decision, **68:110**
 - Health Maintenance Organizations and competitive medical plans, above
 - indemnification, **68:44**
 - initial determinations, **68:66**
 - reconsideration, **68:80**
 - redeterminations, **68:72**
 - revised determinations, **68:83**
- Nursing services
 - comprehensive outpatient rehabilitation facility services, **64:113**
 - home health care, above
 - Part B medical services and equipment, **64:90; 64:91**
 - skilled nursing care. **Medicare Part A** (this index)

MEDICARE—Cont'd

- Occupational therapy
 - comprehensive outpatient rehabilitation facility services, **64:109**
 - exclusions, **67:110**
 - Medicare Part A** (this index)
- Ophthalmologists and optometrists, Part B coverage, **64:72; 64:73**
- Oral cancer drugs, **64:83; 64:84**
- Oregon claims, exclusion of items or services paid by no-fault or liability insurance, **67:74**
- Organ transplants
 - heart transplants, inpatient hospital services, Medicare Part A, **60:72**
 - immunosuppressive drugs related to organ transplants, **64:82; 64:83**
 - kidney transplants, inpatient hospital services, Medicare Part A, **60:71**
 - Medicare Part A** (this index)
- Orthopedic devices, **64:111; 67:102**
- Other health insurance affecting legal obligation to pay, **67:24**
- Outpatients
 - comprehensive outpatient rehabilitation facility services, above
 - therapeutic services, **64:93; 64:94; 64:94; 64:95**
- Overdue premiums
 - generally, **64:58 to 64:64; 64:59 to 64:65**
 - collection of, **64:59; 64:60**
 - deduction premiums paid within grace period, **64:62; 64:63**
 - grace period for payment, **64:60 to 64:62; 64:61 to 64:63**
 - reinstatement of entitlement, **64:64; 64:65**
 - termination of entitlement, **64:63; 64:64**
- Overpayments, recovery of
 - generally, **68:48 to 68:55**
 - collection procedures, **68:54; 68:55**
 - compromise or termination of action, **68:55**
 - conditional primary payments, **67:53**
 - death of beneficiary affecting, **68:50**
 - exclusions, lack of beneficiary's cooperation in recovering, **67:53**
 - liability of beneficiary for overpayment, **68:48**
 - Part B supplemental medical insurance benefits, **33:30**
 - prerequisites for recoupment from beneficiary, **68:49**
 - waiver of liability for overpayment, **68:51 to 68:53**
 - workers' compensation, recovery of overpayment in lump-sum compromise, **67:65**

MEDICARE—Cont'd

- Own motion, request for Council review on, **68:117**
- Pap smears, exclusions, **67:10**
- Part A
 - generally. See **Medicare Part A** (this index)
 - see also other entries throughout this topic
- Part B benefit determinations
 - generally, **1:33; 1:42**
 - assignment of Medicare Part B claims. Claims for payment of benefits, above
 - diagnostic services, above
 - drugs and biologicals, above
 - entitlement, above
 - initial determinations, above
 - limitations and restrictions, **64:3; 64:4; 64:79; 64:80; 68:34 to 68:36**
 - medical services and equipment, Part B, above
 - payment of benefits, below
 - physicians' services, Part B, below
 - premiums for Part B supplementary medical insurance, below
- Part C. **Medicare Advantage (MA) Program** (this index)
- Part D. **Medicare Part D** (this index)
- Party submitting claim, **68:19**
- Payment of benefits
 - generally, **68:1 to 68:17**
 - claims for payment of benefits, above
 - complementary health coverage, **68:13**
 - conditions for benefit payment, **68:1**
 - death of beneficiary affecting benefit payments and premiums, **68:15 to 68:17**
 - direct payment, entitlement to, **68:3 to 68:14**
 - emergency services, **68:8**
 - end-stage renal disease programs, **68:14**
 - foreign providers, **68:6 to 68:8; 68:12**
 - overpayments, recovery of, above
 - Part A benefits, generally, **68:3 to 68:8**
 - Part B benefits, generally, **68:9 to 68:13**
 - Part B supplementary medical insurance
 - generally, **64:65 to 64:69; 64:66 to 64:70**
 - amount of benefits, **64:65; 64:66**
 - annual deductible, **64:68; 64:69**
 - blood deductible, **64:69; 64:70**
 - deductibles and coinsurance, **64:67 to 64:69; 64:68 to 64:70**
 - refund of premiums after death of beneficiary, **68:17**
 - replacement of lost or forged check of intermediary or carriers, **68:2**
 - split payments, Part B benefits, **68:10**

MEDICARE—Cont'd

- Penal authorities, conditions for payment of services for individuals in custody of, **67:28**
- Personal comfort items and services, exclusion of expenses for, **67:105**
- Physical checkups and screenings, exclusion of expenses for, **67:106**
- Physical examination, exclusion of expenses for, **67:16**
- Physical therapy
 - comprehensive outpatient rehabilitation facility services, **64:108**
 - exclusions, **67:110**
 - Medicare Part A** (this index)
- Physician assistants' services, **64:91; 64:92**
- Physicians and surgeons
 - certification, **64:105**
 - exclusions, opinions, **67:2**
 - ophthalmologists and optometrists, **64:72; 64:73**
 - physicians' services, Part B, below
- Physicians' services, Part B
 - generally, **64:70 to 64:74; 64:71 to 64:75**
 - chiropractors' services, **64:71; 64:72**
 - comprehensive outpatient rehabilitation facility services, **64:104 to 64:106**
 - facility services, **64:106**
 - glaucoma screening, **64:72; 64:73**
 - incidental services and supplies, **64:73; 64:74**
 - medical necessity, **64:74; 64:75**
 - optometrists' services, **64:72; 64:73**
- Poor persons, waiver of charges for, **67:23**
- Prehearing and posthearing conferences, **68:107**
- Premium health insurance. **Medicare Part A** (this index)
- Premiums for Medicare Advantage Program. **Medicare Advantage (MA) Program** (this index)
- Premiums for Part B supplementary medical insurance
 - generally, **64:29 to 64:64; 64:30 to 64:65**
 - benefit or annuity payment being less than deduction payment, **64:41; 64:42**
 - bills and billing
 - group billings, below this group
 - payment procedure for direct remittance, **64:45; 64:46**
 - calculation of increased premium, **64:33; 64:34; 64:34; 64:35**
 - cancellation or termination
 - group collection of premiums, termination of arrangement, **64:56; 64:57**

MEDICARE—Cont'd

- Premiums for Part B supplementary medical insurance—Cont'd
 - cancellation or termination—Cont'd
 - overdue premiums, termination of entitlement, **64:63; 64:64**
 - change from quarterly to monthly payment, **64:46; 64:47**
 - consent to deduction payments for civil service annuitant's spouse, **64:40; 64:41**
 - death of enrollee affecting, **64:35; 64:36; 64:36; 64:37**
 - deduction from benefits, payment by, **64:39 to 64:43; 64:40 to 64:44**
 - direct remittance, **64:44 to 64:48; 64:45 to 64:49**
 - dropping enrollee from group, **64:55; 64:56**
 - due date for payment, **64:35; 64:36**
 - error. Mistake or error, below this group
 - formal arrangements for group billing, **64:50; 64:51; 64:51; 64:52**
 - group billings
 - generally, **64:49 to 64:57; 64:50 to 64:58**
 - dropping enrollee from group, **64:55; 64:56**
 - error in payment or failure to pay, **64:54; 64:55**
 - formal arrangements, **64:50; 64:51; 64:51; 64:52**
 - informal arrangements, **64:49; 64:50**
 - procedure for billing and payment, **64:53; 64:54**
 - protection of enrollee's rights, **64:52; 64:53**
 - refund of premiums, **64:57; 64:58**
 - termination of arrangement, **64:56; 64:57**
 - income-related monthly adjustment to premium, **64:34; 64:35**
 - increased premium for late enrollment, **64:32; 64:33; 64:33; 64:34**
 - mistake or error
 - deduction payments, error affecting, **64:43; 64:44**
 - group billings, error in payment or failure to pay, **64:54; 64:55**
 - nonstandard premium, **64:31; 64:32**
 - oral cancer drugs, **64:83; 64:84**
 - overdue premiums, above
 - protection of enrollee's rights, **64:52; 64:53**
 - refund of premiums, **64:36; 64:37; 64:57; 64:58**
 - standard premium, **64:30; 64:31**
 - state buy-in agreements, payment by state for coverage, **64:38; 64:39**
 - subsequent entitlement to benefits affecting direct remittance, **64:47; 64:48**

MEDICARE—Cont'd

- Premiums for Part B supplementary medical insurance—Cont'd
 - suspension of benefits affecting deduction payments, **64:42; 64:43**
 - termination. Cancellation or termination, above this group
 - time or date
 - deduction payments, **64:43; 64:44**
 - direct remittance, **64:48; 64:49**
 - due date for premiums, **64:35; 64:36**
 - months excluded in calculating increased premium, **64:33; 64:34**
 - overdue premiums, above
- Premiums for Part D. **Medicare Part D** (this index)
- Prostate cancer screening
 - diagnostic services, **64:78; 64:79**
 - exclusions, **67:12**
- Prosthetic devices, **64:95; 64:96; 64:111**
- Psychiatric and psychological services and care
 - generally, **64:92; 64:93**
 - comprehensive outpatient rehabilitation facility services, **64:112**
- Medicare Part A** (this index)
- Public expense, exclusion of services furnished at, **67:31**
- Qualified government employees
 - federal government employees, **4:91**
 - state and local government employees, **4:7**
- Quality Improvement Organization (QIO)
 - assumption of review responsibilities for items and services, **67:91**
 - HMO hospital discharge decisions, review of, **68:150 to 68:152**
- Radiology. X-rays, below
- Reasonable and necessary services, exclusions, **67:3 to 67:21**
- Reconsideration
 - Health Maintenance Organizations and competitive medical plans, **68:134 to 68:140**
 - QIC reconsideration of redetermination. Redeterminations, below
- Records and reports
 - certificates and certification, **64:105**
 - filing, above
- Recovery of overpayments. Overpayments, recovery of, above
- Redeterminations
 - generally, **68:68 to 68:72**
 - filing request for, **68:69**
 - notice of decision, **68:72**

MEDICARE—Cont'd

- Redeterminations—Cont'd
 - QIC reconsideration of redetermination
 - generally, **68:73 to 68:80**
 - conduct of reconsideration, **68:76**
 - notice of decision, **68:80**
 - requesting, **68:74; 68:75**
 - right to reconsideration, **68:73**
 - submission of evidence, **68:75**
 - time frame for making decision, **68:77**
 - withdrawal or dismissal of request for, **68:78; 68:79**
 - reconsideration. QIC reconsideration of redetermination, above this group
 - rendering decision on request, **68:71**
 - withdrawal or dismissal of request for, **68:70**
- Refunds
 - death, refund of premiums after, **64:36; 64:37; 68:17**
 - premiums for Part B supplementary medical insurance, **64:36; 64:37; 64:57; 64:58**
- Rehabilitation
 - Part A. **Medicare Part A** (this index)
 - Part B. Comprehensive outpatient rehabilitation facility services, above
- Reinstatement of entitlement, **64:64; 64:65**
- Relatives or family members
 - exclusion of charges imposed by, **67:35 to 67:37**
 - husband and wife, above
- Religion and religious matters
 - employed aged or spouse, exclusion of health plan paid services, **67:87**
 - Medicare Advantage (MA) Program** (this index)
 - members of religious order deemed obligated to pay, **67:27**
- Remand
 - judicial review, **68:125**
 - Medicare Appeals Council review, **68:120**
- Renal disease
 - dialysis, above
 - exclusion of services paid by. Renal disease health plan, exclusion of services paid by, below
 - kidney disease education services, exclusions, **67:20**
 - Medicare Part A** (this index)
- Renal disease health plan, exclusion of services paid by
 - generally, **67:75 to 67:81**
 - beginning of coordination period, **67:77**
 - conditional payments for beneficiaries, **67:80**

MEDICARE—Cont'd

- Renal disease health plan, exclusion of services paid by—Cont'd
 - conditional primary payments, limitation on, **67:81**
 - coordination period, **67:77 to 67:79**
 - end of coordination period, **67:78**
 - primary payments during coordination period, **67:79**
 - secondary Medicare payments, **67:76**
- Reopenings
 - generally, **68:81 to 68:85**
 - effect of revised determination or decision, **68:84**
 - good cause defined, **68:85**
 - Health Maintenance Organizations and competitive medical plans, determinations and decisions, **68:146**
 - notice of revised determination or decision following reopening, **68:83**
 - time frames, **68:82**
- Replacement of lost or forged check of intermediary or carriers, **68:2**
- Reports. Records and reports, above
- Respiratory therapy, comprehensive outpatient rehabilitation facility services, **64:110**
- Restrictions. Limitations and restrictions, above
- Routine physical checkups and screenings, exclusion of expenses for, **67:106**
- Rural health clinic services, **64:96; 64:97**
- Secondary Medicare payments for renal disease health plan, **67:76**
- Services and equipment. Medical services and equipment (Part B), above
- Services furnished by individuals or entities excluded from Medicare program, **67:96**
- Settlement. Compromise and settlement, above
- Ships, exclusion of items and services performed aboard, **67:94**
- Shoes, **64:98; 67:102**
- Signature of beneficiary on claim for payment, **68:21 to 68:23**
- Skilled nursing care, Part A. **Medicare Part A** (this index)
- Social services
 - comprehensive outpatient rehabilitation facility services, **64:112**
 - social workers, Part B covered services, **64:92; 64:93**
- Special enrollment period for Part B supplementary medical insurance, **64:14 to 64:17; 64:23; 64:24**
- Special shoes for diabetics, **64:98**

MEDICARE—Cont'd

- Speech
 - comprehensive outpatient rehabilitation facility services, **64:108**
- Medicare Part A** (this index)
- Split payments, Part B benefits, **68:10**
- Spouses. Husband and wife, above
- State buy-in agreements. Entitlement, Part B supplementary medical insurance, above
- State government items or services paid for or provided by. Exclusions, above
- State Medicaid agencies as parties to proceedings, **68:58**
- State responsibilities, Medicare Plan D, **66:20; 66:28; 66:29**
- Supplies, appliances and equipment
 - comprehensive outpatient rehabilitation facility services, **64:115**
 - medical services and equipment, Part B, above
- Medicare Part A** (this index)
- Surgeons. Physicians and surgeons, above
- Surgical assistance, exclusion of expenses for, **67:107; 67:108**
- Surviving spouse. **Widows or Widowers** (this index)
- Terminal illness. Hospice care, above
- Termination. Cancellation or termination, above
- Therapy and therapeutic services
 - occupational therapy, above
 - physical therapy, above
 - respiratory therapy, comprehensive outpatient rehabilitation facility services, **64:110**
- Third-party payments
 - claims for payment of benefits, **68:24**
 - conditional primary payments, recovery of third-party payments, **67:50; 67:51**
 - employed aged or spouse, exclusion of primary Medicare benefit payments despite third-party payer, **67:88**
 - exclusions, above
 - hospital insurance with premium, exclusions—effect of third-party payment on Part A benefit utilization, **67:44**
- Time or date
 - claims for payment of benefits, above
 - duration of benefits, above
 - entitlement, above
 - extension of time, above
 - Health Maintenance Organizations and competitive medical plans, above
 - hospice care, above
 - inpatient hospital care, above

MEDICARE—Cont'd

- Time or date—Cont'd
 - judicial review, time frames for filing court action, **68:124**
 - overdue premiums, above
 - premiums for Part B supplementary medical insurance, above
 - renal disease health plan, coordination period for payment of benefits, **67:77 to 67:79**
- Transfer of residents, beneficiary's liability for services resulting from erroneous transfer from facility, **68:46**
- Transplants. Organ transplants, above
- Ultrasound screening for abdominal aortic aneurysm, exclusions, **67:19**
- United States, exclusion of items and services performed outside of, **67:93; 67:94**
- Unpaid premiums. Overdue premiums, above
- Unpaid services, obtaining Part B benefits for, **68:25**
- Vaccines and vaccination
 - exclusions, **67:7; 67:104**
 - Part B entitlement, **64:99**
- Vision. Eyes and eyesight, above
- Waiver and estoppel
 - beneficiary's liability for services resulting from erroneous transfer from facility, **68:46**
 - conditional primary payment, waiver of recovery of, **67:55**
 - exclusions, above
 - hearings, **68:97**
 - nonreimbursable expenses, waiver of liability for, **68:38; 68:39**
 - overpayments, recovery of, **68:51 to 68:53**
 - supplemental medical insurance, **34:47**
- War, exclusion of items and services resulting from, **67:92**
- Warranty, medicare payment for items under, **67:25**
- Widows or Widowers** (this index)
- Wife. Husband and wife, above
- Workers' compensation, exclusion of services paid by
 - generally, **67:57 to 67:65**
 - apportionment of lump-sum compromise settlement, **67:64**
 - beneficiary's duty to seek worker's compensation, **67:59; 67:60**
 - compromise settlement, lump-sum awards in, **67:63; 67:64**
 - conditional payments, **67:61**
 - failure to file proper claim, **67:60**
 - lump-sum awards, **67:62 to 67:65**

MEDICARE—Cont'd

- Workers' compensation, exclusion of services paid by—Cont'd
 - recovery of overpayment in lump-sum compromise of workers' compensation claim, **67:65**
- X-rays
 - generally, **64:76; 64:77**
 - mammography services, **64:78; 64:79; 67:10**
- MEDICARE ADVANTAGE (MA) PROGRAM**
- Generally, **65:1 to 65:102**
- Acceptance, guaranteed and priority
 - priority acceptance when capacity limit determined, **65:33**
 - unrestricted acceptance of eligible individuals, **65:32**
- Access to services
 - generally, **65:51 to 65:54**
 - continuity of care, obligation to ensure, **65:53**
 - coordinated care plans, rules for, **65:52; 65:53**
- Appeal procedures. Grievances, organization determinations, and appeal procedures, below
- Benefits and beneficiary protections
 - generally, **65:44 to 65:95**
 - access to services, above
 - point of service (POS) option, special rules for, **65:47**
 - satisfaction of benefits requirements by plan, **65:45; 65:46**
 - special cost-sharing rules for MA regional plans, **65:46**
 - supplemental benefits
 - generally, **65:48 to 65:50**
 - fee-for-service plan, benefits under Medicare Advantage (MA), **65:50**
 - MSA plan, benefits under Medicare Advantage (MA), **65:49**
- Consumer protection
 - generally, **65:89 to 65:95**
 - confidentiality and accuracy of, and access to enrollee records, **65:94**
 - disclosure, **65:90 to 65:92**
 - discrimination prohibited, **65:89**
 - enrollee records, confidentiality and accuracy of, and access to, **65:94**
 - ERISA, disclosure under, **65:92**
 - prompt payment to enrollees in private fee-for-service plans, **65:95**
 - quality improvement program, **65:93**
- Coverage election periods
 - annual coordinated election period, **65:24**

MEDICARE ADVANTAGE (MA) PROGRAM

—Cont'd

- Coverage election periods—Cont'd
 - continuous open enrollment
 - enrollment and disenrollment periods, **65:26**
 - institutionalized individuals, **65:26**
 - enrolled individuals, open enrollment period for, **65:25**
 - initial election period, **65:23**
 - institutionalized individuals, continuous open enrollment, **65:26**
 - MSA periods, special rules for, **65:29**
 - open enrollment and change of enrollment opportunities, **65:25; 65:26**
 - special election periods
 - generally, **65:27**
 - individuals age 65, for, **65:28**
- Disclosure, consumer protection rules as to, **65:90 to 65:92**
- Discrimination, prohibition against, **65:89**
- Effective dates of elections and change of elections regulations, effective dates of coverage and change of coverage under regulations, **65:31**
- statutes, for periods covered under, **65:30**
- Election process
 - generally, **65:15 to 65:29**
 - conversion of enrollment, **65:20**
 - coordination through Medicare Advantage (MA) organizations, **65:18**
 - coverage election periods, above
 - default enrollment, **65:19**
 - effective dates of elections and change of elections, above
 - employer group health plans, **65:16**
 - exercising choice, **65:15 to 65:17**
 - maintaining enrollment
 - generally, **65:21**
 - hospice care, special rules for, **65:22**
 - passive enrollment by CMS, **65:17**
 - seamless continuation of coverage, **65:20**
 - termination of enrollment, below
- Eligibility
 - generally, **65:1 to 65:6**
 - continuation of enrollment after no longer meeting residence requirement, **65:2**
 - limitations on eligibility, enrollment in MSA (medical savings account) plan, **65:4**
 - Medicare Advantage (MA) eligible individual, definition of, **65:1**
 - religious fraternal benefit (RFB) society plans, enrollment in, **65:5**
 - residence requirement, **65:2**

MEDICARE ADVANTAGE (MA) PROGRAM

—Cont'd

- Eligibility—Cont'd
 - special needs individuals, **65:3**
- Employer group health plans, **65:16**
- Enrollee liability
 - generally, **65:83 to 65:85**
 - limitations on liability under private fee-for-service plans, **65:85**
 - national coverage determinations (NCDs), liability under, **65:84**
 - secondary payer, liability where organization is, **65:83**
- ERISA, disclosure under, **65:92**
- Fee-for-service plans
 - beneficiary liability under private fee-for-service plans, information on, **65:86**
 - limitations on liability under private fee-for-service plans, **65:85**
 - private, access under, **65:54**
 - prompt payment to enrollees in private fee-for-service plans, **65:95**
 - supplemental benefits under Medicare Advantage (MA), **65:50**
 - type of plan available, **65:10**
- Grievances, organization determinations, and appeal procedures
 - generally, **65:55 to 65:82**
 - determination procedures, **65:59**
 - discharge from hospital
 - notification to enrollees of, **65:77**
 - requesting immediate QIO review of, **65:78; 65:79**
 - responsibilities of QIOs, **65:79**
 - effectuating reconsidered determinations or decisions, **65:75; 65:76**
 - fast-track appeals to independent review entities (IREs), **65:82**
 - mechanism, **65:57**
 - notification to enrollees of noncoverage of inpatient hospital care, **65:77**
 - notifying enrollees of termination of provider services, **65:81**
 - organization determinations
 - generally, **65:59 et seq.**
 - denial of request for expedited organization determinations, **65:61**
 - discontinuance of service, request for expedited organization determinations, **65:61**
 - expediting certain organization determinations, **65:61; 65:62**

MEDICARE ADVANTAGE (MA) PROGRAM**—Cont'd**

- Grievances, organization determinations, and appeal procedures—Cont'd
 - organization determinations—Cont'd
 - notice requirements
 - expedited, **65:62**
 - standard, **65:60**
 - refusal to provide service, request for expedited organization determinations, **65:61**
 - timeframes
 - expedited, **65:62**
 - standard, **65:60**
 - procedures, **65:58**
 - QIO
 - requesting immediate review, **65:78**
 - responsibilities, **65:79**
 - reconsiderations
 - generally, **65:63**
 - discontinuance of service, expedited reconsiderations, **65:65**
 - effectuating expedited reconsidered determinations, **65:76**
 - effectuating standard reconsidered determinations or decisions, **65:75**
 - evidence, opportunity to submit, **65:66**
 - expedited reconsiderations, **65:65; 65:68; 65:76**
 - independent entity, reconsideration by, **65:69**
 - refusal to provide service, expedited reconsiderations, **65:65**
 - request for ALJ hearing following reconsidered determination, **65:71**
 - right to ALJ hearing, **65:70**
 - standard reconsideration
 - request for, **65:64**
 - timeframe for filing, **65:64**
 - timeframe for reconsideration, **65:67**
 - timeframe for reconsideration, **65:68**
 - reopening and revising determinations and decisions, **65:74**
 - responsibilities of Medicare Advantage (MA) organizations to have procedures, **65:56**
 - review
 - judicial review, **65:73**
 - Medicare Appeals Council, review by, **65:72**
 - rights of Medicare Advantage (MA) enrollees, **65:55**
 - Hospice care, special rules for maintaining enrollment, **65:22**

MEDICARE ADVANTAGE (MA) PROGRAM**—Cont'd**

- Independent review entities (IREs), grievances, fast-track appeals to, **65:82**
- Information
 - advance directives, information on, **65:87**
 - beneficiary liability under private fee-for-service plans, information on, **65:86**
 - reporting procedures, information on, **65:88**
- Informed choice, provision of information to promote
 - general information, **65:13**
 - notice, **65:12**
 - plan options, information comparing, **65:14**
- Inpatient hospital care, grievances as to hospital discharge
 - financial liability protections for enrollee, **65:80**
 - notification to enrollees of, **65:77**
 - requesting immediate QIO review of, **65:78; 65:79**
 - responsibilities of QIOs, **65:79**
- Medical savings account (MSA) plans
 - combination of MSA plan and contributions to Medicare Advantage (MA) MSA, **65:9**
 - coverage election periods, special rules for, **65:29**
 - enrollment in, **65:4**
 - supplemental benefits under Medicare Advantage (MA), **65:49**
- Organization determinations. Grievances, organization determinations, and appeal procedures, above
- Passive enrollment by CMS, **65:17**
- Plans available, types of
 - generally, **65:7 to 65:11**
 - coordinated care plans, **65:7; 65:8**
 - MSA plan and contributions to Medicare Advantage (MA) MSA, combination of, **65:9**
 - multiple plans, **65:11**
 - private fee-for-service plans, **65:10**
 - religious fraternal benefit (RFB) society plans, **65:8**
- Plan termination, procedures upon, **65:43**
- Premiums
 - generally, **65:96 to 65:102**
 - calculation of rebate amount, rebates of premiums to enrollees, **65:101**
 - form of rebate, rebates of premiums to enrollees, **65:102**
 - imposing premiums, terms and conditions of, **65:98**
 - inducements prohibited, **65:98**

MEDICARE ADVANTAGE (MA) PROGRAM

—Cont'd

- Premiums—Cont'd
 - monthly premium charged, **65:96**
 - payment of premium, **65:99**
 - rebates of premiums to enrollees, **65:100 to 65:102**
 - terms and conditions of imposing premiums, **65:98**
 - uniform premium, **65:97**
- QIO review, grievances, **65:78 to 65:80**
- Quality improvement program, **65:93**
- Records of enrollees, confidentiality and accuracy of, and access to, **65:94**
- Religious fraternal benefit (RFB) society plans
 - eligibility for enrollment in, **65:5**
 - types of plans available, **65:8**
- Senior housing facility residents, eligibility to elect MA plan, **65:6**
- Service area reduction, procedures upon, **65:43**
- Special needs individuals, eligibility under program, **65:3**
- Termination of enrollment
 - generally, **65:34 to 65:43**
 - consequences of disenrollment, **65:41**
 - disenrollment process
 - disruptive behavior, **65:37**
 - effective date in various situations, **65:40**
 - fraud or abuse of enrollment card, **65:38**
 - premiums not paid on time, **65:36**
 - service area, individual no longer residing in plan's service area, **65:39**
 - limitations on termination of enrollment, **65:34**
 - mandatory disenrollment, **65:35**
 - notice of disenrollment, **65:42**
 - optional disenrollment, **65:34**
 - plan termination, procedures upon, **65:43**
 - service area reduction, procedures upon, **65:43**
- Termination of provider services, notifying enrollees of, grievance, **65:81**
- Types of plans. Plans available, types of, above

MEDICARE APPEALS COUNCIL (MAC)

Medicare (this index)

MEDICARE PART A

- Generally, **1:41; 60:1 et seq.**
- See also **Medicare** (this index)
- Admission
 - hospice care, admission or discharge from, **60:207**
 - skilled nursing care, **60:104**

MEDICARE PART A—Cont'd

- Advance directives, provider requirements relating to, **60:2**
- Appliances. Supplies, appliances and equipment, below
- Applications, hospital insurance without premium, **60:5; 60:20**
- Assessment of nursing facility residents. Skilled nursing care, below
- Bed and board
 - inpatient hospital services, **60:59; 60:60**
 - skilled nursing care, covered items, **60:150 to 60:152**
- Benefit determinations, generally, **1:33; 1:41**
- Coinsurance. Deductibles and coinsurance, below
- Coverage limitations. Limitation on coverage, below
- Critical access hospitals, inpatient hospital services, **60:55**
- Daily living activities, skilled nursing care, quality of life, **60:127**
- Deductibles and coinsurance
 - blood deductible, **60:51; 60:52**
 - hospice care, below
 - inpatient hospital services, below
 - limitation on coverage, generally, **60:50 to 60:52**
 - option to replace blood, **60:52**
 - skilled nursing care, **60:90**
- Disability
 - hospital insurance without premium, below
 - hospital insurance with premium, **60:32**
- Drugs
 - hospice care, coinsurance, **60:221**
 - inpatient hospital services, **60:63**
 - skilled nursing care, **60:153**
- Durable medical equipment, home health care, **60:195**
- Duration
 - hospital insurance without premium, entitlement
 - 64 years of age and younger with disability, entitlement to, **60:12**
 - 65 years of age, **60:6; 60:10**
 - hospital insurance with premium, entitlement
 - 64 and younger, beginning of entitlement for disabled individuals, **60:40**
 - 65 or older, beginning of entitlement, **60:38; 60:39**
 - termination of, **60:41**
- inpatient hospital services, below
- skilled nursing care, below
- Election
 - hospice care, below

INDEX

MEDICARE PART A—Cont'd

- Election—Cont'd
 - lifetime reserve days, election not to use.
 - Inpatient hospital services, below
- End-stage renal disease. Hospital insurance without premium, below
- Entitlement, generally, **60:3 to 60:46**
- Equipment. Supplies, appliances and equipment, below
- Government employment. Hospital insurance without premium, above
- Home health aide services
 - generally, **60:193**
 - hospice care, **60:215**
- Home health care
 - generally, **60:166 to 60:196**
 - covered items and services
 - administrative costs, **60:176**
 - excluded services, **60:177**
 - place where services must be furnished, **60:174**
 - plan of care requirement, **60:172; 60:173**
 - verbal orders, use of, **60:173**
 - visits, **60:175**
 - dependent services
 - generally, **60:191**
 - durable medical equipment, **60:195**
 - home health aide services, **60:193**
 - intern or resident physician's services, **60:196**
 - medical social services, **60:192**
 - medical supplies, **60:194**
 - home health aide services, above
 - nursing care
 - generally, **60:178 to 60:185**
 - education services, **60:184**
 - intermittent services where beneficiary needs only skilled nursing care, **60:180**
 - management and evaluation of plan of care, **60:182**
 - observation and assessment of care, **60:183**
 - other skilled nursing services, **60:185**
 - part-time services, **60:181**
 - reasonable and necessary requirement, **60:179**
 - skilled nursing care
 - level of care required, generally, **60:178**
 - specific examples, **60:182 to 60:185**
 - part-time nursing care, **60:181**
 - provision of, or arrangement for, services by agency, **60:167**
 - qualifying criteria beneficiary must meet generally, **60:168**

MEDICARE PART A—Cont'd

- Home health care—Cont'd
 - qualifying criteria beneficiary must meet—Cont'd
 - confinement to home, **60:169**
 - need for home health services, **60:171**
 - physician, under care of, **60:170**
 - skilled nursing care. Nursing care, above this group
 - therapy services
 - generally, **60:186**
 - occupational therapy, **60:190**
 - physical therapy, **60:188**
 - reasonable and necessary requirement, **60:187**
 - skilled level of care requirement, **60:186**
 - speech-language pathology services, **60:189**
- Hospice care
 - generally, **60:197 to 60:222**
 - admission or discharge from, **60:207**
 - certification of beneficiary's terminal illness, **60:199**
 - coinsurance
 - generally, **60:220**
 - drugs and biologicals, **60:221**
 - respite care, **60:222**
 - counseling, **60:219**
 - covered items and services
 - generally, **60:211 to 60:219**
 - counseling, **60:219**
 - home health aide and homemaker services, **60:215**
 - medical social services, **60:214**
 - medical supplies and use of medical appliances, **60:216**
 - nursing care, **60:212**
 - physician's services, **60:217**
 - short-term inpatient care, **60:218**
 - therapeutic services, **60:213**
 - drugs and biologicals, coinsurance, **60:221**
 - duration of benefits, **60:200**
 - election to receive
 - generally, **60:201 to 60:210**
 - admission or discharge from hospice care, **60:207**
 - changing elected hospice program, **60:210**
 - contents of election statement, **60:204**
 - duration, **60:205**
 - effective date, **60:205**
 - notice, **60:202**
 - re-election, effect of revocation, **60:209**
 - revocation of election, **60:208; 60:209**

MEDICARE PART A—Cont'd

- Hospice care—Cont'd
 - election to receive—Cont'd
 - time to file, **60:203**
 - waiver of other benefits, election as, **60:206**
 - facilities which may provide covered services, **60:198**
 - home health aide services, **60:215**
 - homemaker services, **60:215**
 - medical social services, **60:214**
 - medical supplies and use of medical appliances, **60:216**
 - physician's services, **60:217**
 - respite care, coinsurance, **60:222**
 - short-term inpatient care, **60:218**
 - therapeutic services, **60:213**
- Hospital insurance without premium
 - generally, **60:3 to 60:29**
 - disability. 64 years of age and younger with disability, below in this group
 - duration, above
 - end-stage renal disease
 - generally, **60:19 to 60:25**
 - application, filing, **60:20**
 - kidney transplant or admission for transplant, **60:22**
 - resumption of entitlement, **60:25**
 - self-dialysis training, effect, **60:23**
 - termination of entitlement, **60:24**
 - waiting period for beginning of benefits, **60:21**
 - entitlement. See entries throughout this group
 - exclusions, effect of third-party payment on Part A benefit utilization, **67:44**
 - government employment, Medicare qualified
 - generally, **60:26 to 60:29**
 - agreement to extend entitlement, **60:27**
 - duration of entitlement, **60:29**
 - work in private sector, **60:28**
 - old-age or survivor's benefits, entitlement to
 - generally, **60:7 to 60:10**
 - duration of hospital insurance entitlement, **60:10**
 - exclusions
 - generally, **60:8**
 - FEHBA plan, **60:9**
 - renal disease. End-stage renal disease, above in this group
 - 64 years of age and younger with disability
 - generally, **60:11 to 60:18**
 - continuation after termination of disability entitlement, **60:14**

MEDICARE PART A—Cont'd

- Hospital insurance without premium—Cont'd
 - 64 years of age and younger with disability
 - Cont'd
 - deemed entitlement to disabled widow's or widower's benefits
 - age 60, effect of disability after reaching, **60:18**
 - alternate old-age or survivor benefits, effect of entitlement to, **60:15**
 - mother's or father's benefits, entitlement to, **60:16**
 - SSI or state supplementary payments, eligibility for, **60:17**
 - 24- month qualifying period
 - previous disability, effect, **60:13**
 - 65 years of age or over
 - application, when required, **60:5**
 - duration of entitlement, effect of death, **60:6**
 - old-age or survivor's benefits, entitlement to, above this group
 - third-party payments, exclusions, effect of third-party payment on Part A benefit utilization, **67:44**
 - waiver, **60:4**
- Hospital insurance with premium
 - generally, **60:30 to 60:46**
 - disabled or blind under age 65, **60:32**
 - duration, above
 - eligibility requirements, **60:31; 60:32**
 - enrollment and enrollment period
 - generally, **60:33 to 60:37**
 - correcting prejudicial offset of governmental error, **60:37**
 - general enrollment period, **60:35**
 - initial enrollment period, **60:34**
 - transfer enrollment period, **60:36**
 - entitlement. See entries throughout this group
 - exclusions, effect of third-party payment on Part A benefit utilization, **67:44**
 - introduction, **60:30**
 - payment of premiums
 - generally, **60:42 to 60:46**
 - late enrollment, increased premium, **60:43**
 - notice, termination for failure to pay premiums, **60:46**
 - reenrollment, increased premium, **60:44**
 - reinstatement, **60:46**
 - termination for failure to pay premiums, **60:46**
 - third party, payment by, **60:45**

MEDICARE PART A—Cont'd

- Hospital insurance with premium—Cont'd
 - third-party payments, exclusions, effect of third-party payment on Part A benefit utilization, **67:44**
- Inpatient hospital services
 - generally, **60:53 to 60:87**
 - covered items and services
 - generally, **60:59 to 60:73**
 - bed and board, **60:59; 60:60**
 - drugs and biologicals, **60:63**
 - heart transplants, **60:72**
 - kidney transplants, **60:71**
 - medical social services, **60:62**
 - nursing and nursing facilities, **60:61**
 - occupational therapy, **60:67**
 - other diagnostic or therapeutic items and services, generally, **60:65 to 60:69**
 - physical and speech therapy, **60:66**
 - physician's medical or surgical services, **60:70**
 - private accommodations, **60:60**
 - psychiatric hospital services, **60:73**
 - rehabilitation care services, **60:69**
 - resident or intern physician, services of, **60:70**
 - respiratory therapy, **60:68**
 - supplies, appliances, and equipment, **60:64**
 - deductible and coinsurance
 - generally, **60:83 to 60:87**
 - coinsurance, generally, **60:86; 60:87**
 - deductibles, generally, **60:84; 60:85**
 - duration of benefits
 - generally, **60:74 to 60:82**
 - counting inpatient days, **60:76; 60:77**
 - election not to use lifetime reserve days.
 - Lifetime reserve days, election not to use, below this group
 - lifetime reserve days, election not to use, below this group
 - maximum days of coverage, **60:74; 60:75**
 - psychiatric hospital services
 - maximum days of coverage, **60:75**
 - prior inpatient days, effect of, **60:77**
 - election not to use lifetime reserve days. Lifetime reserve days, election not to use, below this group
 - facilities providing services
 - generally, **60:54 to 60:58**
 - critical access hospitals, **60:55**
 - psychiatric hospitals, **60:56**
 - religious nonmedical health care institutions, **60:57**
 - rural hospitals, **60:55**

MEDICARE PART A—Cont'd

- Inpatient hospital services—Cont'd
 - facilities providing services—Cont'd
 - skilled nursing facilities, **60:58**
 - hospice care, short-term inpatient care, **60:218**
 - introduction, **60:53**
 - lifetime reserve days, election not to use
 - generally, **60:78 to 60:82**
 - deemed election, **60:79**
 - period covered by election, **60:80; 60:81**
 - prospective payment system, effect of, **60:81**
 - revocation of election, **60:82**
 - nursing and nursing facilities
 - as to skilled nursing care in general. Skilled nursing care, below
 - covered items and services, **60:61**
- Intern or resident physician's care
 - home health care, **60:196**
 - inpatient hospital services, **60:70**
 - skilled nursing care, **60:155**
- Kidneys
 - end-stage renal disease. Hospital insurance without premium, above
 - Inpatient hospital services, kidney transplants, **60:71**
- Lifetime reserve days, election not to use. Inpatient hospital services, above
- Limitation on coverage
 - generally, **60:47 to 60:52**
 - deductibles and coinsurance, above
 - spell of illness, **60:47 to 60:49**
- Medical social services
 - home health care, **60:192**
 - hospice care, **60:214**
 - inpatient hospital services, **60:62**
 - skilled nursing care, **60:156**
- Medical supplies
 - home health care, **60:194**
 - hospice care, **60:216**
- Nursing care
 - generally. Skilled nursing care, below
 - home health care, above
 - hospice care, **60:212**
- Nursing facilities. Inpatient hospital services, above
- Occupational therapy, coverage
 - home health care, **60:190**
 - inpatient hospital services, **60:67**
 - skilled nursing care, **60:158**
- Old-age or survivor's benefits, entitlement to.
 - Hospital insurance without premium, above

MEDICARE PART A—Cont'd

- Organ transplants
 - heart transplants, **60:72**
 - kidney transplants, **60:22; 60:71**
- Physical therapy, coverage
 - home health care, **60:188**
 - inpatient hospital services, **60:66**
 - skilled nursing care, **60:158**
- Prior hospitalization requirements. Skilled nursing care, below
- Psychiatric and psychological services and care
 - inpatient hospital services, **60:56; 60:73; 60:75; 60:77**
 - skilled nursing care, **60:118**
- Rehabilitation
 - inpatient hospital services, **60:69**
 - skilled nursing facility, covered level of care, **60:148**
- Release or discharge
 - hospice care, **60:207**
 - skilled nursing care facility, **60:105 to 60:108; 60:134; 60:165**
- Religious nonmedical health care institutions, inpatient hospital services, **60:57**
- Renal disease, end-stage. Hospital insurance without premium, above
- Respiratory therapy
 - inpatient hospital services, **60:68**
 - skilled nursing care, **60:159**
- Respite care, hospice care, **60:222**
- Rural hospitals, inpatient hospital services, **60:55**
- Skilled nursing care
 - generally, **60:58; 60:88 to 60:165**
 - abuse and restraint, freedom from, **60:100**
 - access, **60:126**
 - admission, **60:104**
 - assessment and care plans
 - assessment, generally, **60:109; 60:110**
 - care plans, **60:111**
 - frequency of assessment, **60:110**
 - observation and assessment, **60:145**
 - beneficiary education services, **60:146**
 - coinsurance and deductibles, **60:90**
 - covered items and services
 - generally, **60:150 to 60:161**
 - bed and board, **60:150 to 60:152**
 - diagnostic or therapeutic services, **60:154**
 - drugs and biologicals, **60:153**
 - home health care, above
 - intern or resident physician's care, **60:155**
 - medical social services, **60:156**

MEDICARE PART A—Cont'd

- Skilled nursing care—Cont'd
 - covered items and services—Cont'd
 - nursing care, generally, **60:157**
 - occupational therapy, **60:158**
 - physical therapy, **60:158**
 - private accommodations, **60:151; 60:152**
 - respiratory therapy, **60:159**
 - speech therapy, **60:158**
 - supplies, appliances, and equipment, **60:160**
 - covered level of care
 - generally, **60:136 to 60:149**
 - beneficiary education services, **60:146**
 - daily care requirement, **60:141**
 - inpatient care requirement, **60:142**
 - observation and assessment, **60:145**
 - overall management and evaluation of care plan, **60:143; 60:144**
 - personal care services, **60:149**
 - rehabilitative services, **60:148**
 - skilled services requirement, generally, **60:137 to 60:140; 60:143 to 60:149**
 - supervision by skilled personnel, **60:139**
 - treating physician's opinion, weight of, **60:140**
 - daily care requirement, **60:141**
 - daily living activities, quality of life, **60:127**
 - deluxe private accommodations, **60:152**
 - discharge from facility, **60:105 to 60:108; 60:134; 60:165**
 - distinct part of institution, **60:92**
 - drugs and biologicals, coverage, **60:153**
 - duration of benefits
 - counting benefit days, **60:163**
 - late discharge, effect, **60:165**
 - leave of absence, effect, **60:164**
 - maximum days of coverage, **60:162**
 - environment, **60:125**
 - equal access to quality care, **60:113**
 - facilities that may provide covered services, **60:91 to 60:95**
 - food, quality of care, **60:115; 60:116**
 - freedom from abuse and restraint, **60:100**
 - funds of resident, protection of, **60:102**
 - grievances, **60:101**
 - group and activities participation, **60:128**
 - home health care, above
 - hydration services, **60:115**
 - inpatient care requirement, **60:142**
 - intern or resident physician's care, coverage, **60:155**
 - introduction, **60:88**

MEDICARE PART A—Cont'd

Skilled nursing care—Cont'd
 level of care. Covered level of care, above in this group
 married couples, quality of life, **60:129**
 medical social services, coverage, **60:156**
 mental and psychosocial functioning, **60:118**
 mobility, quality of care, **60:119**
 nutrition services, **60:115; 60:116**
 occupational therapy, coverage, **60:158**
 other hospitals, **60:95**
 personal care services, **60:149**
 pharmacy services, **60:114**
 physical therapy, coverage, **60:158**
 physician certification, **60:89**
 prior hospitalization requirement
 generally, **60:132 to 60:135**
 date of admission requirements, **60:133; 60:134**
 discharge, **60:134**
 medical appropriateness exception, **60:135**
 private accommodations, coverage, **60:151; 60:152**
 psychosocial functioning, **60:118**
 quality of care
 generally, **60:112 to 60:121**
 equal access to quality care, **60:113**
 food, **60:115; 60:116**
 hydration services, **60:115**
 mental and psychosocial functioning, **60:118**
 nutrition services, **60:115; 60:116**
 pharmacy services, **60:114**
 psychosocial functioning, **60:118**
 range of motion and mobility, **60:119**
 skin integrity, **60:117**
 urinary incontinence, **60:120**
 vision and hearing services, **60:121**
 quality of life
 generally, **60:122 to 60:131**
 access and visitation, **60:126**
 accommodation of needs, **60:124**
 daily living activities, **60:127**
 environment, **60:125**
 group activities participation, **60:128**
 married couples, **60:129**
 personal and clinical records, confidentiality, **60:131**
 privacy and confidentiality, **60:130; 60:131**
 recreational activities participation, **60:128**
 self-determination, **60:123**

MEDICARE PART A—Cont'd

Skilled nursing care—Cont'd
 range of motion and mobility, quality of care, **60:119**
 religious nonmedical health care institution, **60:93**
 resident rights
 generally, **60:96 to 60:131**
 admission, **60:104**
 assessment and care plans, above this group
 change, notification of, **60:97**
 exercise of rights, **60:98**
 freedom from abuse and restraint, **60:100**
 grievances, **60:101**
 notice of rights and services, **60:96; 60:97**
 protection of funds of resident, **60:102**
 protection of rights, **60:99**
 quality of care, above this group
 transfer or discharge, **60:105 to 60:108**
 work, **60:103**
 respiratory therapy, coverage, **60:159**
 self-determination, quality of life, **60:123**
 skilled level of care. Covered level of care, above this group
 skin integrity, **60:117**
 speech therapy, coverage, **60:158**
 supervision of nonskilled service by skilled personnel, **60:139**
 swing-bed hospital, **60:94**
 transfer or discharge, **60:105 to 60:108; 60:134; 60:165**
 treating physician's opinion, weight of, **60:140**
 urinary incontinence, **60:120**
 vision and hearing services, **60:121**
 visitation, **60:126**
 work, resident rights, **60:103**
 Speech therapy, coverage
 home health care, **60:189**
 inpatient hospital services, **60:66**
 skilled nursing care, **60:158**
 Supplies, appliances and equipment
 home health care, **60:194**
 hospice care, **60:216**
 inpatient hospital services, coverage, **60:64**
 skilled nursing care, coverage, **60:160**
 Therapeutic service, hospice care, **60:213**
 Therapy
 home health care, above
 occupational therapy, above
 physical therapy, above
 speech therapy, above

MEDICARE PART A—Cont'd

- Transplants. Organ transplants, above
- Visits and visitation rights
 - home health care, **60:175**
 - skilled nursing care, quality of life, **60:126**
- Waiver and estoppel
 - hospice care, election as waiver of other benefits, **60:206**
 - hospital insurance without premium, **60:4**

MEDICARE PART B

- Generally, **1:42**
- For detailed treatment, see **Medicare** (this index)

MEDICARE PART C

- Medicare Advantage (MA) Program** (this index)

MEDICARE PART D

- Generally, **66:1 to 66:36**
- Accuracy of enrollment records, **66:14**
- ALJ and Medical Appeals Council review, plan enrollee's right to, **66:31**
- Appeal and review
 - ALJ and Medical Appeals Council review, plan enrollee's right to, **66:31**
 - civil money penalties, **66:30**
 - judicial review, plan enrollee's right to, **66:32**
- Application to sponsor a Part D plan, **66:22**
- Bids, submission of bid to become a Part D plan sponsor, **66:16**
- Center for Medicare and Medicaid Services (CMS)
 - disenrollment by, **66:8**
 - plan sponsor contract with CMS, **66:23; 66:24**
- Collecting of monthly enrollee premiums, **66:18**
- Confidentiality, **66:14**
- Contracts and agreements
 - coverage gap (donut hole), discount program, termination of agreement, **66:35**
 - fallback prescription drug plans, **66:26**
 - plan sponsor contract with Center for Medicare and Medicaid Services, **66:23; 66:24**
- Coordination of Part D plans with other prescription drug coverage, **66:21**
- Coverage gap (donut hole)
 - generally, **66:33**
 - discount program, **66:34; 66:35**
- Disclosure of prices for equivalent drugs, **66:13**
- Discount program, Medicare coverage gap discount program, **66:34; 66:35**
- Disenrollment
 - generally, **66:6**
 - Center for Medicare and Medicaid Services (CMS). disenrollment by, **66:8**

MEDICARE PART D—Cont'd

- Disenrollment—Cont'd
 - involuntary disenrollment, **66:7; 66:8**
- Dissemination of plan information, **66:12**
- Donut hole. Coverage gap (donut hole), above
- Effective date of enrollment in a prescription drug plan, **66:4**
- Eligibility
 - generally, **66:2**
 - enrollment in a prescription drug plan, below
- Enrollment in a prescription drug plan
 - generally, **66:3**
 - accuracy of enrollment records, **66:14**
 - disenrollment, above
 - effective date, **66:4**
 - eligibility to enroll, generally, **66:2**
 - late enrollment penalty, **66:9**
 - low-income subsidy eligible individuals, **66:5**
 - periods of enrollment, **66:4**
 - privacy, confidentiality and accuracy of enrollment records, **66:14**
- Equivalent drugs, disclosure of prices for, **66:13**
- Establishment of prescription drug plan service area, **66:11**
- Fallback prescription drug plans, **66:25; 66:26**
- Fines. Penalties, below
- Information, dissemination of plan information, **66:12**
- Involuntary disenrollment, **66:7; 66:8**
- Judicial review, plan enrollee's right to, **66:32**
- Late enrollment penalty, **66:9**
- Licensing of plan sponsors, **66:20**
- Long-term care facilities, dispensing of drugs in, **66:15**
- Low-income subsidy eligible individuals, **66:5**
- Medicare Appeals Council, plan enrollee's right to review by, **66:31**
- Medigap policies, **66:36**
- Payment
 - retiree prescription drug plans, **66:28**
 - subsidies, payment of federal subsidies to plan sponsors, **66:19**
- Penalties
 - civil money penalties, **66:30**
 - late enrollment, **66:9**
- Periods of enrollment, **66:4**
- Preemption, licensing of plan sponsors, **66:20**
- Premiums
 - collecting of monthly enrollee premiums, **66:18**
 - rules regarding, **66:17**
- Prices for equivalent drugs, disclosure of, **66:13**

MEDICARE PART D—Cont'd

- Privacy, **66:14**
- Qualification or disqualification. Eligibility, above
- Requirements for prescription drug plans, generally, **66:10**
- Retiree prescription drug plans, **66:27; 66:28**
- Service area, establishment of prescription drug plan service area, **66:11**
- Sponsors
 - application to sponsor a Part D plan, **66:22**
 - CMS, plan sponsor contract with, **66:23; 66:24**
 - licensing of plan sponsors, **66:20**
 - submission of bid to become a Part D plan sponsor, **66:16**
 - subsidies, payment of federal subsidies to plan sponsors, **66:19**
 - termination of contract, **66:24**
- State responsibilities, **66:20; 66:29**
- Subsidies, payment of federal subsidies to plan sponsors, **66:19**
- Termination, Medicare coverage gap discount program, **66:35**
- Termination of plan sponsor's contract, **66:24**

MEDICATION

- See also **Drugs** (this index)
- Disability
 - need for medication for pain or other treatment, **36:32**
 - side effects of medication for pain and other symptoms, sample testimony, **41:15**
- Interview of attorney with disability claimant, **47:9**
- Musculoskeletal system, examination of claimant's back impairment, **42:186**

MEDIGAP POLICIES

- Medicare Part D, **66:36**

MEDIUM WORK

- Disability** (this index)

MEETING LISTED IMPAIRMENT

- Listing of Impairments** (this index)

MEMORANDA

- Freedom of Information Act, internal memoranda as exempt from disclosure, **48:19**

MENTAL COMPETENCY

- Incompetent and Insane Persons** (this index)

MENTAL DISORDERS

- Adults, generally, **42:117 to 42:143**
- Alcoholism. **Substance Abuse and Addiction** (this index)

MENTAL DISORDERS—Cont'd

- Anxiety disorders, **42:134; 42:155**
- Autism spectrum disorder, **42:137; 42:158**
- Bipolar disorders, **42:133; 42:154**
- Children and Minors** (this index)
- Depressive Disorders** (this index)
- Developmental disorders in children, **42:164; 42:165**
- Down Syndrome** (this index)
- Drug abuse. **Substance Abuse and Addiction** (this index)
- Eating disorders, **42:139; 42:160**
- Evaluation
 - developmental disorders in children, deferral of determination, **42:165**
 - intellectual disorder, evaluating adaptive functioning, **42:143; 42:163**
 - paragraph B criteria, mental functioning, **42:118; 42:119; 42:145; 42:146**
 - paragraph C criteria, serious and persistent mental disorders, **42:120; 42:147**
 - special evaluation technique, below
- Evidence required to evaluate mental disorders
 - generally, **42:121 to 42:125; 42:148 to 42:150**
 - early intervention programs for children, **42:149**
 - longitudinal evidence, **42:123; 42:150**
 - qualified professional, participation of, **42:124; 42:125**
 - school, vocational training, work, and work-related programs, **42:122; 42:149**
- Functional limitations, rating degree of functional limitation procedure, **42:128**
- Hospitalization. Onset, below
- Impulse-control disorders, **42:136; 42:157**
- Intellectual disorder
 - generally, **42:141 to 42:143; 42:162; 42:163**
 - Down Syndrome** (this index)
 - evaluating adaptive functioning, **42:143; 42:163**
 - onset of impairment, **39:42**
- Living arrangements, consideration of, **42:126; 42:151**
- Medicare** (this index)
- Neurocognitive disorders, **42:131; 42:152**
- Neurodevelopmental disorders, **42:138; 42:159**
- Neurological Impairments** (this index)
- Obsessive-compulsive disorders, **42:134; 42:155**
- Onset
 - generally, **39:41**
 - intellectual disability, **39:42**
- Personality disorders, **42:136; 42:157**
- Procedure for evaluation. Special evaluation procedure, below

MENTAL DISORDERS—Cont'd

- Psychiatric technique review form, special evaluation procedure, **42:130**
- Psychosocial supports, consideration of, **42:126; 42:151**
- Psychotic disorders, **42:132; 42:153**
- Rating degree of functional limitation, special evaluation procedure, **42:128**
- Retardation. Intellectual disability, above Schizophrenia spectrum, **42:132; 42:153**
- Sequential evaluation, **36:20**
- Severity
 - generally, **41:24**
 - special evaluation procedure, determination, **42:129**
 - substance abuse or addiction, mental impairments connected with, **41:25**
- Somatic symptom and related disorders, **42:135; 42:156**
- Special evaluation technique
 - generally, **42:127 to 42:130**
 - evaluation of pertinent findings, **42:128**
 - functional limitation, rating degree of, **42:128**
 - psychiatric technique review form, **42:130**
 - rating degree of functional limitation, **42:128**
 - severity, determination of, **42:129**
- Stressor-related disorders, **42:140; 42:161**
- Structured settings, consideration of, **42:126; 42:151**
- Substance Abuse and Addiction** (this index)
- Tests
 - intellectual disorder, **42:142**
 - special evaluation technique, above
- Trauma-related Disorders** (this index)
- Treatment, consideration of, **42:126; 42:151**

MENTAL INSTITUTIONS

- Medicare Part B, **64:117**
- Representative payments, accounting, **32:48**

MERGERS AND CONSOLIDATIONS

- Covered employment, **6:10**
- Employer, **6:10**

MERITS

- Final decision requirement, reconsidering merits, **55:22**

METHOD OF SALE

- Covered employment, individuals qualifying as common law employees, **5:41**

MIDSHIPMEN

- Covered employment, **2:10**

MILITARY SERVICE

- Armed Forces** (this index)

MINERAL RIGHTS

- Supplemental security income, **20:76**

MINIMUM BENEFIT LEVEL REQUIREMENT

- State and local government employees, **4:35 to 4:37**

MINIMUM BILLING UNITS

- Attorneys' fees reduced under Equal Access to Justice Act, use of minimum billing units, **49:113**

MINIMUM WAGE

- Backpay, **9:33**
- Fringe benefits and other compensation, employer payments, **9:33**
- Tipped employees, **7:43**

MINISTERS

- Religion and Religious Organizations** (this index)

MINORS

- Children and Minors** (this index)

MISCONDUCT

- Attorneys' fees
 - claimant's attorney, **49:143**
 - mutual misconduct, **49:144**
 - sanctions in form of fees, **49:142 to 49:144**
 - Secretary of Health and Human Services, **49:142**
- Child in care, beneficiary's failure to have. **Reduction, Deduction, or Offset of Benefits** (this index)
- Rehabilitation services, refusal to accept. **Reduction, Deduction, or Offset of Benefits** (this index)
- Subversive activity, conviction of. **Recalculation of Benefits** (this index)
- Suspension of benefits. **Suspension of Benefits** (this index)

MISDEMEANORS

- Crimes** (this index)

MISINFORMATION

- Application For Benefits** (this index)
- Waiver of overpayment, reliance on official misinformation, **33:77 to 33:79; 33:94; 33:95; 33:124**

MISREPRESENTATION

- Fraud and Deceit** (this index)

INDEX

MISSING SERVICE PERSON CASUALTY REPORT

Applying for benefits, **30:32**

MISSIONARIES AND MISSIONARY SERVICE

Generally, **7:29**

MISTAKE

Error (this index)

MISUNDERSTANDING

Waiver of overpayment, misunderstanding allowable earnings, **33:93**

MISUSE OF BENEFITS

Representative payments, **32:43 et seq.; 35:104 to 35:107**

Supplemental security income, **35:104 to 35:107**

MISUSE OF SYMBOLS, EMBLEMS, OR NAMES

Civil Monetary Penalties (this index)

Prohibition on misuse, **1:4**

Social Security Act, **1:4**

MODELS OR SAMPLES

Attorneys' fees, sample fee agreements under Social Security Act, **49:43; 49:44**

Covered employment, individuals qualifying as common law employees, **5:18**

MODIFICATION

Change or Modification (this index)

MODIFIED

AVERAGE-INDEXED-MONTHLY-EARNINGS CALCULATION

Windfall reduction, **24:5**

MONEY

Cash (this index)

MONEYLENDERS

Self-employment business, lending money as, **10:58**

MONEY ORDERS

FICA taxes, payment, **70:45; 70:46**

MONTHLY MATTERS

Cost-of-living and general increases, **24:29; 24:30**

Payment date, **31:17; 31:18**

MOOTNESS

Generally, **55:73**

MOTHERS

Parents (this index)

MOTHER'S AND FATHER'S BENEFITS

Survivor's Benefits (this index)

MOTIONS

Civil money penalties, **58:46**

Dismiss, form of affidavit in opposition to motion to dismiss, **55:19**

In forma pauperis, motion to proceed, **55:36**

Judicial review, dismissal, **56:27**

Magistrates, **56:42**

Medicare, request for Council review on own motion, **68:117**

Post-Judgment Remedies (this index)

MOTOR FUNCTION OR SKILL

Musculoskeletal system, **42:176**

Neurological Impairments (this index)

MOTOR NEURON DISORDERS OTHER THAN ALS

Neurological impairments, **42:220**

MOTOR VEHICLES

Automobiles and Other Vehicles (this index)

MOVING EXPENSES

Fringe benefits and other compensation, **9:14**

MULTIPLE ACTS OR MATTERS

Impairments

Children and Minors (this index)

Disability (this index)

Medicare, multiple use of single payment request, **68:31**

Supplemental security income, income-producing property for self-support, **20:97**

Totalization agreements, foreign countries, **24:43**

MULTIPLE RESIDENCES

Supplemental security income, principal place of residence, **20:79**

MULTIPLE SCLEROSIS

Generally, **42:215**

MUNICIPALITIES

Generally as to local government, see **Local Government**

City-sponsored vocational education in private company plant, **6:18**

MURDER

Homicide (this index)

MUSCULOSKELETAL SYSTEM

Abnormality of major joints, **42:180**

Adult impairments, **42:166 to 42:187**

MUSCULOSKELETAL SYSTEM—Cont'd

- Ambulatory function, loss of, **42:176**
- Amputations, **42:182**
- Arthritis, **42:93; 42:106**
- Assistive devices, use of, **42:172**
- Back impairment, generally, **42:177; 42:178**
- Bone fractures, **42:181; 42:184**
- Children and Minors** (this index)
- Diagnostic tests, **42:169**
- Documentation, **42:171**
- Evidence, **42:167 to 42:174**
- Examinations, **42:171; 42:186; 42:187**
- Fine motor skills, loss of, **42:176**
- Fractures, **42:181; 42:184**
- Function, loss of, **42:176**
- Herniated nucleus pulposus, **42:177**
- Imaging, **42:169**
- Impairments, generally, **42:166 to 42:190**
- Inability to work, **43:62**
- Longitudinal evidence, **42:173**
- Loss of function, **42:176**
- Lumbar spinal stenosis, **42:178**
- Major joints, **42:179; 42:180**
- Medical advisor, examination by counsel as to musculoskeletal system, **42:187**
- Medication, examination of claimant's back impairment, **42:186**
- Minors. **Children and Minors** (this index)
- Motor skills, loss of, **42:176**
- Non-healing fractures, **42:184**
- Obesity, effect, **42:185**
- Operative reports, **42:170**
- Orthotic devices, use of, **42:172**
- Pain, **42:175**
- Pathologic fractures, **42:181**
- Physical examination report, **42:168**
- Physical examinations, **42:171**
- Physical therapy, **42:174**
- Prosthetic devices, use of, **42:172**
- Reconstructive surgery, **42:179**
- Severity of impairment, **41:17; 41:18**
- Soft tissue injuries, **42:183**
- Spinal arachnoiditis, **42:178**
- Spinal disorders, generally, **42:177; 42:178**
- Surgery, **42:174**
- Surgical arthodesis of major weight-bearing joint, **42:179**
- Symptoms, consideration of, **42:175**
- Symptoms, examination of claimant's back impairment, **42:186**
- Treatment, effects of, **42:171; 42:172**

MUSICIANS

- Covered employment, individuals qualifying as common law employees, **5:19**

MUTILATED CHECKS

- Generally, **31:54**

MUTUAL FUNDS

- Supplemental security income, mutual fund shares as liquid resources, **20:43**

MUTUAL MISCONDUCT

- Attorneys' fees, sanctions in form of fees, **49:144**

NAMES

- Misuse of Symbols, Emblems or Names** (this index)

NARCOTICS

- Drugs** (this index)

NATIONAL GUARD

- Covered employment, **2:8**

NATIVE AMERICANS

- Health care services, Medicare exclusions, **67:32**
- Medicare exclusion of items or services provided by Indian Health Service, **67:32**
- Self-employment, net earnings from Indian lands, **10:43**
- Supplemental security income, Indian lands, **20:86**

NATURALIZATION

- Immigration and Naturalization** (this index)

NECESSARY EXPENSES

- Defined, **33:112**

NEGLECT

- Post-judgment remedies, motion for relief from judgment, **56:82**

NEOPLASTIC DISEASES

- Malignant Neoplastic Diseases** (this index)

NEPHROTIC SYNDROME IN ADULTS

- Genitourinary impairments, **42:73**

NET EARNINGS

- Self-Employment** (this index)
- Self-employment tax, **71:6 to 71:16**

NETHERLANDS

- Totalization agreements, **24:42**

NET OPERATING LOSS

- Self-employment, net operating loss deduction, **10:21**

INDEX

NEUROCOGNITIVE DISORDERS

Generally, **42:131; 42:152**

NEURODEVELOPMENTAL DISORDERS

Generally, **42:138; 42:159**

NEUROLOGICAL IMPAIRMENTS

Adults, generally, **42:203 to 42:221**

Amyotrophic lateral sclerosis (ALS), **42:216**

Benign brain tumors, **42:211**

Brain tumors, **42:211**

Bulbar dysfunction, **42:206**

Central nervous system, neurodegenerative disorders of, **42:217**

Cerebral palsy, **42:213**

Children and Minors (this index)

Coma, **42:219**

Communication impairment, **42:205; 42:224**

Disorganization of motor function, **42:204**

Epilepsy, **42:209; 42:223**

Fatigue, **42:208**

Inability to work, **43:64**

Limitations in physical and mental functioning, **42:207**

Motor function, disorganization of, **42:204**

Motor neuron disorders other than ALS, **42:220**

Multiple Sclerosis (this index)

Neuromuscular dysfunction, **42:206**

Parkinsonian syndrome, **42:212**

Persistent vegetative state, **42:219**

Severity of disability, **41:23**

Spinal cord disorders, **42:214**

Traumatic brain injury, **42:218**

Vascular insult to the brain, **42:210**

NEUROMUSCULAR DYSFUNCTION

Generally, **42:206**

NEW EVIDENCE

Disability, medical improvement standard of review, **44:56**

Judicial review, **55:79; 55:81**

Post-judgment remedies, motion for relief from judgment, **56:83**

NEWSPAPERS

Age, newspaper records as proof of, **21:28**

Covered employment, **2:25; 2:26**

NEW TRIAL

Post-Judgment Remedies (this index)

90 DAY LETTER

Generally, **72:36 to 72:38**

Docketed cases, settlement, **72:37; 72:38**

90 DAY LETTER—Cont'd

Jurisdiction, **72:37**

Settlement, **72:37; 72:38**

NO-FAULT INSURANCE

Medicare (this index)

NONADJUSTABLE OVERPAYMENTS

Foreign employment, foreign affiliate employee coverage agreement, **3:21**

NONADJUSTABLE UNDERPAYMENTS

Foreign employment, foreign affiliate employee coverage agreement, **3:20**

NON-ATTORNEY REPRESENTATION

Attorney and Non-Attorney Representation (this index)

NONCOVERED FOREIGN WORK

Post-Retirement Earnings (this index)

NONCOVERED PENSION BASED REDUCTION

Windfall reduction, **24:6**

NONDISPOSITIVE MOTION

Magistrates, **56:42**

NON-ENGLISH SPEAKING PERSONS

Inability to work, **43:168**

NONEXAMINING MEDICAL SOURCES

Disability (this index)

NON-HIV IMMUNE SYSTEM DISORDERS

Generally, **42:84 to 42:107**

Arthritis (inflammatory), **42:93; 42:106**

Children and Minors (this index)

Dermatomyositis, **42:91; 42:103**

Immune deficiency disorders, excluding HIV infections, children, **42:105**

Inflammatory arthritis, **42:93; 42:106**

Lupus, systemic lupus erythematosus, **42:88; 42:100**

Polymyositis, **42:91; 42:103**

Scleroderma, systemic sclerosis, **42:102**

Sclerosis (scleroderma), systemic, **42:90; 42:102**

Sjogren's syndrome, **42:94; 42:107**

Systemic lupus erythematosus, **42:88; 42:100**

Systemic sclerosis (scleroderma), **42:90; 42:102**

Systemic vasculitis, **42:89; 42:101**

Undifferentiated and mixed connective tissue disease, **42:92; 42:104**

Vasculitis, systemic, **42:89; 42:101**

NONINCOME ITEMS

Supplemental Security Income (this index)

NONINSTITUTIONAL CARE SITUATION

Supplemental Security Income (this index)

NONLIQUID RESOURCES

Supplemental Security Income (this index)

NONPAYMENT OF BENEFITS

For related material see **Suspension of Benefits**

Generally, **26:26 to 26:67**

Disability, **14:44**

Retirement and retirement benefits, **14:4**

Spouse's benefits, **15:29**

Survivor's Benefits (this index)

NONPROFIT ORGANIZATIONS

Covered employment, services performed by enrolled students for nonprofit organization auxiliary to school, college or university, **2:24**

Insured status, **13:8**

NONQUALIFIED DEFERRED COMPENSATION PLAN

Fringe benefits and other compensation, retirement and deferred compensation payments, **9:40**

NONRECEIPT OF PAYMENT

Payment and Payment Procedures (this index)

NONSERVICE MONTHS

Post-retirement earnings, **28:41 to 28:43**

NONWORK

Appeal and review, limitations period ending on nonwork days, **50:10**

Fringe benefits, payments for nonwork periods, **9:19 to 9:27**

Medicare, federal nonwork day, extension of filing period for claim for benefits because of, **68:28**

Post-retirement earnings, nonwork payments, **28:16**

NORTHERN MARIANA ISLANDS

State and local government employees, coverage, **4:6**

Supplemental security income, proof of citizenship, **18:9**

NORWAY

Totalization agreements, **24:42**

NOTICE AND KNOWLEDGE

Administrative proceedings
notice of initial determinations
generally, **50:21 to 50:23**

content, **50:22**

foreign language notices, **50:23**

Reconsideration (this index)

ALJ disqualification, notice relating to, **52:29**

NOTICE AND KNOWLEDGE—Cont'd

Appeal and review

generally, **50:7; 50:8**

Appeals Council review, **53:22; 53:40**

judicial review, **55:65**

Attorney and Non-Attorney Representation (this index)

Attorneys' and Representatives' Fees (this index)

Child in care. **Reduction, Deduction, or Offset of Benefits** (this index)

Child's benefits, termination of benefits, **16:98**

Civil Monetary Penalties (this index)

Cost-of-living increases, **24:16**

Criminal liability, **59:18**

Disability (this index)

Earnings records, notice of correction, **12:73**

Employment taxes, separate account requirement, **73:53; 73:55**

Hearings (this index)

Initial determinations, notice of
generally, **50:21 to 50:23**

content, **50:22**

foreign language notices, **50:23**

Judicial review, **55:65**

Medicare (this index)

Overpayments (this index)

Payment and Payment Procedures (this index)

Post-retirement earnings, notice of determination for failure to file report, **28:67**

Proposed determination, civil money penalty, **1:7**

Reconsideration (this index)

Reduction, Deduction, or Offset of Benefits (this index)

Reopening and Revising Determinations (this index)

Representative Payments (this index)

Res judicata, **54:68**

Service of Process and Papers (this index)

Social Security Act (this index)

Subpoenas (this index)

Supplemental Security Income (this index)

Underpayments, **33:132**

NUMBERS, SOCIAL SECURITY

Social Security Numbers (this index)

NUMEROSITY

Judicial review, class actions, **56:18**

NURSING AND NURSING FACILITIES

Covered Employment (this index)

Medicare Part D, **66:15**

Medicare (this index)

INDEX

NURSING AND NURSING FACILITIES—Cont'd **Medicare Part A** (this index)

OASDI

Old-Age, Survivors, and Disability Insurance
(OASDI) (this index)

OBESITY

Cardiovascular system, effect, **42:42**
Failure to follow prescribed treatment, **38:8**
Inability to work, **43:65**
Musculoskeletal system, effect, **42:185**
Respiratory failure, **42:234**

OBJECTIONS

Disability (this index)
Disciplinary proceedings against representatives,
46:24
Hearings (this index)
Recovery of overpayment, objection to discharge in
bankruptcy, **33:42**
Representative payees, objecting to proposed
determinations, **32:21**

OBSESSIVE-COMPULSIVE DISORDERS

Generally, **42:134; 42:155**

OBTAINING EARNINGS RECORD **INFORMATION**

Earnings Records (this index)

OCCUPATIONAL THERAPY

Home health care services, Medicare Part A,
60:190
Inpatient hospital services, Medicare Part A, **60:67**
Medicare (this index)

OCCUPATIONS

Trade or Business (this index)

OFFENSES

Crimes (this index)

OFFICERS

Corporations (this index)
Public Officers and Employees (this index)

OFFICES OF SSA

Freedom of Information Act, location of informa-
tion, **48:13**

OFFICE WORKERS

Covered employment, individuals qualifying as
common law employees, **5:4**

OFFICIAL MATTERS

Waiver of overpayment, reliance on official
misinformation, **33:77 to 33:79; 33:94; 33:95;**
33:124

OFFSETS

Benefits. **Reduction, Deduction, or Offset of**
Benefits (this index)
Overpayments
bankruptcy discharge, **33:43**
income tax refund, offset of, **33:22 to 33:24**
Supplemental Security Income (this index)

OIL AND GAS

Covered employment, oil and gas industry workers
as individuals qualifying as common law
employees, **5:34**

OLD AGE

Advanced age, disability and. **Disability** (this
index)
Covered employment, retirement because of old
age, **5:74; 5:75**
Insurance. **Old-Age, Survivors, and Disability**
Insurance (this index)

OLD-AGE, SURVIVORS, AND DISABILITY **INSURANCE (OASDI)**

Generally, **1:33 to 1:40**
Anti-assignment provision and deeming OASDI
benefits, **34:16**
Application
benefits, generally, **30:49**
trial work periods, filing of application, **44:133;**
44:134
Attorneys' and Representatives' Fees (this index)
Beneficiaries
Representative Payments (this index)
request of waiver of benefits, **34:53; 34:54**
Best interest of beneficiary, when waiver of benefits
is not in, **34:54**
Checklist of eligibility for benefits, **1:39**
Closed period of disability, **39:63; 39:65**
Custody of beneficiary, when requesting party (for
waiver of benefits) does not have, **34:53**
Defeasance of benefits, **1:40**
Disability
closed period of disability, **39:63; 39:65**
consultative examinations, situations not requir-
ing, **37:38**
onset date of disability, nontraumatic injuries—
effect of work performed, **39:18**
re-evaluation and termination of disability status,
below

OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (OASDI)—Cont'd

- Disability—Cont'd
 - work activities. Trial work periods, below
- Divorced spouse of worker, eligibility, **1:36**
- Documentation and verification of waiver request, **34:52**
- Eligibility
 - generally, **1:34 to 1:38**
 - divorced spouse of worker, **1:36**
 - parent of worker, **1:38**
 - spouse of worker, **1:35**
 - worker, **1:34**
- Fraudulently concealing work activity, trial work period, **44:127**
- Liquid resources, exclusions, **20:56**
- Medicare Part A** (this index)
- Medicare** (this index)
- Onset date of disability, nontraumatic injuries—
 - effect of work performed, **39:18**
- Overpayments** (this index)
- Parent of worker, eligibility, **1:38**
- Payment and payment procedures
 - generally, **34:42**
 - Overpayments** (this index)
 - Representative Payments** (this index)
 - status of during pendency of waiver request, **34:55**
 - Underpayments** (this index)
- Pendency of waiver request, status of payments during, **34:55**
- Re-evaluation and termination of disability status
 - advance notice to claimants, **44:98 to 44:103**
 - appeal, continuation of benefits pending, **44:109**
 - continuation of benefits pending appeal, **44:109**
 - notice to claimants, **44:98 to 44:101**
 - trial work periods, below
- Representative payments for OASDI beneficiaries.
 - Representative Payments** (this index)
- Spouse of worker, eligibility, **1:35**
- Status of payments during pendency of waiver request, **34:55**
- Trial work periods
 - generally, **44:121 to 44:127**
 - commencement, **44:131 to 44:133**
 - disabling impairment required, **44:139**
 - duration
 - generally, **44:131 to 44:136**
 - extended period of eligibility, **44:141**
 - effect of having received trial work period, **44:130**
 - eligibility, **44:128**

OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (OASDI)—Cont'd

- Trial work periods—Cont'd
 - ending of trial work period, **44:135; 44:136**
 - entitlement, **44:128 to 44:130**
 - extended period of eligibility, **44:137 to 44:142**
 - filing of application, **44:133**
 - first 12 months of disability, application during, **44:134**
 - fraudulently concealing work activity, **44:127**
 - nine months of trial work required, **44:138**
 - reentitlement to benefits, **44:140**
 - remuneration or gain, services performed for, **44:123; 44:124**
 - services during trial work periods, **44:122 to 44:126**
 - therapeutic work activity, **44:125**
 - waiting period, **44:132**
 - work activity, fraudulently concealing, **44:127**
 - work activity after, **44:136**
- Underpayments** (this index)
 - Vesting of benefits, **1:40**
- Work activities. Trial work periods, above
- Worker eligibility, **1:34**

OLDER PERSONS

- Aged Persons** (this index)

OLD-START REDUCTION CALCULATION

- Windfall reduction, **24:7**

ONE-HALF SUPPORT REQUIREMENT

- Government pension offset, **26:33; 26:34**

ONE PERSON BUSINESS

- Sole Proprietorship** (this index)

O*NET

- Inability to work, **43:4**

ONE-THIRD REDUCTION RULE

- Supplemental Security Income** (this index)

ONSET

- Disability** (this index)

OPEN APPLICATIONS

- Applying for benefits, **30:45**

OPHTHALMOLOGISTS AND OPTOMETRISTS

- Medicare, **64:72; 64:73**

OPINIONS

- Decisions and Opinions** (this index)

INDEX

OPTIONAL EXCLUSIONS

State and local government employees, **4:76 to 4:78**

ORAL ARGUMENT

Appeals Council review, **53:46; 53:47**
Appeal to Circuit Court. **Circuit Courts** (this index)
Judicial review, **56:37**

ORAL CANCER DRUGS

Medicare, Part B, **64:83; 64:84**

ORAL HEARING

Generally, **52:9 to 52:21**
Capacity to make waiver, **52:15**
Claimant appearance, **52:11**
Consolidated hearing, **52:20**
Joint hearing, **52:21**
On the record decision, **52:16 to 52:19**
Personal appearance, **52:10**
Personal appearance, Waiver, **52:12**
Remand, Revised Determination, **52:18**

ORAL HEARINGS

Hearings (this index)

ORAL INQUIRIES

Supplemental Security Income (this index)

ORAL TRUSTS

Supplemental security income, **20:41**

ORCHESTRA LEADERS

Covered employment, **6:21**
Employer, **6:21**

ORDER OR SEQUENCE

Sequence or Order (this index)

ORDERS

Judgments, Orders, and Decrees (this index)

ORDINARY AND NECESSARY EXPENSES

Defined, **33:112**

ORGANIC MENTAL DISORDERS

Mental Disorders (this index)

ORGANIZATIONS

Associations and Organizations (this index)

ORGAN TRANSPLANTS

Medicare (this index)

ORIGINAL RECORDS AND COPIES

Applying for benefits, **30:76**

ORTHOPEDIC DEVICES

Medicare, **64:111; 67:102**

ORTHOTIC DEVICES

Musculoskeletal system impairments, **42:172**

OUTPATIENTS

Medicare (this index)

OVERDUE PAYMENTS

Delinquent and Overdue Payments (this index)

OVERPAYMENTS

As to refunds. **Refunds** (this index)
Generally, **33:1 to 33:129; 72:68; 72:69**
Adjustment of benefits, generally, **33:26 to 33:28**
Administrative wage garnishment, recovery, **33:32**
Amount of compromise, **33:38; 33:39**
Amount of overpayment
collection, effect of amount of overpayment, **33:20**
determining amount, **33:2; 33:3**
supplemental security income, **35:111**
Appeal and review
prerecoupment review, **33:11**
tax refund offset, recovery of overpayment, **33:24**
Waiver of overpayment, appeal of waiver determination, **33:61**
Armed forces, benefits paid on basis of erroneous report of death in, **33:8**
Bankruptcy, effect of, **33:40 to 33:43**
Change in repayment rate, form request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
Checks
critical case duplicate checks, **33:5**
waiver of overpayments, belief that checks indicate continued entitlement, **33:105; 33:106**
Civil suit, collection by, **33:31; 35:132**
Collection
generally, **33:19 to 33:33**
adjustment of benefits, **33:26 to 33:28**
administrative wage garnishment, **33:32**
civil suit, **33:31; 35:132**
compromise based on cost of collection, **33:36**
consumer reporting agencies, **33:33**
cross-program adjustment, **33:29; 33:30**
Federal Claims Collection Act, **33:34**
income tax refund, offset of, **33:22 to 33:24**
limitations period for recovery, **33:27; 33:32**
lump-sum death payment, withholding or recovery of, **33:25**

OVERPAYMENTS—Cont'd

- Collection—Cont'd
 - notice, **33:23**
 - partial withholding of monthly benefit, **33:28**
 - refund, **33:21**
 - repayment, **33:21**
 - resuming discontinued collection efforts, **33:35**
 - review, **33:24**
 - supplemental medical insurance benefits, **33:30**
 - waiver request, impact on recovery, **33:51**
- Compromise. Suspension, termination, and compromise, below
- Conferences. Waiver of overpayments, below
- Correction of overpayment of FICA tax by employer, **70:67; 70:68**
- Costs and expenses
 - collection of overpayment, compromise based on, **33:36**
 - Ordinary and necessary expenses defined, overpayments, **33:112**
- Critical case duplicate checks, **33:5**
- Cross-program adjustment, **33:29; 33:30; 35:130**
- Death
 - liability for overpayment, **33:16**
 - lump-sum death payment, withholding or recovery of, **33:25**
 - waiver of overpayment, beneficiary's death, **33:96; 33:126**
 - withholding or recovery of lump-sum death payment, **33:25**
- Deceased recipient's estate, liability for overpayment, **33:16**
- Deduction overpayments, generally, **33:89 to 33:108**
- Discontinued collection efforts, resuming, **33:35**
- Duplicate payments
 - establishing overpayment, **33:5**
 - waiver of overpayment, **33:82**
- Early delivery, **33:6**
- Earnings
 - excess earnings, deduction overpayments, **33:98**
 - liability for overpayment, **33:18**
 - limit on earnings, deduction overpayments, **33:103**
 - misunderstanding allowable earnings, **33:93; 33:125**
 - preentitlement earnings, **33:99; 33:127**
 - record of earnings, liability for overpayment, **33:18**
 - substantially all income test for waiver of overpayment, **33:113**

OVERPAYMENTS—Cont'd

- Earnings—Cont'd
 - termination of benefits, overpayments and earnings after, **33:100**
 - waiver of overpayment
 - allowable earnings, misunderstanding, **33:93; 33:125**
 - excess earnings, **33:98**
 - limit, earnings before reaching, **33:103**
 - preentitlement earnings, **33:99; 33:127**
 - termination of benefits, earnings after, **33:100**
- Entitlement
 - generally, **33:76 to 33:88**
 - checks, belief that checks indicate continued entitlement, **33:105; 33:106**
 - preentitlement earnings, **33:99; 33:127**
- Equity and good conscience. Waiver of overpayments, below
- Establishing overpayment, **33:1 to 33:14**
- Evidence. Waiver of overpayments, below
- Fact of overpayment, establishing, **33:1 to 33:14**
- Fault. Waiver of overpayments, below
- Foreign affiliate employee coverage agreement, adjustments of contract payments, **3:19; 3:21**
- Forged endorsement, **33:7**
- Form request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
- Good conscience. Waiver of overpayments, below
- Income tax refund, offset of, **33:22 to 33:24**
- Incorrect payment, **33:9**
- Liability for overpayment
 - generally, **33:15 to 33:18**
 - deceased recipient's estate, **33:16**
 - record, person receiving benefits on same earnings record, **33:18**
 - representative payee, **33:17**
- Limitations period for recovery, **33:27; 33:32**
- Lump-sum death payment, withholding or recovery of, **33:25**
- Medicare** (this index)
- Military service, benefits paid on basis of erroneous report of death in, **33:8**
- Nonrecoverable overpayment, **33:6 to 33:8**
- Notice
 - generally, **33:12; 33:13; 33:23; 33:41**
 - allowable earnings, overpayments and misunderstanding of, **33:125**
 - deduction provisions, overpayments and failure to understand, **33:108**
 - other's actions, overpayments and unawareness of, **33:97**

OVERPAYMENTS—Cont'd

- Notice—Cont'd
 - right to waiver consideration, **33:45**
 - supplemental security income, **35:117**
- Objection to discharge in bankruptcy, **33:42**
- Old-Age, Survivors, and Disability Insurance, generally, **33:1 to 33:129**
- Partial withholding of monthly benefit, **33:28**
- Personal conference. Waiver of overpayments, below
- Persons liable for overpayment, generally, **33:15 to 33:18**
- Prerecoupment conference. Waiver of overpayments, below
- Prerecoupment review, **33:11**
- Procedures for recovery, generally, **33:19 to 33:43**
- Rates and charges
 - repayment rate, form request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
 - waiver of overpayment, incorrect benefit rate, **33:80**
- Reconsideration, **33:10; 33:14**
- Records
 - person receiving benefits on same earnings record, **33:18**
 - recovery of overpayment, report of overdue payment debt to consumer reporting agencies, **33:33**
 - waiver of overpayments
 - filing requirements, **33:49; 33:50**
 - official misinformation, reliance on, **33:77 to 33:79; 33:94; 33:95; 33:124**
- Recovery procedures
 - generally, **33:19 to 33:43**
 - bankruptcy, effect of, **33:40 to 33:43**
 - collection, above
 - Supplemental Security Income** (this index)
 - suspension, termination, and compromise, below
- Refund, **33:21; 33:22 to 33:24; 35:125; 35:126**
- Repayment, **33:21; 33:50**
- Representative payee, liability for overpayment, **33:17; 35:119**
- Restrictions and limitations
 - Recovery of overpayment, **33:27**
 - Time limits for overpayment, **33:14**
 - Waiver of overpayment, **33:102; 33:103**
- Resuming discontinued collection efforts, **33:35**
- Review, **33:24**
- Security interest, **33:43**
- Setoff
 - bankruptcy discharge, **33:43**

OVERPAYMENTS—Cont'd

- Setoff—Cont'd
 - income tax refund, **33:22 to 33:24**
- Substitute check, issuance of, **33:5**
- Supplemental medical insurance benefits, **33:30**
- Supplemental Security Income** (this index)
- Suspension, termination, and compromise
 - generally, **33:34 to 33:39**
 - amount of compromise, **33:38; 33:39**
 - cost of collection, compromise based on, **33:36**
 - resuming discontinued collection efforts, **33:35**
 - supplemental security income, **35:131; 35:135**
- Taxes, generally. **Overpayment of Tax** (this index)
- Tax refund, offset of, **33:22 to 33:24**
- Termination. Suspension, termination, and compromise, above
- Tests
 - financial hardship test, **33:117**
 - substantially all income test, **33:113**
 - sufficient financial resources test, **33:115; 33:116**
- Time, **33:6; 33:14**
- Underpayment, effect of outstanding overpayment, **33:133**
- Waiver of overpayments
 - generally, **33:10; 33:44 to 33:129**
 - acceptable proof, **33:46**
 - acceptance of incorrect benefits, **33:72 to 33:74**
 - appeal of waiver determination, **33:61**
 - assets defined, **33:111**
 - automatic grant of waiver for small amounts, **33:20**
 - bonuses, **33:101**
 - burden of proof, **33:46**
 - checks, belief that checks indicate continued entitlement, **33:105; 33:106**
 - child's benefits not terminated, **33:83**
 - conference. Personal conference, below this group
 - consideration right, **33:45**
 - continued entitlement, belief that checks indicate, **33:105; 33:106**
 - correctness defined, **33:73**
 - death of beneficiary, **33:96; 33:126**
 - decision, **33:59**
 - declining to attend personal conference, **33:60**
 - deduction overpayments
 - generally, **33:89 to 33:108**
 - bonuses, **33:101**
 - checks, belief that checks indicate continued entitlement, **33:105; 33:106**
 - death of beneficiary, **33:96**

OVERPAYMENTS—Cont'd

- Waiver of overpayments—Cont'd
 - deduction overpayments—Cont'd
 - degree of care requirement, **33:91; 33:92**
 - exceeding limit of primary beneficiary, **33:102**
 - excess earnings, **33:98**
 - good faith requirement, **33:90**
 - illustrative cases, **33:92; 33:95; 33:106; 33:108**
 - knowledge, **33:107; 33:108**
 - limitation of earnings, **33:102; 33:103**
 - official misinformation, reliance on, **33:94; 33:95**
 - preentitlement earnings, **33:99**
 - self-employment after age 70, **33:104**
 - termination of benefits, earnings after benefits cease, **33:100**
 - travel expenses, **33:101**
 - unawareness of other's actions, **33:97**
 - unusual or unavoidable circumstances, **33:107; 33:108**
 - vacation pay, **33:101**
 - definitions, **33:73; 33:110 to 33:112**
 - degree of care requirement, **33:91; 33:92**
 - determination, appeal of, **33:61**
 - disability, **33:86 to 33:88**
 - duplicate payments, **33:82**
 - earnings
 - allowable earnings, misunderstanding, **33:93; 33:125**
 - excess earnings, **33:98**
 - limit, earnings before reaching, **33:103**
 - preentitlement earnings, **33:99; 33:127**
 - termination of benefits, earnings after, **33:100**
 - employment, entitlement overpayments, **33:87; 33:88**
 - entitlement
 - checks, belief that checks indicate continued entitlement, **33:105; 33:106**
 - overpayment of. Entitlement overpayments, below this group
 - preentitlement earnings, **33:99; 33:127**
 - entitlement overpayments
 - generally, **33:76 to 33:88**
 - child's benefits not terminated, **33:83**
 - disability, **33:86 to 33:88**
 - duplicate payments, **33:82**
 - employment, **33:87; 33:88**
 - family relationship, **33:84**
 - illustrative cases, **33:78; 33:79**
 - insured status, lack of, **33:81**
 - maximum family benefit, **33:85**

OVERPAYMENTS—Cont'd

- Waiver of overpayments—Cont'd
 - entitlement overpayments—Cont'd
 - medical recovery, **33:86**
 - official misinformation reliance upon, **33:77 to 33:79**
 - rate, incorrect benefit rate, **33:80**
 - return to work, **33:87**
 - trial work period, end of, **33:88**
 - equity and good conscience
 - generally, **33:119 to 33:129**
 - against equity and good conscience, generally, **33:119 to 33:129**
 - death of beneficiary, **33:126**
 - illustrative cases, **33:121; 33:122**
 - maximum family benefit, **33:128**
 - misunderstanding allowable earnings, **33:125**
 - official misinformation, reliance on, **33:124**
 - preentitlement earnings, **33:127**
 - supplemental security income, **35:154 to 35:156**
 - evidence
 - acceptable proof, **33:46**
 - burden of proof, **33:46**
 - requirements, generally, **33:58**
 - without fault, **33:38; 33:64; 33:65**
 - exceeding limit of primary beneficiary, **33:102**
 - excess earnings, **33:98**
 - expenses, ordinary and necessary expenses
 - defined, **33:112**
 - false statements
 - official misinformation, reliance on, **33:77 to 33:79; 33:124**
 - without fault, **33:69**
 - family, **33:84; 33:85; 33:128**
 - fault. Without fault, below this group
 - filing requirements, **33:49; 33:50**
 - financial hardship test, **33:117**
 - findings, requirements for, **33:66; 33:67**
 - form letter requesting waiver, **33:48**
 - form request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
 - good conscience. Equity and good conscience, above this group
 - good faith requirement, **33:90**
 - illustrative cases
 - deduction overpayments, **33:92; 33:95; 33:106; 33:108**
 - entitlement overpayments, **33:78; 33:79**
 - equity and good conscience, **33:121; 33:122**
 - without fault, **33:67; 33:74**

OVERPAYMENTS—Cont'd

Waiver of overpayments—Cont'd

- impact of waiver request on recovery, **33:51**
- income defined, **33:110**
- incorrect benefits, acceptance of, **33:72 to 33:74**
- insured status, lack of, **33:81**
- interview, **33:52**
- knowledge
 - allowable earnings, misunderstanding of, **33:125**
 - deduction provisions, failure to understand, **33:108**
 - illustrative cases, **33:108**
 - other's actions, unawareness of, **33:97**
- limitations and restrictions, **33:102; 33:103**
- material information, failure to provide, **33:70; 33:71**
- maximum family benefit, **33:85; 33:128**
- medical recovery, **33:86**
- necessary expenses defined, **33:112**
- notice of right to consideration, **33:45**
- official misinformation, reliance on, **33:77 to 33:79; 33:94; 33:95; 33:124**
- ordinary and necessary expenses defined, **33:112**
- personal conference
 - generally, **33:11; 33:54 to 33:59**
 - decision, **33:59**
 - evidentiary requirements, **33:58**
 - file review, **33:55**
 - preconference procedure, **33:54**
 - prerecoupment personal conference procedure, **33:56 to 33:58**
 - refusal to attend, **33:60**
 - right to personal conference, **33:53**
 - witnesses, **33:57**
- possession of overpayment, **33:118**
- preconference procedure, **33:54**
- preentitlement earnings, **33:99; 33:127**
- prerecoupment personal conference
 - procedure. Personal conference, above this group
 - right to, **33:53**
- presumptions, **33:65**
- public assistance payments, **33:114**
- purpose of Act defeated by recovery of overpayment
 - generally, **33:109 to 33:118**
 - assets defined, **33:111**
 - definitions, **33:110 to 33:112**
 - financial hardship test, **33:117**
 - income defined, **33:110**

OVERPAYMENTS—Cont'd

Waiver of overpayments—Cont'd

- purpose of Act defeated by recovery of overpayment—Cont'd
 - ordinary and necessary expenses defined, **33:112**
 - possession of overpayment, **33:118**
 - public assistance payments, **33:114**
 - substantially all income test, **33:113**
 - sufficient financial resources test, **33:115; 33:116**
- rate, incorrect benefit rate, **33:80**
- records and recording
 - filing requirements, **33:49; 33:50**
 - official misinformation, reliance on, **33:77 to 33:79; 33:94; 33:95; 33:124**
- refusal to attend personal conference, **33:60**
- relinquishment of valuable right, **33:123**
- reopening of waiver determination, **33:62**
- request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
- requesting waiver, **33:47; 33:48**
- return to work, **33:87**
- self-employment after age 70, **33:104**
- substantially all income test, **33:113**
- sufficient financial resources test, **33:115; 33:116**
- Supplemental Security Income** (this index)
- termination, **33:83; 33:100**
- time limits for requesting waiver, **33:14**
- travel expenses, deduction overpayments, **33:101**
- treating physician rule, **33:68**
- trial work period, end of, **33:88**
- unawareness of other's actions, **33:97**
- understanding provisions, **33:93; 33:125**
- unusual or unavoidable circumstances, **33:107; 33:108**
- vacation pay, **33:101**
- valuable right given up, **33:123**
- without fault
 - generally, **33:63 to 33:108**
 - acceptance of incorrect benefits, **33:72 to 33:74**
 - correctness defined, **33:73**
 - deduction overpayments, above this group
 - entitlement overpayments, above this group
 - findings, requirements for, **33:66; 33:67**
 - illustrative cases, **33:67; 33:74**
 - incorrect statement, **33:69**
 - material information, failure to provide, **33:70; 33:71**
 - presumptions, **33:65**

OVERPAYMENTS—Cont'd

- Waiver of overpayments—Cont'd
 - without fault—Cont'd
 - standard of proof, **33:64**
 - Supplemental Security Income** (this index)
 - treating physician rule, **33:68**
 - witnesses, **33:57**
 - Who may recover, **72:69**
 - Withholding
 - lump-sum death payment, withholding or recovery of, **33:25**
 - partial withholding of monthly benefit, **33:28**

OVERTIME COMPENSATION

- Backpay, **9:33**

OVERWEIGHT CONDITION

- Obesity** (this index)

OVERWEIGHT PERSONS

- Obesity** (this index)

OWNERSHIP

- Title and Ownership** (this index)

PAIN AND OTHER SYMPTOMS

- Ability to work, evaluation of, **43:53; 43:199**
- Evidence of disability, generally, **41:15**
- Inability to work, **43:53; 43:199**
- Listing of Impairments** (this index)
- Medication, and side effects, sample testimony, **41:15**
- Sequential evaluation of disability, **36:14 to 36:40**
- Severity requirement, **41:13; 41:15**

PANCREAS

- Listing of impairments, transplantation, **42:59**
- Transplantation in children, **42:65.50**

PAP SMEARS

- Medicare exclusions, **67:10**

PARALEGALS

- Attorneys' fees, compensable services, costs, and expenses under EAJA, **49:117**

PARENT AND SUBSIDIARY CORPORATIONS

- Covered employment, **6:11**
- Employer, **6:11**
- FICA taxes, **69:89**

PARENTS

- Generally as to children, see **Children and Minors** (this index)
- Eligibility—worker, **1:38**
- Family employment, **2:58 to 2:60**

PARENTS—Cont'd

- Old-age, survivors, and disability insurance, **1:38**
- Partnership income, family partnerships, **11:7**
- Reduction, Deduction, or Offset of Benefits** (this index)
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)
- Suspension of benefits for nonresidence in U.S., **29:37**

PARKINSONIAN SYNDROME

- Neurological impairments, **42:212**

PARTIAL MATTERS

- Attorneys' fees, partial success in litigation, reduction under Equal Access to Justice Act, **49:111**
- Foreign affiliate employee coverage agreement, partial termination of contract coverage, **3:27**
- Post-retirement earnings, **28:30; 28:31**
- Refund of excess tax payments, partial refunds, **72:85**

PARTIES

- Administrative law judges, hearings before. **Hearings** (this index)
- Appeal and review, persons who may appeal, **50:3**
- Civil monetary penalties, parties to an administrative hearing, **58:39**
- Hearings** (this index)
- Judicial Review** (this index)
- Post-judgment remedies, motion for relief from judgment, **56:77**
- Prevailing Party** (this index)
- Reconsideration** (this index)
- Res judicata, identity of parties, **54:67**
- Substitution of parties, judicial review, **56:29**

PARTNERSHIPS

- Covered employment, **2:63; 6:4**
- Covered income. Income of partners, below
- Death, partner's earnings for taxable year ending as result of, **11:12**
- Definition of partnership, **11:1**
- Employer, **6:4**
- Evidence indicating a partnership, **11:2**
- Family members
 - covered employment, **2:63**
 - income in partnerships involving generally, **11:5 to 11:8**
 - parent and child, **11:7**
 - siblings, **11:8**
 - spouses, **11:6**
- Guaranteed payments to partner, **11:11**

PARTNERSHIPS—Cont'd

- Income or loss
 - generally, **11:3 to 11:12**
 - evidence indicating partnership, **11:2**
 - family members, above
 - limited partners, **11:4**
 - partnership, defined, **11:1**
 - payments, below
 - self-employment, income or loss, below
 - wages, generally, **7:12 to 7:18**
- Net earnings from self employment. Self-employment, income or loss, below
- Payments
 - death, partner's earnings for taxable year ending as result of, **11:12**
 - guaranteed payments to partner, **11:11**
 - partnership retirement plans, **11:9; 11:10**
- Retirement plans, **11:9; 11:10**
- Self-employment, income or loss
 - generally, **10:24**
 - computation of tax, **71:9**
 - death, earnings for taxable year ending as result of, **10:25**
 - retirement payments to retired partners, **10:26**
- Wages. Income or loss, above

PART-TIME EMPLOYMENT

- Inability to work, **43:95**
- State and local government employees, coverage, **4:27 to 4:29**

PASSIVE ENROLLMENT

- Medicare Advantage (MA) program, **65:17**

PAST-DUE BENEFITS

- Dedicated accounts and installment payments for certain past due benefits, **35:99**

PATERNITY

- Child's benefits, **16:28; 16:29**

PAY

- Wages** (this index)

PAYMENT AND PAYMENT PROCEDURES

- Generally, **31:1 et seq.**
- Accelerated payments, **31:32 to 31:44**
 - critical cases, **31:41 to 31:44**
 - expedited payment, **31:32 to 31:35**
 - preliminary certification of payment, **31:36 to 31:40**
- Accounts and accounting
 - direct deposit, below
 - Representative Payments** (this index)

PAYMENT AND PAYMENT PROCEDURES

—Cont'd

- Address change, **31:2; 31:3**
- Administrative delay cases, interim payments in, **31:6**
- Age 72 Benefits** (this index)
- Appeal to circuit court, fees, **57:24**
- Applying for benefits, previously certified payments, **30:55**
- Attorneys' and Representatives' Fees** (this index)
- Banks and banking. Direct deposit, below
- Beneficiaries
 - death, effect of, direct deposit, **31:31**
 - foreign state or country, nonreceipt of payment, **31:50**
 - foreign states or countries, **31:4; 31:5**
 - interview, nonreceipt of payment, **31:49**
 - nonreceipt of payment, **31:49; 31:50**
- Cancellation of direct deposit, **31:30**
- Certification
 - generally, **31:7 to 31:10**
 - accelerated payments, preliminary certification of payment, **31:36 to 31:40**
 - applying for benefits, previously certified payments, **30:55**
- Change or modification
 - address change, **31:2; 31:3**
 - direct deposit, **31:28**
 - telephone number, **31:2**
- Checks** (this index)
- Children and minors
 - Representative Payments** (this index)
 - waiver of overpayment, **33:83**
- Combined payments
 - generally, **31:12 to 31:14**
 - death of spouse, effect of, **31:14**
 - trust funds, **31:12; 31:13**
- Concurrent OASDI and SSI eligibility, **31:44**
- Critical cases, **31:41 to 31:44**
- Death
 - direct deposit, effect of beneficiary's death, **31:31**
 - spouse, combined payments, **31:14**
 - underpayments, **33:134 to 33:138**
- Delay
 - interim payments in administrative delay cases, **31:6; 35:59**
 - selection of payee, **32:14**
 - supplemental security income, **35:59**
- Delinquent and Overdue Payments** (this index)
- Determination of employee status, **2:44**

PAYMENT AND PAYMENT PROCEDURES

—Cont'd

- Direct deposit
 - generally, **31:21 to 31:31**
 - cancellation, **31:30**
 - changing or initiating direct deposit, **31:28**
 - death of beneficiary, effect, **31:31**
 - debit card program, **31:22**
 - financial institutions, acceptability, **31:23**
 - foreign state or country, **31:29**
 - master-sub accounts, **31:25**
 - policy requirement, exemptions, **31:21**
 - presumption of direct deposit, **31:21**
 - representative payee accounts, **31:27**
 - supplemental security income, **35:53**
 - trust accounts, **31:26**
 - types of accounts, acceptability, **31:24 to 31:27**
- Direct Payments** (this index)
- Disability** (this index)
- Duplicate Payments** (this index)
- Entitlement. **Overpayments** (this index)
- Evidence
 - Overpayments** (this index)
 - preliminary certification of payment, **31:39**
 - Representative Payments** (this index)
 - Supplemental Security Income** (this index)
- Excluded critical cases, **31:42**
- Excluded situations, nonreceipt process, **31:48**
- Exemptions and exclusions
 - checks, monthly payment date, **31:18**
 - direct deposit, policy requirement, exemptions, **31:21**
- Expedited payment, **31:32 to 31:35**
- FICA Taxes** (this index)
- Foreign employment, foreign affiliate employee coverage agreement, **3:14**
- Foreign state or country
 - generally, **31:4; 31:5**
 - direct deposit, **31:29**
 - nonreceipt of payment, **31:50**
- Form of payment, generally, **31:15 to 31:31**
- Forms
 - expedited payment, **31:34**
 - request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
 - statement of care and responsibility for beneficiary (Form SSA-788), **32:49**
- Immediate payments, **31:43; 31:44**
- Interim payments in administrative delay cases, **31:6**

PAYMENT AND PAYMENT PROCEDURES

—Cont'd

- Interview
 - nonreceipt of payment, beneficiary, **31:49**
 - waiver of overpayment, **33:52**
- Laches. Delay, above
- Lump-Sum Benefits and Payments** (this index)
- Master-sub accounts, **31:25**
- Medicare Part D** (this index)
- Medicare** (this index)
- Nonreceipt of payment
 - generally, **31:45 to 31:54**
 - Checks** (this index)
 - excluded situations, **31:48**
 - reporting, **31:46; 31:47**
 - same or similar name cases, **31:53**
 - Supplemental Security Income** (this index)
 - time for reporting, **31:47**
- Notice
 - nonreceipt of payment, **31:45**
 - Overpayments** (this index)
 - Representative Payments** (this index)
 - Supplemental Security Income** (this index)
 - underpayments, **33:132**
- Old age, survivors, and disability insurance, **34:42; 34:55**
- Overdue payments. **Delinquent and Overdue Payments** (this index)
- Overpayment of Tax** (this index)
- Overpayments** (this index)
- Partnerships** (this index)
- Periodic Payments** (this index)
- Preliminary certification of accelerated payment, **31:36 to 31:40**
- Presumption of direct deposit, **31:21**
- Questionable addresses, **31:3**
- Recording or reporting nonreceipt of payment, **31:47; 35:62; 35:63**
- Representative Payments** (this index)
- Request
 - expedited payment, **31:32 to 31:35**
 - preliminary certification of accelerated payment, **31:37**
 - SSA disposition, **31:35**
- Restricted countries, **31:5**
- Self-Employment** (this index)
- Self-Employment Tax** (this index)
- Social security numbers, **12:12**
- Spouse's Benefits** (this index)
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)

PAYMENT AND PAYMENT PROCEDURES

—Cont'd

Taxes (this index)

Time and date

certification of payment, **31:8**

checks, dating of, **31:15; 31:16**

delay, above

monthly payment date, **31:17; 31:18**

nonreceipt of payment, time for reporting, **31:47**

overpayment, **33:6; 33:14**

Trust funds, combined payments, **31:12; 31:13**

Underpayments (this index)

Who may be certified and receive payment, **31:9**

Withholding payments

certification, **31:10**

lump-sum death payment, withholding or recovery of, **33:25**

partial withholding of monthly benefit, **33:28**

Supplemental Security Income (this index)

World War II veterans, **14:56**

PEACE CORPS

Federal government employees, coverage, **4:101**

FICA tax, withholding statement for Peace Corps volunteers and volunteer leaders, **70:74**

Wages, **7:33**

PEER REVIEW ORGANIZATION

Medicare, assumption of review responsibilities for items and services, **67:91**

PENAL INSTITUTIONS

Imprisonment (this index)

PENALTIES

Fines and Penalties (this index)

PENSIONS

Retirement and Retirement Benefits (this index)

PERCENTAGE CREDIT

Age Of Beneficiary, Effect On Benefit Computation (this index)

PERIODIC PAYMENTS

Windfall reduction, **24:8; 24:9**

PERIOD OF AGREEMENT

Foreign employment, foreign affiliate employee coverage agreement, **3:9**

PERIOD OF REDUCTION

Reduction, Deduction, or Offset of Benefits (this index)

PERIODS OF ENROLLMENT

Medicare Part D, **66:4**

PERIPHERAL VASCULAR DISEASE

Cardiovascular system impairments, **42:35**

PERMISSION

Consent or Approval (this index)

PERSISTENT VEGETATIVE STATE

Neurological impairments, **42:219**

PERSONAL CONFERENCE

Overpayments (this index)

PERSONALITY DISORDERS

Generally, **42:136; 42:157**

PERSONAL NEEDS

Representative payments, personal needs of institutionalized beneficiaries, **32:33**

PERSONAL PROPERTY

Generally. **Property** (this index)

PERSONNEL RECORDS

Freedom of Information Act, exemption from disclosure under, **48:16**

PETITIONS

Complaint (this index)

Fee petitions. **Attorneys' and Representatives' Fees** (this index)

Judicial review, form of petition for extension of time to file for, **55:34**

PHILIPPINES

Covered employment, services performed by resident of Republic of Philippines while temporarily in Guam, **2:16**

PHOTOGRAPHERS

Covered employment, individuals qualifying as common law employees, **5:17**

PHOTOSENSITIVITY DISORDERS

Skin disorders, **42:253**

PHYSICAL CONDITION

Determination of insured status, failure to file because of physical condition, **13:40**

PHYSICAL EXAMINATIONS

Medicare, exclusions, **67:16; 67:106**

Musculoskeletal system, **42:168**

PHYSICAL THERAPY

Home health care services, Medicare Part A, **60:188**

Inpatient hospital services, Medicare Part A, **60:66**

Medicare (this index)

Musculoskeletal system, **42:174**

PHYSICIANS AND SURGEONS

Covered employment, individuals qualifying as common law employees, **5:23**

Disability (this index)

Hospital as employer, **6:19**

Medicare (this index)

Musculoskeletal system, reconstructive surgery, **42:179**

Survivor's benefits, proving death from physician's testimony, **17:80**

Treating physician rule for waiver of overpayment, **33:68**

PILOTS

Covered employment, marine pilots as individuals qualifying as common law employees, **5:33**

PLACEMENT

Companion sitting placement services, employer, **6:15**

PLACE OR LOCATION

Determination of employee status, **2:42**

Earnings records, place of filing request for correction of, **12:69**

Expedited appeals process, where to file request, **50:53**

FICA tax returns, where to file, **70:40**

Freedom of Information Act (this index)

Privacy Act, determining location of personal records for request under, **48:51**

Reconsideration, place to file request for, **50:31**

Relocation assistance. **Supplemental Security Income** (this index)

Self-employment tax returns, where to file, **70:22**

PLEADINGS

Complaint (this index)

Disciplinary proceedings against attorney.

Attorney and Non-Attorney Representation (this index)

Disciplinary proceedings against representatives.

Attorney and Non-Attorney Representation (this index)

Petitions (this index)

POLICEMEN

Law Enforcement (this index)

POLIO

Postpolio sequelae, **36:23**

POLITICAL SUBDIVISIONS

Municipalities (this index)

POLYMYOSITIS

Non-HIV immune system disorders, **42:91; 42:103**

POMS [PROGRAM OPERATIONS MANUAL SYSTEM]

Generally, **1:28**

Interpretation guidelines, **1:28**

POOR PERSONS

Appeal to circuit court, **57:25**

Forma Pauperis (this index)

Medicare, waiver of charges for indigents, **67:23**

PORTUGAL

Totalization agreements, **24:42**

POSSESSIONS OF UNITED STATES

As to particular possessions, see appropriate index headings

Self-employment earnings within, **10:31**

POSTAL SERVICE

Mail and Mailing (this index)

POST-HEARING PROCEDURES

Actions, Generally, **52:66 to 52:73**

Development of evidence, **52:68**

Entering posthearing evidence, **52:73**

Medicare, **68:107**

Posthearing evidence or arguments, **52:67**

Proffer procedure, **52:69**

field office, **52:70**

Reconsideration, disability hearing, **50:44**

Reopening the record, **52:73**

Supplemental hearing, **52:72**

Waiver of right, Examine posthearing evidence, **52:71**

POSTHUMOUS ILLEGITIMATE CHILDREN

Child's Benefits (this index)

POST-JUDGMENT REMEDIES

Generally, **56:68 to 56:91**

Amendment. New trial or alteration or amendment of judgment, motion for, below

Appellate review

new trial or alteration or amendment of judgment, ruling on motion for, **56:81**

relief from judgment, ruling on motion for, **56:81**

Available remedies, generally, **56:68**

Change or alteration. New trial or alteration or amendment of judgment, motion for, below

Clerical mistakes, **56:74**

Correction of clerical mistakes, **56:74**

Date. Time and date, below

POST-JUDGMENT REMEDIES—Cont'd

- Deceit. Fraud, below
- Discharge of judgment, motion for relief from judgment, **56:86**
- Errors, **56:74; 56:82**
- Excusable neglect, motion for relief from judgment, **56:82**
- Finality of judgment
 - new trial or alteration or amendment of judgment, motion for, effect of, **56:71**
 - relief from judgment, motion for, **56:79**
- Fraud
 - action to set aside judgment for fraud upon court, **56:84; 56:91**
 - relief from judgment, motion for, **56:84**
- Inadvertence, motion for relief from judgment, **56:82**
- Independent actions, **56:88 to 56:90**
- Misconduct of opposing party, motion for relief from judgment, **56:84**
- Misrepresentation. Fraud, above
- Motions
 - mistake, motion for relief from judgment, **56:82**
 - new trial or alteration or amendment of judgment, motion for, below
 - relief from judgment, motions for, below
- Neglect, motion for relief from judgment, **56:82**
- Newly discovered evidence, motion for relief from judgment, **56:83**
- New trial or alteration or amendment of judgment, motion for
 - generally, **56:69 to 56:73**
 - appellate review of ruling on motion, **56:81**
 - finality of judgment, effect of motion on, **56:71**
 - grounds for motion, **56:75**
 - time, **56:72**
- Parties, motion for relief from judgment, **56:77**
- Place independent action may be brought, **56:90**
- Release of judgment, motion for relief from judgment, **56:86**
- Relief from judgment, motions for
 - generally, **56:69 to 56:73; 56:75 to 56:87**
 - appellate review of ruling on motion, **56:81**
 - finality of judgment, effect of motion on, **56:79**
 - fraud, misrepresentation, or misconduct of opposing party, **56:84**
 - mistake, inadvertence, surprise, or excusable neglect, **56:82**
 - newly discovered evidence, **56:83**
 - parties, **56:77**

POST-JUDGMENT REMEDIES—Cont'd

- Relief from judgment, motions for—Cont'd
 - satisfaction, release, or discharge of judgment, or reversal or vacation of underlying judgment, **56:86**
 - time, **56:78**
 - void judgment, **56:85**
- Satisfaction of judgment, motion for relief from judgment, **56:86**
- Surprise, motion for relief from judgment, **56:82**
- Time and date
 - clerical mistake, correction of, **56:74**
 - independent action, bringing of, **56:89**
 - new trial or alteration or amendment of judgment, motion for, **56:72**
 - relief from judgment, motion for, **56:78**
- Void judgment, motion for relief from judgment, **56:85**

POSTJUDGMENT REMEDIES

- District Court Practice
 - generally, **56:66 to 56:89**
 - clerical mistakes
 - correction, **56:72**
 - independent actions, actions for fraud upon court
 - generally, **56:86 to 56:89**
 - action may be brought
 - when, **56:87**
 - where, **56:88**
 - set aside judgment for fraud upon the court, **56:89**
 - intervention
 - generally, **56:23 to 56:24**
 - motion for new trial or to alter or amend judgment, **56:67 to 56:71**
 - appellate review of denial of motion, **56:71**
 - effect of motion on finality of judgment, **56:69**
 - effect of motion on time limit for appeal of judgment, **56:70**
 - motion for relief from judgment
 - appellate review of ruling, **56:79**
 - available grounds, **56:73**
 - finality of judgment, **56:77**
 - fraud, misrepresentation, or misconduct of opposing party, **56:82**
 - judgment is void, **56:83**
 - judgment satisfied, released, or discharged; prior judgment reversed or vacated; prospective application inequitable, **56:84**
 - mistake, inadvertence, surprise, or excusable neglect, **56:80**
 - newly discovered evidence, **56:81**

POSTJUDGMENT REMEDIES—Cont'd

- District Court Practice—Cont'd
 - motion for relief from judgment—Cont'd
 - relief for any other reason, **56:85**
 - requisites, **56:74**
 - time limit for appeal of judgment, **56:78**
 - when motion for relief from judgment may be made, **56:76**
 - who may move, **56:75**

POSTPOLIO SEQUELAE

- Disability, **36:23**

POST-RETIREMENT EARNINGS

- Generally, **28:1 to 28:76**
- Additional information, requests for, **28:61**
- Age of claimants, annual exempt amount of earnings as affected by, **28:5 to 28:7**
- Allocation of partial monthly benefits, **28:30; 28:31**
- Amount of deduction
 - generally, **28:2**
 - penalty for failure to file report, **28:63**
- Annual exempt amount of earnings, **28:4 to 28:6**
- Application of deduction, generally, **28:26 to 28:53**
- Break in entitlement, grace year following, **28:39**
- Commissions, **28:11**
- Comparison of substantial services with preretirement activity, **28:49**
- Constitutionality of deduction, **28:9**
- Corporate director's fees, self-employment income, **28:19**
- Crop sales, activities related to, **28:24**
- Currently operating businesses, activities related to, **28:25**
- Decisions. Determinations, below
- Deductions
 - excess earnings, deductions for, generally, **28:1 to 28:67**
 - noncovered work outside United States, deduction for, **28:68 to 28:76**
- Deferral of suspension of benefits, **28:53**
- Dependent's benefits, deduction for noncovered work outside of United States, **28:69; 28:70**
- Determinations
 - excess earnings, determination of, **28:3 to 28:6**
- Disability benefits, simultaneous entitlement to, **28:36**
- Divorced spouses
 - benefits payable to, **28:35**
 - deduction for noncovered work outside of United States, **28:70**
- Earnings that may cause a deduction, generally, **28:10 to 28:25**

POST-RETIREMENT EARNINGS—Cont'd

- Employee expenses, **28:14**
- Evaluating substantial services in self-employment, **28:46 to 28:50**
- Evidence
 - requirements for establishing absence of substantial services, **28:45**
- Excess earnings. deductions for, generally, **28:1 to 28:67**
- Exemptions and exclusions
 - earnings, exempt amount of, **28:4 to 28:6**
 - preentitlement services, exclusion of income attributable to, **28:22 to 28:25**
- Expenses of employees, **28:14**
- Extension of time for filing report, **28:59; 28:60**
- Farm income, **28:20**
- Fees of corporate director's, **28:19**
- Filing requirements
 - generally, **28:54 to 28:61**
 - good cause for failure to file report, **28:65 to 28:67**
 - penalty for failure to file report, **28:62 to 28:64**
- Finality of suspension of benefits, **28:52**
- Fines. Penalties, below
- Foreign employment, deduction for noncovered work, generally, **28:68 to 28:76**
- Forms
 - report of deduction for noncovered work outside of United States, **28:74**
- Good cause for failure to file report, **28:66 to 28:67**
- Grace year, earnings during, generally, **28:37 to 28:50**
- Information to be provided in report, **28:56**
- Initial grace year, earnings during, generally, **28:38**
- Investment income, **28:12**
- Nature of substantial services rendered, **28:48**
- Noncharging of excess earnings, **28:33 to 28:36**
- Noncovered work outside United States, deduction for, generally, **28:68 to 28:76**
- Nonservice months, **28:41 to 28:43**
- Nonwork payments, **28:16**
- Notice of determination for failure to file report, **28:67**
- Other benefit reductions, effect of, **28:32**
- Partial monthly benefits, allocation of, **28:30; 28:31**
- Penalties for failure to file report
 - generally, **28:62 to 28:64**
 - noncovered work outside of United States, **28:75; 28:76**
- Presumptions concerning payment of wages, **28:17**
- Primary insurance amount, adjustments to, **22:16**
- Product sales, activities related to, **28:24**

INDEX

POST-RETIREMENT EARNINGS—Cont'd

- Proration of suspension of benefits, **28:53**
- Records. Reporting requirements, below
- Reporting requirements
 - generally, **28:54 to 28:67**
 - noncovered work outside of United States, **28:73 to 28:76**
- Retirement payments, **28:15**
- Royalties, **28:21**
- Sales, crops or products, activities related to, **28:24**
- Self-employment
 - generally, **28:18 to 28:25**
 - non-service month, self-employment in, **28:43**
 - substantial services in, **28:44; 28:45**
- Sick payments, **28:16**
- Simultaneous entitlement to retirement and disability benefits, **28:36**
- Substantial services in self-employment, **28:44 to 28:50**
- Supplemental information, when required, **28:58**
- Suspension of benefits, **28:51 to 28:53**
- Taxable year for deduction purposes, **28:8**
- Tax filings as report of earnings, **28:57**
- Termination of grace year, **28:40**
- Time or date
 - finality of suspension of benefits, **28:52**
 - penalty deduction for failing to submit report of noncovered work outside of United States, **28:75**
 - reporting requirements, **28:55**
- United States, deduction for noncovered work outside of, generally, **28:68 to 28:76**
- Vacation payments, **28:16**

POVERTY

- FICA taxes, employers' deposits, noncash support to vow-of-poverty religious order members, **70:14**

POWER OF ATTORNEY

- Durable Power of Attorney** (this index)

PRECEDENTS

- Construction and interpretation, federal courts, **1:18**

PRECLUSION OF ATTORNEYS' FEES

- Attorneys' and Representatives' Fees** (this index)

PRECONFERENCE PROCEDURE

- Waiver of overpayment, **33:54**

PREEMPTION

- Crimes, preclusion of criminal code prosecution by Act, **59:16**
- Medicare Part D, **66:20**

PRE-ENTITLEMENT MATTERS

- Waiver of overpayment, preentitlement earnings, **33:99; 33:127**

PREFERRED EVIDENCE

- Application For Benefits** (this index)

PREFERRED INVESTMENTS

- Representative payments, surplus funds, **32:41; 35:101**

PREFERRED PAYEES

- Representative payments, **32:16 to 32:18; 35:80 to 35:83**

PREHEARING CONFERENCES

- Civil monetary penalties, Social Security Act, **1:8; 58:41**
- Medicare, **68:107**

PREHEARING PROCEDURES

- Generally, **52:43 to 52:51**
- Claim files and exhibits, **52:45**
 - on date of hearing, **52:46**
- Prehearing case review, **52:47 to 52:49**
- Prehearing conference, **52:50**
- Prehearing proceedings, Decisions by attorney advisors, **52:51**
- Selection of proposed exhibits, **52:44**
- Social Security Act, civil money penalty, **1:7; 58:42 to 58:46**

PRELIMINARY CERTIFICATION

- Payment and payment procedures, accelerated payments, **31:36 to 31:40**

PREMIUM HEALTH INSURANCE

- Medicare** (this index)

PREMIUMS

- Medicare** (this index)

PREPAID BURIAL CONTRACTS

- Supplemental security income, **20:63**

PREPARATION OF CASE

- Reconsideration disability hearing, **50:40; 50:41**

PREPAYMENT

- FICA taxes, **70:55**

PRESCRIPTIONS

- Medication** (this index)

PRESENTATION OF CLAIM

- Final decision requirement, **55:6 to 55:8**

PRESENTATION OF INFORMATION

Appeal and review, presentation and consideration of information, **50:4**

PRESIDENT

Federal government employees, coverage, **4:96**

PRESUMPTIONS AND BURDEN OF PROOF

Child's Benefits (this index)

Civil monetary penalties, **59:47**

Death, presumption of. **Survivor's Benefits** (this index)

Disability (this index)

FICA and self-employment tax litigation in Tax Court, **72:117**

Payment and payment procedures, presumption of direct deposit, **31:21**

Post-retirement earnings, presumptions concerning payment of wages, **28:17**

Sequential evaluation of disability, **36:11; 36:12**

Supplemental Security Income (this index)

Timely receipt, rebutting presumption of, **55:35**

Waiver of overpayment, **33:46; 33:65**

PREVAILING PARTY

Attorneys' and Representatives' Fees (this index)

PREVIOUSLY CERTIFIED PAYMENTS

Applying for benefits, **30:55**

PRIESTS

Religion and Religious Organizations (this index)

PRIMARY INSURANCE AMOUNT

Adjustments to primary insurance amount generally, **22:13 to 22:18**

age, adjustments based on, **22:15**

misconduct, effect of, **22:17**

non-residence, effect of, **22:17**

order of priority for adjustments, **22:18**

other entitlements, adjustments based on, **22:14**

post-retirement earnings, effect of, **22:16**

Annual matters. Years counted, below

Average-indexed-monthly-earnings method of computation

generally, **23:17 to 23:22**

bend point formula, **23:21**

illustrative calculation, **23:22**

indexing year, **23:18**

national average wage index, **23:19**

Average-monthly-wage method of computation, **23:23 to 23:26; 23:36**

Basic benefit, computation of, **23:1**

Basic computation, **25:4**

PRIMARY INSURANCE AMOUNT—Cont'd

Bench mark year

alternative calculation methods for individuals with prior disability, **23:29; 23:30**

benefit computations, years counted in, **23:8; 23:9**

Bend point formula, average-indexed-monthly-earnings method of computation, **23:21**

Calculation. Computation, below

Child-care dropout years, years counted in benefit computations, **23:16**

Commissioned officers of public health service, inclusion of money paid to, **23:4**

Computation

generally, **22:12; 23:2; 23:17 to 23:40**

adjustments. Adjustments to primary insurance amount, above

average-indexed-monthly-earnings method, above

average monthly wage method, **23:23 to 23:26; 23:36**

base years, **23:13**

basic benefit, **23:1**

basic computation, **25:4**

bench mark year, above

guaranteed alternative method of computation, **23:27; 23:28**

older calculation methods, **23:31 to 23:41**

prior disability, alternative calculation methods for individuals with, **23:29; 23:30**

revised old-start method, **23:40; 23:41**

simplified old-start method, **23:32**

table of reference for primary insurance amount average monthly wage computation, **23:25; 23:26**

older calculation methods, **23:39**

Correcting miscalculated benefit amounts, **23:6**

Cost-of-living and general increases, **24:11**

Definitions

benefit computation years, **23:14**

computation base years, **23:13**

elapsed years, **23:10**

indexing year, **23:18**

national average wage index, **23:19**

Derivation of primary insurance amount from wage earner's income, **23:3**

Determination, years counted in benefit computations, **23:7**

Disability

prior disability, alternative calculation methods for individuals with, **23:29; 23:30**

years counted, below

PRIMARY INSURANCE AMOUNT—Cont'd

- Dropout years, years counted in benefit computations, **23:15; 23:16**
- Elapsed years, years counted in benefit computations, **23:10 to 23:12**
- Elimination of manual computation methods, **23:31**
- Foreign countries, **24:38**
- Guaranteed alternative method of computation of primary insurance amount, **23:27; 23:28**
- Identification of bench mark year, years counted in benefit computations, **23:8**
- Indexing year, average index monthly earning method of computation, **23:18**
- Methods of computation. Computation, above
- Miscalculated benefit amounts, correction of, **23:6**
- Misconduct, adjustments to primary insurance amount, **22:17**
- Misconduct, effect of, adjustments to primary insurance amount, **22:17**
- National average wage index, **23:19**
- Non-residence, effect of, **22:17**
- Older calculation methods, **23:31 to 23:41**
- Post-retirement earnings, effect of, **22:16**
- Prior disability, alternative calculation methods for individuals with, **23:29; 23:30**
- Priority for adjustments, order of, **22:18**
- Public health service, special rule for inclusion of money paid to commissioned officers, **23:4**
- Revised old-start method, calculation of primary insurance amount, **23:40; 23:41**
- Rounding, benefit totals, **23:5**
- Simplified old-start method of calculation, **23:32**
- Tables. Computation, above
- Time. Years counted, below
- Years counted
 - generally, **23:7 to 23:16**
 - bench mark year, **23:8; 23:9**
 - benefit computation years, defined, **23:14**
 - child-care dropout years, **23:16**
 - computation base years, defined, **23:13**
 - determination of years, **23:7**
 - disability
 - bench mark year, effect on, **23:9**
 - lapsed years, effect on, **23:11**
 - dropout years, **23:15**
 - elapsed years, **23:10 to 23:12**
 - identification of bench mark year, **23:8**

PRINCIPAL AND AGENT

- Agency (this index)

PRINCIPAL PLACE OF RESIDENCE

- Supplemental Security Income (this index)

PRINTING OF APPLICATIONS, FORMS OR OTHER PUBLICATIONS

- Applying for benefits, **30:11**

PRIOR ACTS OR MATTERS

- Disability (this index)

PRIOR ATTORNEY

- Attorneys' fees, compensable services under Equal Access to Justice Act, **49:122**

PRIOR HOSPITALIZATION REQUIREMENT

- Medicare (this index)

PRIORITIES

- Taxes (this index)

PRIOR RETIREMENT SYSTEM**PARTICIPANTS**

- State and local government employees, coverage, **4:33**

PRISONS AND PRISONERS

- Imprisonment (this index)

PRIVACY

- Generally. **Privileged and Confidential Matters** (this index)

PRIVACY ACT

- Generally, **48:5; 48:23 to 48:41; 48:51 to 48:62; 48:72 to 48:74**
- Access to records, generally, **48:56; 48:60; 48:62**
- Administrative review of denial, **48:61**
- Appeal and review
 - administrative review of denial, **48:61**
 - judicial review and remedies, below
- Applications and requests procedure
 - generally, **48:51 to 48:62**
 - access to records, **48:56; 48:60; 48:62**
 - denial of access to records, **48:60**
 - exempt systems, special rules, **48:59**
 - existence and location of personal records, determination of, **48:51**
 - fees, **48:57**
 - medical records requests, **48:58**
 - minors and incompetents, special rules, **48:53**
 - special rules, **48:53; 48:58**
 - subject individuals can request records, **48:52**
 - verification of requester's identity, **48:54**
- Approval. Consent or approval of individual, below
- Availability of information, **48:23 to 48:25**
- Children, special rules for, **48:53**
- Civil remedies available for judicial review, **48:73**

PRIVACY ACT—Cont'd

- Consent or approval of individual
 - generally, **48:29 to 48:41**
 - court orders, exceptions, **48:36**
 - exceptions, generally, **48:32 to 48:38**
 - health or safety concerns, **48:37**
 - law enforcement agencies, **48:34**
 - record of disclosures, maintenance of, **48:31**
 - routine use, exceptions, **48:33**
 - statistical research and reporting, **48:35**
 - within agency use, exceptions, **48:32**
- Court order, disclosures pursuant to, **48:36**
- Criminal sanctions, **48:74**
- Demands or requests for disclosures. Applications and requests procedure, above
- Denial of access to records, **48:60**
- Disclosures, generally, **48:31; 48:39; 48:41; 48:62**
- District court, judicial review in, **48:73**
- Exemptions and exclusions
 - generally, **48:26 to 48:28; 48:32 to 48:38**
 - consent or approval of individual, above
 - Freedom of Information Act, inapplicability of exemptions, **48:28**
 - litigation materials, **48:27**
 - special rules for exempt systems, **48:59**
- Exempt systems, special rules for, **48:59**
- Existence of personal records, determination as to, **48:51**
- Fees for requests, **48:57**
- FICA and self-employment tax litigation, **72:108**
- FOIA principles, application to disclosure of program records, **48:40**
- Form of request, **48:55**
- Freedom of Information Act, inapplicability of exemptions under, **48:28**
- Health or safety concerns, consent for disclosures, **48:37**
- Identification of requester, verification of, **48:54**
- Incompetents and minors, special rules for, **48:53**
- Individual's right to review own records, **48:24**
- Judicial review and remedies
 - generally, **48:72 to 48:74**
 - available civil remedies, **48:73**
 - criminal sanctions, **48:74**
 - district court, right to bring suit in, **48:72**
- Law enforcement agencies, consent for disclosures to, **48:34**
- Litigation materials, exemption of, **48:27**
- Location of personal records, **48:51**
- Medical records requests, special rules for, **48:58**
- Minors and incompetents, special rules for, **48:53**

PRIVACY ACT—Cont'd

- Number, information concerning individuals having same social security number, **48:25**
 - Own records, individual's right to review, **48:24**
 - Place of personal records, determination of, **48:51**
 - Procedure for request for disclosure, **48:51 to 48:62**
 - Program records, consent for disclosure, **48:39 to 48:41**
 - Records. See lines throughout this heading
 - Remedies. Judicial review and remedies, above
 - Reporting of statistics, consent to disclosures for, **48:35**
 - Research, consent to disclosure for, **48:35**
 - Routine use within agency, consent to, **48:33**
 - Scope of Privacy Act, **48:5**
 - Social security numbers, information concerning individuals with same number, **48:25**
 - Statistical research or reporting, consent to disclosures for, **48:35**
 - Subject individuals can request records, **48:52**
 - Verification of requester's identity, **48:54**
 - Within agency disclosures, consent required for, **48:32**
- PRIVATE INDUSTRY**
- Religion and Religious Organizations** (this index)
- PRIVATE ORGANIZATION CLAIMANTS**
- Judicial review, **55:50**
- PRIVATE PRINTING OF APPLICATIONS, FORMS OR OTHER PUBLICATIONS**
- Applying for benefits, **30:11**
- PRIVILEGED AND CONFIDENTIAL MATTERS**
- Disability, evidence of, **37:8**
 - Freedom of Information Act** (this index)
 - Medical Records and Reports** (this index)
 - Medicare Part A, quality of life in skilled nursing facility, **60:130; 60:131**
 - Medicare Part D, **66:14**
 - Privacy Act** (this index)
 - Social security numbers, **12:21**
 - Summonses of allegedly privileged material, **72:24**
- PRIZES AND AWARDS**
- Fringe benefits and other compensation, **9:11**
- PRO BONO SERVICES**
- Attorneys' fees, Equal Access to Justice Act, **49:121**
- PROCEEDS OF SALE**
- Supplemental Security Income** (this index)
- PROCESS, SERVICE OF**
- Service of Process and Papers** (this index)

INDEX

PRODUCT SALES

Post-retirement earnings, **28:24**

PROFESSIONAL BASEBALL TEAM

Covered employment, **6:27**

Employer status, **6:27**

PROFESSIONAL SERVICE CORPORATION

Covered employment, **6:8**

Employer, **6:8**

PROFESSIONAL WORKERS

Covered employment, individuals qualifying as common law employees, **5:35**

PROFESSIONS

Trade or Business (this index)

PROFIT AND LOSS OPPORTUNITY

Determination of employee status, **2:45; 2:46**

PROFIT-SHARING PLANS

Retirement and deferred compensation payments, **9:41**

PROGRAM ADMINISTRATION

Administration of Programs (this index)

Generally, **1:31**

PROGRAM OPERATIONS MANUAL SYSTEM

POMS [Program Operations Manual System] (this index)

PROMISSORY NOTES

Supplemental security income, liquid resources, **20:47**

PROMULGATIONS BY SSA

Cost-of-living and general increases, **24:18**

PROOF

Evidence (this index)

PROPERTY

Covered employment, real estate agents and salespersons as individuals qualifying as common law employees, **5:36**

Receipt of benefits, effect of property settlement, **34:61; 34:62**

Supplemental Security Income (this index)

PRORATION

Foreign countries, pro rata benefits determination, **24:36**

Post-retirement earnings, proration of suspension of benefits, **28:53**

Supplemental Security Income (this index)

Workers' compensation offset, **26:72; 26:73**

PRO SE CLAIMANTS

Attorneys' fees under EAJA, **49:88**

District Court Practice

complaint requirement, **56:15**

PROSECUTION OF OFFENSES

Crimes (this index)

PRO SE REPRESENTATION

Generally. **Attorney and Non-Attorney Representation** (this index)

PROSPECTIVE LIFE OF APPLICATION

Applying for benefits, **30:44; 30:45**

PROSTATE CANCER SCREENING

Medicare

diagnostic services, **64:78; 64:79**

exclusions, **67:12**

PROSTHETIC DEVICES

Medicare, **64:95; 64:96; 64:111**

Musculoskeletal system impairments, **42:172**

PROTECTIVE FILINGS

Application For Benefits (this index)

PROTESTS

Representative Payments (this index)

PROVISION OF BASIC LEGAL FRAMEWORK

Social Security Act, **1:3**

PROVISIONS

Foreign employment, totalization agreement, **3:29**

PRUDENT INVESTOR STANDARD

Representative payments, surplus funds, **32:40**

PSYCHIATRIC HOSPITALS

Inpatient hospital services, Medicare Part A, **60:56; 60:73; 60:75; 60:77**

PSYCHOLOGICAL TESTS

Mental Disorders (this index)

PSYCHOLOGY AND PSYCHIATRY

Mental Disorders (this index)

PSYCHOSOCIAL SUPPORTS

Mental disorders, consideration of supports, **42:126; 42:151**

PSYCHOTIC DISORDERS

Generally, **42:132; 42:153**

PUBLIC ASSISTANCE

Age 72 benefits, suspension because of public assistance payments, **14:15**

PUBLIC ASSISTANCE—Cont'd

- Employer, agent for welfare recipients as, **6:36**
- Supplemental Security Income** (this index)
- Waiver of overpayment, **33:114**

PUBLICATIONS OF SSA

- Construction and interpretation. Interpretation guidelines, below
- Handbooks. Interpretation guidelines, below
- Interpretation guidelines
 - generally, **1:26 to 1:30**
 - handbooks and manuals
 - Program Operations Manual System (POMS), **1:28**
 - limited effect of Social Security Rulings, **1:27**
 - manuals. Handbooks and manuals, above this group
 - Program Operations Manual System (POMS), **1:28**
 - Limited effect of Social Security Rulings, interpretation guidelines, **1:27**
 - Manuals. Interpretation guidelines, above
 - Program Operations Manual System (POMS), interpretation guidelines, **1:28**

PUBLIC BIRTH RECORDS

- Age, Proof of** (this index)

PUBLIC DISABILITY BENEFITS

- Reduction or Offset of Benefits** (this index)

PUBLIC HEALTH AGENCIES

- Primary insurance amount, inclusion of money paid to commissioned officers, **23:4**

PUBLIC OFFICERS AND EMPLOYEES

- Federal Government Employees** (this index)
- Firefighters** (this index)
- Retirement and Retirement Benefits** (this index)
- Self-employment status, **10:8**
- State and Local Government Employees** (this index)
- Voluntary Coverage Election Agreements** (this index)

PUERTO RICO

- FICA taxes, withholding of taxes by employers, **70:76**
- Self-employment earnings of residents and nonresidents, **10:28**

PULMONARY FUNCTION TESTING

- Respiratory System Disorders** (this index)

PULMONARY IMPAIRMENTS

- Respiratory System Disorders** (this index)

PULSE OXIMETRY

- Pulmonary function testing, **42:240**

PURCHASE OF TEST

- Cardiovascular system impairments, exercise testing of adults, **42:40**

PURCHASES

- Sales and Transfers** (this index)

QUALIFICATION OR DISQUALIFICATION

- Administrative law judges, disqualification of, **52:27**
- Application For Benefits** (this index)
- Attorney and Non-Attorney Representation** (this index)
- Contract coverage, foreign affiliates, **3:3**
- Covered employment, qualification as common law employees, **5:3 to 5:60**
- Determination of insured status. **Insured Status** (this index)
- Disability** (this index)
- Foreign State or Country** (this index)
- Magistrates, **56:55**
- Old-Age, Survivors, and Disability Insurance** (this index)
- Payment and payment procedures, concurrent OASDI and SSI eligibility, **31:44**
- Representative payments, who may not serve as payee, **32:11; 32:12**
- Social Security Eligibility** (this index)
- State and local government employees, coverage, **4:68**
- Supplemental Security Income** (this index)
- Ticket to work and self-sufficiency program, eligibility, **44:159**
- World War II veterans, benefits, **14:53**

QUARTERS OF COVERAGE

- Insured Status** (this index)

QUESTIONABLE ADDRESSES

- Payment and payment procedures, **31:3**

QUESTIONNAIRE

- Attorney interview with client, **47:3; 47:13**

QUICK DISABILITY DETERMINATIONS

- Generally, **36:5**

RABBI

- Religion and Religious Organizations** (this index)

RADIOLOGICAL SERVICES

- Medicare** (this index)

INDEX

RAILROADS

- Disability benefits, determination of disability insured status, **13:36; 14:26**
- Request for hearing filed with Railroad Retirement Board, **51:16**
- Retirement matters
 - application for benefits
 - form of application, **30:13**
 - protective filing, **30:29**
 - correction of earnings record, **12:56**
 - reopening and revising determinations, duplicate railroad retirement benefits, **54:39**
 - request for hearing filed with Railroad Retirement Board, **54:39**
- Self-employment status, railroad employees, **10:10**
- Suspension of benefits, railroad service exception, **29:33**

RATES AND CHARGES

- FICA taxes, **69:2; 69:29**
- Form request for waiver of overpayment recovery or change in repayment rate [Form SSA-632-BK], **33:50**
- Medicare, charges paid by government entity, **67:29**
- Self-employment tax, **71:2**
- Service Charges** (this index)
- Waiver of overpayment, incorrect benefit rate, **33:80**

RATING DEGREE OF FUNCTIONAL LIMITATION

- Mental disorders, special evaluation procedure, **42:128**

REAL ESTATE AGENTS

- Self-employment status, **10:6**

REAL ESTATE RENTAL

- Self-Employment** (this index)

REAL ESTATE SALES

- Generally, **Self-Employment** (this index)

REAL PROPERTY

- Generally, **Property** (this index)

REASONABLE CAUSE

- FICA Taxes** (this index)

REASONABLE EFFORTS

- Supplemental security income, disposition of resources, **20:28 to 20:30**

REBUTTAL

- Supplemental Security Income** (this index)

RECALCULATION

- Benefits, **Recalculation of Benefits** (this index)
- Cost-of-Living and General Increases** (this index)
- Foreign countries, **24:40**

RECALCULATION OF BENEFITS

- For related material, see **Reduction, Deduction, or Offset of Benefits; Suspension of Benefits**
- Conviction for subversive activity, **29:10 to 29:14**

RECEIPT OF BENEFITS

- As to nonreceipt, **Payment and Payment Procedures** (this index)
- Alimony, effect of, **34:58 to 34:60**
- Bankruptcy estate, **34:73**
- Child support, effect of, **34:63 to 34:65**
- Military survivor benefits, effect of, **34:69**
- Property settlements, effect of, **34:61; 34:62**
- Retirement benefits, effect of, **34:66**
- Tax liability, effect on, **34:74 to 34:76**
- Unemployment insurance, effect of, **34:67**
- U.S. source income, treatment of social security benefits as, **34:76**
- Welfare benefits, eligibility for, **34:70**
- Workers' compensation, effect of, **34:68**
- Wrongful death, recovery for, **34:71**
- Wrongful discharge from employment, recovery for, **34:72**

RECEIPTS

- Benefits, **Receipt of Benefits** (this index)
- FICA Taxes** (this index)
- Supplemental security income, receipt of application for benefits, date of, **35:14; 35:16**

RECEIVERSHIPS

- Covered employment, receivers as individuals qualifying as common law employees, **5:22**
- Employer, **6:6**

RECOMPUTATION

- Recalculation** (this index)

RECONSIDERATION

- Generally, **50:24 to 50:47**
- Appeal and review
 - case review, **50:25**
 - disability hearing officer's determination, review of, **50:46**
- Arrangement for conference, **50:28**
- Availability, disability hearing, **50:38**
- Case review, **50:25**
- Completing form for request for, **50:34**

RECONSIDERATION—Cont'd

- Conferences
 - arrangement for conference, **50:28**
 - formal conference, **50:27**
 - informal conference, **50:26**
- Demand. Requesting reconsideration, below
- Disability hearing
 - generally, **50:37 to 50:47**
 - availability, **50:38**
 - date of hearing, **50:39**
 - forms, reconsideration disability report, **50:41**
 - hearing officer's determination, **50:45; 50:46**
 - notice
 - generally, **50:39**
 - determination, notice of, **50:47**
 - post-hearing procedures, **50:44**
 - preparation of case, **50:40; 50:41**
 - procedural rights of claimant, **50:43**
 - reports, reconsideration disability report, **50:41**
 - review of hearing officer's determination, **50:46**
 - time or date
 - date of, **50:39**
 - post-hearing procedures, **50:44**
- Effect of reconsidered determination, **50:29**
- Filing request for reconsideration, time or place for, **50:31**
- Final decision requirement, reconsidering case on merits, **55:22**
- Formality or informality. Conferences, above
- Forms
 - disability report, **50:41**
 - requesting reconsideration, **50:33; 50:34**
- Hearings. Disability hearing, above
- Informal conference, **50:26**
- Medicare** (this index)
- Medicare Advantage (MA) Program** (this index)
- Notice
 - disability hearing, above
 - requesting reconsideration, **50:36**
- Overpayments, **33:10; 33:14**
- Parties, generally, **50:30**
- Place to file request for reconsideration, **50:31**
- Post-hearing procedures, disability hearing, **50:44**
- Preparation of case, disability hearing, **50:40; 50:41**
- Procedural rights of claimant, disability hearing, **50:43**
- Reports, reconsideration disability report, **50:41**
- Requesting reconsideration
 - generally, **50:30 to 50:36**
 - completing form for request, **50:34**
 - filing request, time or place for, **50:31**

RECONSIDERATION—Cont'd

- Requesting reconsideration—Cont'd
 - forms for request, **50:33; 50:34**
 - notice of request, **50:36**
 - parties, generally, **50:30**
 - place to file request, **50:31**
 - time to file request, **50:31**
 - withdrawing request, **50:35**
 - Review of disability hearing officer's determination, **50:46**
 - Time or date
 - disability hearing
 - date of, **50:39**
 - post-hearing procedures, **50:44**
 - request for reconsideration, time to file, **50:31**
 - Withdrawal of reconsideration request, **50:35**
- RECONSTRUCTIVE SURGERY**
- Musculoskeletal system, **42:179**
- RECORDS AND REPORTS**
- Access
 - Freedom of Information Act** (this index)
 - Privacy Act** (this index)
 - Appeal to circuit court, **57:26**
 - Application For Benefits** (this index)
 - Child in care report untimeliness, penalty, **29:6 to 29:9**
 - Consumer reporting agencies, report of overdue overpayment debt to, **33:33**
 - Correction of Records** (this index)
 - Cost-of-living and general increases, reports to Congress, **24:17**
 - Covered employment, law reporters as individuals qualifying as common law employees, **5:6**
 - Disability** (this index)
 - Disclosure** (this index)
 - Earnings Records** (this index)
 - FICA Taxes** (this index)
 - Filing** (this index)
 - Freedom of Information Act** (this index)
 - Hearing, record of, **52:63 to 52:65**
 - Judicial Review** (this index)
 - Law enforcement, **48:21**
 - Liability for overpayment, **33:18**
 - Magistrates, **56:56; 56:58**
 - Medical Records and Reports** (this index)
 - Medicare** (this index)
 - Mental disorders, evaluation of pertinent findings, **42:128**
 - Overpayments** (this index)
 - Payment, nonreceipt of, **31:47; 35:62; 35:63**

RECORDS AND REPORTS—Cont'd

- Personnel, **48:16**
- Post-Retirement Earnings** (this index)
- Privacy Act** (this index)
- Reconsideration disability report, **50:41**
- Reduction, Deduction, or Offset of Benefits** (this index)
- Self-employment tax, reporting, **71:19**
- Skilled nursing care. **Medicare** (this index)
- State and local government employees, coverage compliance, **4:85**
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)

RECOUPMENT

- Overpayment, preredemption review, **33:11**

RECOVERY OF OVERPAYMENTS

- Overpayments** (this index)

RECREATIONAL WORKERS

- Covered employment, individuals qualifying as common law employees, **5:37**

RECURRENT ARRHYTHMIAS

- Cardiovascular system impairments, **42:36**

REDETERMINATION

- Medicare** (this index)
- Supplemental Security Income** (this index)
- Workers' compensation benefits reduction, **26:77**

REDUCTION

- Attorneys' and Representatives' Fees** (this index)
- Benefits. **Reduction, Deduction, or Offset of Benefits** (this index)
- Windfall reduction, **24:2; 24:4**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS

- For related material see **Recalculation of Benefits; Suspension and Nonpayment of Benefits**
- Generally, **26:1 to 26:82**
- See also **Suspension of Benefits**
- Actuarial reduction period. Early receipt, reduction of benefit amounts for, below
- Adjustments
 - application of family maximum tom benefits, **25:18**
 - early receipt, reduction of benefit amounts for, below
 - government pension offset, **26:42**
- Annuities, benefits payable in, **26:52**
- Applying for benefits, reduction of benefits, **30:52**
- Armed forces pensions, exception as to, **26:38**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Average current earnings determination, **26:66**
- Black lung benefits, Part B, **26:57**
- Child in care, deduction based on failure to have generally, **29:1 to 29:9**
 - affected benefits, generally, **29:2 to 29:4**
 - amount of deduction, **29:5**
 - child's benefits as affected, **29:4**
 - form of report, **29:7**
 - husband's benefits as affected, **29:2**
 - mother's or father's benefits as affected, **29:3**
 - penalty deduction for failure untimely report, **29:8; 29:9**
 - reporting requirements, **29:6 to 29:9**
 - spouse's benefits as affected, **29:2**
 - wife's benefits as affected, **29:2**
- Child's benefit
 - disability benefits, **26:5; 26:18; 26:19; 26:21**
 - earnings record affecting, **26:23 to 26:25**
 - mother's or father's benefit and, **26:18**
 - parent's benefit and, **26:21**
 - spouse's benefit and, **26:18**
- Collateral sources, generally, **26:1 to 26:82**
- Computing amount
 - adjustment of family maximum where beneficiary subject to deduction or reduction, **25:18**
 - government pension offset, **26:39 to 26:42**
 - workers' compensation benefits, **26:65 to 26:77**
- Constitutionality of government pension offset, **26:27**
- Costs and expenses, workers' compensation claims, **26:68 to 26:70**
- Crimes
 - subversive activities penalty, below
 - Suspension of Benefits** (this index)
- Definitions
 - confinement, **29:52**
 - government pension, **26:28; 26:29**
- Disability benefits
 - generally, **14:44; 26:1 to 26:6**
 - children, **26:5; 26:18; 26:19**
 - mother's or father's benefit and, **26:3; 26:4**
 - parent's benefit and, **26:3; 26:4**
 - public disability benefits, below
 - retirement benefit and, **26:6**
 - spouse's benefit and, **26:2**
 - widow's or widower's benefits and, **26:12**
- Divorced spouses
 - survivors' benefits, **17:18**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Divorced spouses—Cont'd
 - widow's or widower's benefits and, **26:9**
- Early receipt, reduction of benefit amounts for generally, **27:1 to 27:28**
 - actuarial reduction
 - generally, **27:1 to 27:10**
 - application of reduction to benefits, **27:3**
 - benefits affected by early receipt, **27:2**
 - overview, **27:1**
 - primary insurance amount, reduction of benefits upon increase of, **27:4**
 - retirement benefits, early receipt of, **27:5; 27:10**
 - widow's or widower's benefits, early receipt of, **27:7 to 27:9**
 - wife's or husband's benefits, early receipt of, **27:6**
 - adjusted reduction period
 - generally, **27:15 to 27:19**
 - disability benefits, **27:19**
 - reduced benefit amount may be adjusted to account for months when certain events occur, **27:15**
 - retirement insurance benefits, **27:16**
 - widow's or widower's insurance benefits, **27:18**
 - wife's or husband's insurance benefits, **27:17**
 - application for reduced benefits, considerations involved in
 - generally, **27:27; 27:28**
 - documentation required by Social Security Administration, **27:28**
 - widow's or widower's insurance, **27:28**
 - application of reduction to benefits, **27:3**
 - disability benefits
 - adjusted reduction period, **27:19**
 - retirement insurance benefit, reduction to disability insurance benefits after entitlement to reduced, **27:20**
 - widow's or widower's insurance benefit, reduction to disability insurance benefits after entitlement to reduced, **27:21**
 - disability insurance. Entitlement to reduced benefit preceding entitlement to another kind of benefit, below this group
 - entitlement to reduced benefit preceding entitlement to another kind of benefit
 - generally, **27:20 to 27:26**
 - no reduction in disability insurance benefits following entitlement to particular other benefits, **27:22**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Early receipt, reduction of benefit amounts for—Cont'd
 - entitlement to reduced benefit preceding entitlement to another kind of benefit—Cont'd
 - retirement insurance benefit, reduction is disability insurance benefits after, **27:20**
 - retirement insurance benefit reduced after entitlement to reduced widow's or widower's insurance benefit, **27:23; 27:24**
 - widow's or widower's insurance benefit, reduction in disability insurance benefits after, **27:21**
 - number of months of entitlement prior to retirement age, benefit amount reduced according to, **27:11**
 - occurrence of certain events, reduced benefit amount may be adjusted to account for months when certain events occur, **27:15**
 - optimum months for filing for reduced widow's or widower's benefit and reduced retirement insurance benefit, **27:28**
 - period of reduction. Reduction period, below this group
 - primary insurance amount, reduction of benefits upon increase of, **27:4**
 - reduction period
 - generally, **27:11 to 27:17; 27:11 to 27:19**
 - adjusted reduction period, above this group
 - number of months of entitlement prior to retirement age, benefit amount reduced according to, **27:11**
 - retirement insurance benefits, **27:12**
 - widow's or widower's insurance benefits, **27:14**
 - wife's or husband's insurance benefits, **27:13**
 - retirement benefits
 - actuarial reduction of benefits for early receipt, **27:5; 27:10**
 - adjusted reduction period, **27:16**
 - disability insurance benefits reduced after entitlement to reduced retirement insurance benefit, **27:20**
 - entitlement to reduced benefit preceding entitlement to another kind of benefit, above this group
 - reduction period, **27:12**
 - widow's or widower's insurance, reduction in retirement insurance benefits after entitlement to reduced, **27:23; 27:24**
 - simultaneous entitlement to other insurance benefit, reduction in wife's, husband's, wid-

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Early receipt, reduction of benefit amounts for—Cont'd
 - ow's, or widower's benefit in month of, **27:25; 27:26**
- widow's or widower's benefits
 - actuarial reduction for early receipt, **27:7 to 27:9**
 - adjusted reduction period, **27:18**
 - application for reduced benefits, considerations involved in, **27:28**
 - disability insurance benefits reduced after entitlement to reduced widow's or widower's benefit, **27:21**
 - entitlement to reduced benefit preceding entitlement to another kind of benefit, above this group
 - reduction period, **27:14**
 - retirement insurance benefits reduced after entitlement to reduced widow's or widower's benefit, **27:23; 27:24**
- wife's or husband's benefits
 - actuarial reduction for early receipt, **27:6**
 - adjusted reduction period, **27:17**
 - entitlement to reduced benefit preceding entitlement to another kind of benefit, above this group
 - reduction period, **27:13**
- Earnings record
 - another's record, multiple benefits based on, **26:15 to 26:21**
 - child's benefits as affected by, **26:18; 26:19; 26:21; 26:23 to 26:25**
 - workers' compensation reductions, **26:67**
- Eligibility verification, workers' compensation, **26:45**
- Exceptions to government pension offset, **26:31 to 26:28**
- Family changes affecting reduction amount, **26:74**
- Family maximum, adjustment where beneficiary subject to deduction or reduction, **25:18**
- Father's benefit. Mother's or father's benefit, below Federal government pension, offset exception, **26:37**
- Federal public disability benefits, reduction based on, **26:56; 26:57**
- Federal workers' compensation plans, reduction for, **26:48**
- Government pension benefits, age 72 benefits and, **14:12 to 14:14**
- Government pension offset
 - generally, **26:26 to 26:42**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Government pension offset—Cont'd
 - adjustments to benefits, other, affecting computation, **26:42**
 - amount of offset, determining, **26:39 to 26:42**
 - armed forces pensions, exception as to, **26:38**
 - constitutionality of, **26:27**
 - definition, **26:28; 26:29**
 - exceptions to offset, **26:31 to 26:28**
 - federal employment covered under Social Security Act, **26:37**
 - interstate instrumentality, exception as to pension based on, **26:35**
 - last day, or last 60 months, of employment covered under Social Security Act, **26:36**
 - lump sum payments, **26:41**
 - military pensions, exception as to, **26:38**
 - nonqualifying government pensions, **26:30**
 - one-half support requirement exception, **26:33; 26:34**
 - what constitutes government pension, **26:28; 26:29**
- Interstate instrumentality, offset as to pension based on, **26:35**
- Local government employees, **26:55**
- Lump sum payments
 - government pension offset, **26:41**
 - workers' compensation, **26:51; 26:52; 26:72; 26:73**
- Military pensions, exception as to, **26:38**
- Mother's or father's benefit
 - see also Parent's benefit, below
 - child's disability benefits and, **26:19**
 - disability benefits and, **26:3; 26:4; 26:18**
 - parent's benefit and, **26:20**
 - retirement benefits and, **26:3; 26:4**
 - spouse's benefit and, **26:16**
 - survivors' benefits, **17:31**
 - widow's or widower's benefits and, **26:10; 26:11**
- Multiple benefit entitlement, reduction based on, **26:1 to 26:25**
- Nonmonthly benefit treatment
 - lump sum payment, above
 - worker's compensation reduction, **26:71 to 26:73**
- One-half support requirement as to government pension offset, **26:33; 26:34**
- Optimum month for filing for reduced widow's or widower's benefit and reduced retirement insurance benefit, **27:28**
- Parent's benefit
 - see also Mother's or father's benefit, above

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Parent's benefit—Cont'd
 - child's disability benefit and, **26:21**
 - disability benefit, **26:3; 26:4; 26:21**
 - mother's or father's benefit and, **26:20**
 - retirement benefit, **26:3; 26:4**
 - spouse's benefit and, **26:17**
 - survivor's benefits, **17:55**
 - widow's or widower's benefits and, **26:10; 26:11**
- Penalty for child in care failure untimely report, **29:8; 29:9**
- Period of reduction. Early receipt, reduction of benefit amounts for, above
- Primary insurance amount increase, reduction of benefits, **27:4**
- Prorating lump sum payments, workers' compensation, **26:72; 26:73**
- Public disability benefits
 - generally, **26:43 to 26:46; 26:54 to 26:64**
 - amount of reduction, computing, generally, **26:65 to 26:77**
 - average current earnings determination, **26:66**
 - black lung benefits, Part B, **26:57**
 - computing amount of reduction, generally, **26:65 to 26:77**
 - covered employment, nonpublic disability benefits based on, **26:59**
 - earnings record as affecting, **26:67**
 - eligibility verification, **26:45**
 - expenses relating to claim, **26:68 to 26:70**
 - family changes affecting reduction amount, **26:74**
 - federal public disability benefits, **26:56; 26:57**
 - local government employees, **26:55**
 - lump sum payments, prorating, **26:72; 26:73**
 - miner's benefits, Part B, **26:57**
 - nonmonthly benefit treatment, **26:71 to 26:73**
 - nonpublic disability benefits, **26:58; 26:59**
 - prorating lump sum payments, **26:72; 26:73**
 - redetermination of benefits, **26:77**
 - reporting information to SSA, **26:46**
 - reverse offset plans, **26:63; 26:64**
 - same disability, benefits need not be based on, **26:44**
 - social security increases affecting reduction amount, **26:75**
 - state government employees, **26:55**
 - verification of eligibility, **26:45**
- Records, reduction of benefit amounts for early receipt, **27:28**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

- Rehabilitation. Vocational rehabilitation program and services, below
- Retirement benefits
 - generally, **14:4; 26:1 to 26:6**
 - child's benefit and, **26:5**
 - disability benefit and, **26:6**
 - early receipt, reduction of benefit amounts for, above
 - government pension offset, above
 - mother's or father's benefit and, **26:3; 26:4**
 - parent's benefit and, **26:3; 26:4**
 - spouse's benefit and, **26:2**
 - widow's or widower's benefits and, **26:12**
- Reverse offset plans
 - February 18, 1981, enactment after, **26:64**
 - public disability benefit plans, **26:63**
 - workers' compensation reduction, **26:60 to 26:62**
- Settlements, third party, affecting worker's compensation reduction, **26:49**
- Simultaneous entitlement to other insurance benefit, reduction in wife's, husband's, widow's, or widower's benefit in month of, **27:25; 27:26**
- Spouse's benefit
 - generally, **15:29**
 - child care failure deduction, **29:2**
 - child's disability benefit, **26:18**
 - divorced spouses
 - survivors' benefits, **17:18**
 - widow's or widower's benefits and, **26:9**
 - mother or father's benefit and, **26:16**
 - parents' benefit and, **26:17**
 - retirement benefits and, **26:2**
 - widow's or widower's benefits and, **26:8; 26:9**
- State employees, **26:55**
- Subversive activities penalty
 - generally, **29:10 to 29:14**
 - applicability of penalty, **29:11**
 - benefits affected, **29:12**
 - duration of penalty, **29:13**
 - pardon, effect, **29:14**
 - recalculation, generally, **29:10 et seq.**
- Supplemental Security Income** (this index)
- Third party settlements affecting workers' compensation reduction, **26:49**
- Time. Early receipt, reduction of benefit amounts for, above
- Trust, workers' compensation benefits payable in, **26:52**

REDUCTION, DEDUCTION, OR OFFSET OF BENEFITS—Cont'd

Vocational rehabilitation program and services workers' compensation payments, reduction for, **26:50**

Widow's or widower's benefits

generally, **26:7 to 26:14**

disability benefit and, **26:12**

divorced spouse's benefit and, **26:9**

early receipt, reduction of benefit amounts for, above

mother's or father's benefit and, **26:10; 26:11**

multiple widow's or widower's benefit, **26:14**

parent's benefit and, **26:10; 26:11**

retirement benefit and, **26:12**

spouse's benefit and, **26:8; 26:9**

survivors' benefits, **17:18**

Windfall Reduction (this index)

Workers' compensation benefits reduction

generally, **26:43 to 26:77**

amount of reduction, computing, generally, **26:65 to 26:77**

annuities, benefits payable in, **26:52**

average current earnings determination, **26:66**

computing amount of reduction, generally, **26:65 to 26:77**

earnings record affecting, **26:67**

eligibility verification, **26:45**

expenses relating to claim, **26:68 to 26:70**

family changes affecting reduction amount, **26:74**

federal workers' compensation plans, **26:48**

lump sum payments, **26:51; 26:52; 26:72; 26:73**

nonmonthly benefit treatment, **26:71 to 26:73**

non-workers' compensation benefits, **26:53**

prorating lump sum payments, **26:72; 26:73**

redetermination of benefits, **26:77**

reporting information to SSA, **26:46**

reverse offset plans, **26:60 to 26:62**

same disability, benefits need not be based on, **26:44**

settlements, third part, **26:49**

social security increases affecting reduction amount, **26:75**

third party settlements, **26:49**

trust, benefits payable in, **26:52**

verification of eligibility, **26:45**

vocational rehabilitation payments, **26:50**

REDUCTION OF PENALTIES

Employment taxes, carryovers, **73:13**

REENTITLEMENT

Applying for benefits, **30:8**

Child's Benefits (this index)

RE-EVALUATIONS

Representative payments, reevaluating competency, **32:8**

REFEREES

Federal government employees, coverage, **4:98**

REFERRALS

Disability (this index)

Magistrates, referral of social security appeals, **56:49**

REFUNDS

Abatement of assessment, **72:89; 72:90**

Amending the claim, **72:76**

Assignment of overpayment claims and refund checks, **72:96**

Attorneys' fees, dual fee awards, **49:137; 49:138**

Contents of claim for refund, **72:72**

Costs, recovery of by prevailing party, **72:88**

Court-determined overpayments, recovering, **72:87**

Embezzled funds, refund of FICA taxes paid on, **72:79**

Employee's refund claim, generally, **72:77; 72:81**

Employer's FICA refund claims, generally, **72:77; 72:78**

Estoppel as bar to refund claim, **72:80**

FICA Taxes (this index)

Filing refund claim, **72:73**

Formal claim for refund of overpayment of tax, **72:70**

Informal claim for refund of overpayment of tax, **72:71**

Interest on overpayment refunds, **72:92 to 72:95**

Internal Revenue Service procedure, generally, **72:70 et seq.**

Limitation on amount of FICA tax refund or credit, **72:72**

Limitation period on refund claims and suits

generally, **72:97 to 72:102**

amount of refund, effect of limitations period on, **72:101**

lawsuit for refund, time for bringing, **72:100**

mitigation of effect of limitations period, cases involving both FICA and self-employment taxes, **72:102**

state and local government employees, self-employment tax refund claims, **72:99**

Meals and lodging, employer's FICA refund claims, **72:78**

REFUNDS—Cont'd

- Multiple employers, special refund of FICA tax overpayment to employees of, **72:91**
- Partial refunds, **72:85**
- Preparation of refund claims, generally, **72:70 to 72:96**
- Recovery of overpayment, **33:21 to 33:24; 35:125; 35:126**
- Rejection of refund claims, **72:75**
- Supplemental Security Income** (this index)
- Termination of employment, effect on refund claim, **72:83**
- § D2 million, overpayments in excess of, **72:86**

REFUSAL

- Expedited appeals process, refusing to sign or withdrawing from agreement, **50:55**
- Personal conference, refusal to attend, **33:60**
- Treatment, refusal of. **Disability** (this index)

REGIONAL OFFICE OF SSA

- Freedom of Information Act, location of information available under, **48:13**

REGULATIONS

- Rules and Regulations** (this index)

REHABILITATION

- Duration of disability, effect of rehabilitative efforts, **39:53**
- Inability to work, **43:92**
- Medicare Part A** (this index)
- Medicare** (this index)
- Vocational Training and Rehabilitation** (this index)

REIMBURSEMENT

- Fringe Benefits and Similar Compensation** (this index)
- Medicare** (this index)
- Supplemental Security Income** (this index)
- Travel expenses to hearings, **52:74 to 52:82**

REINSTATEMENT

- Appeal to circuit court, **57:18**
- Medicare, **64:64; 64:65**
- Representative, after disciplinary proceedings, **46:34**
- Supplemental security income, **18:115; 18:116**

REJECTION

- Acceptance or Rejection** (this index)

RELATED CORPORATIONS

- FICA Taxes** (this index)

RELATIVES

- Family and Relatives** (this index)

RELEASE OR DISCHARGE

- Medicare Part A
 - hospice care, **60:207**
 - skilled nursing care facility, **60:105 to 60:108; 60:134; 60:165**
- Post-judgment remedies, motion for relief from judgment, **56:86**
- Representative payments, securing release of beneficiary from institution, **32:32**
- Taxes** (this index)

RELIEF FROM JUDGMENT

- Post-Judgment Remedies** (this index)

RELIGION AND RELIGIOUS

ORGANIZATIONS

- Age, religious records of age, **21:11**
- Age, Proof of** (this index)
- Applications, exemption from self-employment tax, **11:33; 11:34; 11:38 to 11:40**
- Christian Science practitioners
 - election for exemption from self-employment tax, **11:32 to 11:36**
 - self-employment status, **10:7; 11:15**
 - self-employment tax, **11:32 to 11:36; 71:21**
- Christian Science Practitioners. See lines throughout this heading
- Church of Scientology, income of ministers, **11:16**
- Computation of benefits, frozen minimum primary insurance amount for those in religious orders, **25:6**
- Covered employment. Employment coverage, below
- Disability, religious reasons for failure to follow prescribed treatment, **38:12**
- Earnings. Income of clergy and members of certain religious groups, below
- Elections
 - employment coverage, below
 - exemption from coverage. Elective coverage exemption, below
- Elective coverage exemption
 - generally, **11:32 et seq.**
 - contents of application, **11:33**
 - effective date of exemption, **11:35**
 - particular cases, **11:36; 11:42**
 - self-employed members of certain religious groups
 - generally, **11:37 to 11:39**
 - application filing requirements, **11:38 to 11:40**

RELIGION AND RELIGIOUS**ORGANIZATIONS—Cont'd**

- Elective coverage exemption—Cont'd
 - self-employed members of certain religious groups—Cont'd
 - approval of application, requirement of, **11:40**
 - effective period of exemption, **11:41**
 - particular cases, **11:42**
 - time for filing application, **11:39**
 - time for filing application, **11:34; 11:39**
- Employment coverage
 - certificates of election, filing of, **5:78**
 - disability, retirement because of total disability, **5:76**
 - effective date of election of coverage, **5:79; 5:82**
 - election of coverage
 - generally, **5:72 to 5:77**
 - effective date of, **5:79; 5:82**
 - filing certificates of election, **5:78**
 - total disability, retirement because of, **5:76**
 - evidentiary requirements with respect to retirement, election of coverage, **5:77**
 - exemption from coverage
 - generally, **2:33**
 - religious belief
 - application requirements, **5:81**
 - effective period of exemption, **5:82**
 - filing certificates of election of coverage, **5:78**
 - ministers and members of religious orders, generally, **5:71 et seq.**
 - old age, retirement because of, **5:74; 5:75**
 - retirement, below
 - time or date, effective date of election of coverage, **5:79**
 - total disability, retirement because of, **5:76**
 - FICA taxes, employers' deposits, noncash support to vow-of-poverty religious order members, **70:14**
 - Hospitals, payments to religious organization for services of volunteer members, **7:30**
 - Income of clergy and members of certain religious groups
 - generally, **11:15 et seq.**
 - autonomous subdivision of religious order, what constitutes a religious order, **11:31**
 - Christian Science practitioners, **11:15**
 - Church of Scientology, **11:16**
 - definition of religious organization, **11:26; 11:27**
 - directing, managing, or promoting activities of religious organization, **11:19**
 - “duly ordained, commissioned, or licensed” defined, **11:17**

RELIGION AND RELIGIOUS**ORGANIZATIONS—Cont'd**

- Income of clergy and members of certain religious groups—Cont'd
 - elective coverage exemption, above
 - exercise of ministry, what constitutes, **11:18 to 11:25**
 - government, religious services in employ of, **11:22**
 - integral agency of religious organization, services for, **11:23**
 - members of religious orders, **11:28 to 11:31**
 - ministers, **11:15 to 11:27**
 - missionaries' services, **11:20**
 - nonreligious services in the employ of secular industry, **11:21**
 - particular services as constituting exercise of ministry, generally, **11:24; 11:25**
 - religious order, what constitutes, **11:30; 11:31**
 - self-employment status. Self-employment, below
- Medicare** (this index)
- Ministers. See lines throughout this heading
- Missionaries and missionary service, **7:29; 11:20**
- Prescribed treatment, religious reasons justifying failure to follow, **38:12**
- Priests. See lines throughout this heading
- Religious order for election purposes, **5:73**
- Retirement
 - employment coverage
 - evidentiary requirements with respect to retirement, election of coverage, **5:77**
 - old age, retirement because of, **5:74; 5:75**
 - total disability, election of coverage, **5:76**
 - self-employment tax, retirement benefits provided by church as subject to, **11:44**
- Self-employment
 - generally, **10:5; 10:7; 11:28; 11:29; 11:37 to 11:45**
 - Christian Science practitioners, above
 - Church of Scientology ministers, **11:16**
 - earnings subject to tax, generally, **11:43 to 11:45**
 - elective coverage exemption, above
 - exemption from tax
 - elective coverage exemption, above
 - insurance, special exemption from tax for special religious groups opposed to, **10:64**
 - insurance, special exemption from tax for special religious groups opposed to, **10:64**
 - net earnings, calculating, **10:29**
 - nonresidents, earnings as subject to tax, **11:45**
 - retirement benefits provided by church, **11:44**

RELIGION AND RELIGIOUS

ORGANIZATIONS—Cont'd

- Self-employment—Cont'd
 - special exemption from tax for special religious groups opposed to insurance, **10:64**
 - tax, generally, **11:43 to 11:45; 71:16; 71:21; 71:22**
 - tax exemption. Exemption from tax, above this group
- Taxes and tax exemption. Self-employment, above
- Third parties, services performed for third party by certain members of religious orders, **7:26**
- Time or date
 - effective date, above
 - elective coverage exemption, above
 - self-employed members of certain religious faiths, above
- Uniform wage rules for religious orders, **7:27**
- Wages, **7:23 to 7:30**
- Waiver of OASDI benefits, **34:56**

RELIGIOUS NONMEDICAL HEALTH CARE INSTITUTIONS

- Inpatient hospital services, Medicare Part A, **60:57**

RELOCATION ASSISTANCE

- Supplemental Security Income** (this index)

REMAND

- Administrative Proceedings** (this index)
- ALJ, remand to, **53:59; 53:60**
- Assignment of ALJ, remand to ALJ, **53:60**
- Assumption of jurisdiction by Appeals Court, **53:63**
- Attorneys' and Representatives' Fees** (this index)
- Circuit court appeal, finality of order, **57:3**
- Decision and review, generally, **53:57 to 53:64**
- Disability, continued benefits when case is remanded, **44:108 to 44:110**
- Filing exceptions to ALJ decision, **53:61**
- Final decision, **53:64; 55:28**
- Issues considered after remand, **53:58**
- Judicial Review** (this index)
- Medicare** (this index)
- Rejection of exceptions, **53:62**
- Social Security Act, construction of Act, **1:15**

REMARRIAGE

- Survivor's Benefits** (this index)

REMISSION

- Disability, re-evaluations, **44:41**

REMUNERATION

- Wages** (this index)

RENAL DISEASE

- Medicare** (this index)

RENAL DISEASE, END-STAGE

- Medicare Part A** (this index)

RENAL IMPAIRMENTS IN ADULTS

- Chronic kidney disease, **42:72**

RENTAL INCOME

- Generally, **11:46 to 11:48**
- Living quarters, rental of, **11:47**
- Particular cases, **11:48**
- Self-Employment** (this index)

RENT AND RENTALS

- Child's benefits, **16:78**
- Closely held corporation, remuneration for management of rental property owned by, **7:15**
- Income. **Rental Income** (this index)
- Self-Employment** (this index)
- Supplemental Security Income** (this index)

REOPENING AND REVISING

DETERMINATIONS

- Generally, **54:1 to 54:49**
- Action which can trigger reopening, **54:6 to 54:8**
- Adverse claims, **54:36**
- Applying for benefits, reopened applications, **30:56**
- Constructive reopening, **54:12 to 54:14**
- Conviction of felony, **54:42; 54:43**
- Death of wage earner established, **54:37**
- Definition, **54:1**
- Denied reopening, **54:13**
- Determinations and decisions subject to reopening and revision, **54:5**
- Discretionary, reopening as, **54:2**
- Duplicate railroad retirement benefits, **54:39**
- Earnings records. Grounds for reopening, below
- Errors
 - decision unfavorable to claimant, error resulting in, **54:25**
 - deemed wage credits for World War II internment, errors relating to, **54:41**
 - good cause to reopen within 2 to 4 years
 - clerical error, **54:28**
 - face of evidence, error on, **54:29; 54:30**
 - military service wage credits, **54:40**
- Evidence
 - fraud and similar fault, **54:34**
 - grounds for reopening, **54:27**
- Expiration. Time limits, below
- Finality, **55:20 to 55:24**

REOPENING AND REVISING**DETERMINATIONS—Cont'd**

- Fraud and similar fault
 - generally, **54:32 to 54:34**
 - applicable persons, **54:33**
 - proof required, **54:34**
- Good cause. Grounds for reopening, below
- Grounds for reopening
 - generally, **54:23 to 54:45**
 - adverse claims, **54:36**
 - any reason within one year, **54:24**
 - conviction of felony, **54:42; 54:43**
 - death of wage earner established, **54:37**
 - decisions correct when made, **54:23**
 - duplicate railroad retirement benefits, **54:39**
 - errors, above
 - fraud and similar fault, above
 - good cause to reopen within 2 to 4 years
 - generally, **54:26 to 54:31**
 - change of ruling, **54:31**
 - errors, above
 - legal precedent, **54:31**
 - new and material evidence, based on, **54:27**
 - increase in future benefits where time period for reopening has expired, **54:45**
 - intentional homicide of wage earner, conviction of, **54:42**
 - later claim based on same earnings record
 - generally, **54:35; 54:36**
 - adverse claims, **54:36**
 - overturning felony conviction, **54:43**
 - presumed to be dead, wage earner discovered alive, **54:37**
 - quarters of coverage and wages, error in crediting, **54:38**
 - suspension of benefits, reopening because of earnings, **54:44**
- Hearing on reopening, **54:11**
- Homicide, conviction of as grounds for reopening, **54:42**
- Initiation, **54:16**
- Magistrates, revisory power of court, **56:62**
- Mandamus, **58:9**
- Medicare** (this index)
- New application, **54:8**
- Notice
 - generally, **54:15**
 - reopened and revised determinations, below
- OASDI and SSI reopenings compared, **54:3**
- OASDI rules applicable to Medicare reopenings, **54:4**

REOPENING AND REVISING**DETERMINATIONS—Cont'd**

- Reopened and revised determinations
 - generally, **54:46 to 54:49**
 - hearing and review, **54:49**
 - notice of proposed revision
 - generally, **54:46; 54:47**
 - continued benefits, right to, **54:47**
 - notice of revised determination, **54:48**
- Request for reopening, **54:7; 54:9**
- Res Judicata** (this index)
- Review of prior claim made for limited purpose, constructive reopening where, **54:14**
- Time limits
 - generally, **54:17 to 54:22**
 - computation, **54:18**
 - expiration, reopening and revising determination after
 - investigation begun before expiration of time limits, **54:20**
 - new and material evidence, **54:21**
 - prior determination, effect of reopened determination on time limits for reopening of, **54:22**
 - tolling, **54:19**
- Waiver determination, **33:62**
- Who makes reopening determination, **54:10**

REPAIR WORK PERSONS

- Covered employment, individuals qualifying as common law employees, **5:49**

REPAYMENT

- Continued disability benefits, **44:112**
- Corporate officers, voluntary repayment of salary to, **7:17**
- Federal taxation of benefits, adjustment for repayment of benefits, **34:42**
- Overpayment, recovery of, **33:21; 33:50**

REPLACEMENT

- Medicare, replacement of lost or forged check of intermediary or carrier, **68:2**
- Supplemental Security Income** (this index)

REPORTERS

- Covered employment, law reporters as individuals qualifying as common law employees, **5:6**

REPORTS

- Records and Reports** (this index)

REPRESENTATIVE

- Attorney and Non-Attorney Representation** (this index)

REPRESENTATIVE—Cont'd

- Crimes (this index)
- Payment. **Representative Payments** (this index)

REPRESENTATIVE ACTIONS

- Class Actions** (this index)

REPRESENTATIVE PAYMENTS

- Generally, **32:1 et seq.**
- Accountability and liability, **32:43 to 32:48**
- Addiction to drugs, **32:18**
- Advance notice of determinations, **32:19; 32:20**
- Alcoholism, **32:18**
- Appeal and review, notice and protest of determinations, **32:22**
- Beneficiaries not found incompetent, **32:9**
- Burial insurance, purchase of, **32:30**
- Children and minors
 - generally, **32:2**
 - notice and protest of determinations, **32:20**
 - preferred payees, **32:16**
 - support and maintenance, **32:37; 32:38**
- Circumstances justifying direct payments to incompetent beneficiaries, **32:4**
- Conserved funds. Surplus or conserved funds, below
- Conversion
 - SSA violation, representative payee's criminal liability for, **59:9; 59:10**
 - surplus funds, conservation and investment of, **32:39**
- Creditors, **32:12; 32:35**
- Debtors and creditors, **32:12; 32:35**
- Debts, payment of, **32:35**
- Deferral of benefits until payee is selected, **35:78**
- Drug addiction, **32:18**
- Duties and responsibilities of payee, **32:25**
- Enforcement of payee's duties, **32:45**
- Evidence
 - incompetency, **32:6**
 - status and function of payee, **32:26**
 - supplemental security income, **35:69; 35:92**
- Fees
 - qualified organizations, payment of fees to, **32:28**
 - supplemental security income, payment to qualified organizations, **35:93**
- Filing request to be selected as payee, **32:13; 35:77**
- Final accounting, **32:47**
- Financial status, effect of receipt of payments on, **32:27**
- Form, statement of care and responsibility for beneficiary (Form SSA-788), **32:49**

REPRESENTATIVE PAYMENTS—Cont'd

- Group purchases, **32:34**
- Improper use of benefits, liability and accountability for, **32:43 et seq.**
- Incompetent and insane persons, **32:3 to 32:9**
- Institutional care, **32:31 to 32:33**
- Investment of surplus funds, **32:39; 32:41; 35:100**
- Liability and accountability, **32:43 to 32:48; 35:104 to 35:107**
- Life or burial insurance, purchase of, **32:30**
- Maintenance. Support and maintenance, below
- Mental institutions, accounting by, **32:48**
- Misuse of benefits, liability and accountability for, **32:43 et seq.**
- Necessity that representative payment be in beneficiary's interest, **32:7**
- New payee, selection of, **32:15**
- Notice and protest of determinations
 - generally, **32:19 to 32:23**
 - advance notice of determinations, **32:19; 32:20**
 - appeal and review, **32:22**
 - minor beneficiaries, notice to, **32:20**
- Supplemental Security Income** (this index)
- OASDI beneficiaries, generally, **32:1 to 32:49**
- Objecting to proposed determinations, **32:21**
- Overpayment, representative payee's liability for, **33:17**
- Past-due SSI benefits paid to minor beneficiary, handling, **35:94**
- Payees, generally, **32:10 to 32:28**
- Periodic accounting, **32:46**
- Personal needs of institutionalized beneficiaries, **32:33**
- Preferred investments, **32:41; 35:101**
- Preferred payees, **32:16 to 32:18**
- Protest of determinations. Notice and protest of determinations, above
- Prudent investor standard, surplus funds, **32:40**
- Qualifications as to payee, **32:11; 32:12**
- Reevaluating competency, **32:8**
- Release of beneficiary from institution, securing of, **32:32**
- Request to be selected as payee, filing of, **32:13**
- Sales and transfers
 - group purchases, **32:34**
 - life or burial insurance, purchase of, **32:30**
 - surplus funds, **32:42**
- Social service agencies, fees paid to, **32:28**
- Spouses, support of, **32:36**
- SSA liability, **32:43**
- SSA response to objection or protest, **32:23**
- State mental institutions, accounting by, **32:48**

REPRESENTATIVE PAYMENTS—Cont'd

- Status and function of payee, generally, **32:24 to 32:28**
- Stock and stockholders, **32:41**
- Supplemental Security Income** (this index)
- Support and maintenance
 - children and parents, **32:37; 32:38**
 - current maintenance of beneficiary, payment of, **32:29**
 - spouses, **32:36**
 - supplemental security income, **35:95**
- Surplus or conserved funds
 - generally, **32:39 to 32:42; 35:100 to 35:103**
 - preferred investment, **32:41; 35:101**
 - prudent investor standard, **32:40**
 - transfer of surplus funds, **32:42; 35:103**
- Suspension of benefits until payee is selected, **32:14; 35:78**
- Use of benefits
 - generally, **32:29 to 32:42**
 - Supplemental Security Income** (this index)
- Violation of SSA by representative payee, **59:9; 59:10**
- Waiver of OASDI benefits by representative payee or other qualified person, **34:51 to 34:55**
- Who may not serve as payee, **32:11; 32:12**

REQUESTS

- Demands and Requests** (this index)

REQUIREMENTS FOR INCOME

- Supplemental Security Income** (this index)

RESEARCH

- Privacy Act, disclosures for statistical research and reporting, **48:35**

RESERVE FORCES

- Covered employment, **2:8**

RESERVOIRS

- Agricultural wages for services performed in connection with operation or maintenance of non-profit ditches, canals, reservoirs, or waterways, **8:17**

RESIDENCE

- Domicile and Residence** (this index)

RESIDUAL FUNCTIONAL CAPACITY

- Disability** (this index)

RESIGNATION

- FICA taxes, withholding, **69:7**

RES JUDICATA

- Generally, **54:58 to 54:80**
- Absence of hearing, applicability of res judicata in, **54:63**
- Administrative law judge, waiver by, **54:76; 54:77**
- Change in law, inapplicability of doctrine, **54:73**
- Collateral estoppel, **54:59**
- Decision dismissing claim on res judicata grounds, **54:79**
- Defective determination, effect of, **54:69**
- Errors, inapplicability of doctrine, **54:72**
- Final decision requirement, denial of claim based on res judicata, **55:23; 55:24**
- Identity of claims, **54:64**
- Identity of issues in disability cases, **54:65; 54:66**
- Inapplicability of doctrine
 - generally, **54:71 to 54:74**
 - change in law, **54:73**
 - manifest error, record demonstrates, **54:72**
 - mental illness, claimant suffers from, **54:74**
 - new evidence submitted, **54:71**
- Judicial level, waiver at, **54:78**
- Judicial review of refusal to reopen on res judicata grounds, **54:80**
- Lack of counsel, effect on doctrine's applicability, **54:70**
- Mental illness, claimant suffering from, inapplicability of doctrine, **54:74**
- Mutuality of estoppel, **54:62**
- New evidence submitted, inapplicability of doctrine, **54:71**
- Notice, **54:68**
- Parties, identity of, **54:67**
- Relitigation of same claim or issue, preventing, **54:58; 54:59**
- Reopening, generally, **54:61**
- Rigid application, **54:60**
- Termination cases, **54:66**
- Waiver
 - generally, **54:75 to 54:78**
 - administrative law judge, by, **54:76; 54:77**
 - judicial level, waiver at, **54:78**
 - prior to hearing stage, **54:75**

RESOURCES

- Supplemental Security Income** (this index)

RESPIRATORY DISORDERS

- Generally, **42:226 to 42:249**
- Adults, generally, **42:226 to 42:240**
- Arterial blood gas (ABG), pulmonary function testing, **42:239**

RESPIRATORY DISORDERS—Cont'd

- Asthma (this index)
- Bronchiectasis, **42:230**
- Children and Minors** (this index)
- Chronic infections of the lungs, **42:236**
- Chronic pulmonary hypertension, **42:231**
- Chronic respiratory disorders, generally, **42:227; 42:242; 42:243**
- Cystic Fibrosis** (this index)
- Diffusing capacity of the lungs for carbon monoxide (DCLO), pulmonary function testing, **42:238**
- Inability to work, **43:61**
- Infections of the lungs, **42:236**
- Lung transplantation, **42:232; 42:246**
- Obesity, respiratory failure, **42:234**
- Onset date, **39:43**
- Pulmonary function testing
 - arterial blood gas (ABG), **42:239**
 - diffusing capacity of the lungs for carbon monoxide (DCLO), **42:238**
 - pulse oximetry, **42:240**
 - spirometry, **42:237; 42:249**
- Pulse oximetry, pulmonary function testing, **42:240**
- Respiratory failure, **42:233; 42:234; 42:247**
- Severity, **41:20**
- Sleep-related breathing disorders, **42:235**
- Spirometry, pulmonary function testing, **42:237; 42:249**
- Testing. Pulmonary function testing, above
- Therapy. **Medicare** (this index)

RESPIRATORY THERAPY

- Medicare Part A** (this index)

RESPIRE CARE

- Hospice care, Medicare Part A, **60:222**

RESTITUTION

- Representative payments, restitution of misused benefits, **20:13**

RESTRAINING ORDERS

- Injunctions and Restraining Orders** (this index)

RESTRICTION OF COVERAGE

- Foreign employment, totalization agreement, **3:32**

RESTRICTIONS AND LIMITATIONS

- Annual wage limitation, **7:79 to 7:82; 69:3; 69:84**
- Attorney and Non-Attorney Representation** (this index)
- Attorneys' and Representatives' Fees** (this index)
- Foreign State or Country** (this index)

RESTRICTIONS AND LIMITATIONS—Cont'd

- Medicare** (this index)
- Overpayments** (this index)
 - Payment and payment procedures, restricted countries, **31:5**
 - Recovery of overpayment, **33:27**
 - Regulations, generally, **1:23**
- Statute of Limitations** (this index)
- Supplemental security income, overpayments, **35:123; 35:124**
- Time limits for overpayment, **33:14**
- Waiver of overpayment, **33:102; 33:103**

RESTRICTIVE REGULATIONS

- Social Security Administration (SSA), **1:23**

RETAILERS

- Covered employment, individuals qualifying as common law employees, **5:38 to 5:44**

RETAINERS

- Attorneys' and Representatives' Fees** (this index)

RETARDATION

- Mental Disorders** (this index)

RETIREMENT AND RETIREMENT BENEFITS

- Generally, **14:1 et seq.**
- Age 72 Benefits** (this index)
 - Amount and payment, **14:3**
 - Amount and payment of benefits
 - generally, **14:3; 14:4**
 - deduction of benefits, **14:4**
 - nonpayment of benefits, **14:4**
 - reduction of benefits, **14:4**
- Benefits
 - generally, **14:1 to 14:61**
- Civil Service Retirement System** (this index)
- Computation of Benefits** (this index)
- Cost-of-living increases, death before retirement age, **24:31**
- Covered employment
 - armed forces retirees, **2:11**
 - consultants, individuals qualifying as common law employees, **5:12**
- Religion and Religious Organizations** (this index)
 - Deduction of benefits, **14:4**
- Disability
 - ministers and members of religious orders, retirement because of total disability, **5:76**
 - reduction or offset of retirement benefit, **26:6**
- Duration, **14:5 to 14:7**

RETIREMENT AND RETIREMENT BENEFITS**—Cont'd**

Duration of benefits

generally, **14:5 to 14:7**early retirement benefits, claimants applying for, **14:6**when entitlement to benefits begins, **14:5; 14:6**when entitlement to benefits ends, **14:7**Early retirement benefits, claimants applying for, **14:6**Entitlement, **14:1**

Entitlement to benefits

generally, **14:1 to 14:2**age of retirement, **14:2**Estimates, SSA Retirement Estimator, **22:8****Fringe Benefits and Similar Compensation** (this index)Justices and judges, payment for services performed by, **7:57**Medicare Part D, retiree prescription drug plans, **66:27; 66:28**Noncovered pension based reduction, **24:6**Nonpayment of benefits, **14:4**Partnerships, **11:9; 11:10****Post-Retirement Earnings** (this index)Public officers and employees. **Civil Service Retirement System** (this index)**Railroads** (this index)Receipt of social security benefits, effect of, **34:66**Reduction, deduction, or nonpayment of benefits, **14:4****Reduction, Deduction, or Offset of Benefits** (this index)**Religion and Religious Organizations** (this index)Religious order, retirement benefits provided by church as subject to self-employment tax, **11:44**Reopening and revising determinations, duplicate railroad retirement benefits, **54:39**Retirement age, **14:2****Self-Employment Tax** (this index)State and local government employees, **4:58 to 4:74****Supplemental Security Income** (this index)Taxation, social security benefits as pension or annuity, **34:74**

Time. Duration of benefits, above

Windfall reduction, noncovered pension based reduction, **24:6****World War II Veterans** (this index)**RETROACTIVE MATTERS**Applying for benefits, **30:46 to 30:56****RETROACTIVE MATTERS—Cont'd**Child's benefits, **16:4**State and local government employees, retroactive coverage, **4:80****Supplemental Security Income** (this index)Waiver and estoppel, retroactive benefits, **34:57****RETURN OF EVIDENCE**Applying for benefits, **30:72****RETURNS****Taxes** (this index)**RETURN TO WORK**Waiver of overpayment, **33:87****REVERSE OFFSET PLANS**February 18, 1981, enactment after, **26:64**Public disability benefit plans, **26:63**Workers' compensation reduction, **26:60 to 26:62****REVISION**Primary insurance amount, calculation of benefits, **23:40; 23:41****Reopening and Revising Determinations** (this index)**REVOCAATION**Foreign employment, foreign affiliate employee coverage agreement, **3:25**Medicare Part A, election not to use lifetime reserve days, inpatient hospital services, **60:82****Suspension and Revocation** (this index)**RISK**Failure to follow prescribed treatment, **38:17****ROLES AND RESPONSIBILITIES**Administrative law judges, **52:22****ROOFING MATERIALS INSTALLERS**Covered employment, individuals qualifying as common law employees, **5:47****ROOM AND BOARD****Lodging** (this index)**Medicare** (this index)**ROTC**Covered employment, **2:9****ROUNDING OF BENEFITS**Foreign countries, **24:39****ROYALTIES**Fringe benefits and other compensation, **9:17**Post-retirement earnings, **28:21****Supplemental Security Income** (this index)

RULES AND REGULATIONS

- Generally, **1:21 to 1:25**
- Authority of SSA to promulgate regulations, **1:21**
- Effect, **1:21 to 1:25**
- Exceeding statutory authority, **1:22**
- Liberal construction, **1:24**
- Overly restrictive regulations, **1:23**
- Promulgation, **1:21 to 1:25**
- Restrictive regulations, **1:23**

RURAL HOSPITALS OR HEALTH CLINICS

- Inpatient hospital services, Medicare Part A, **60:55**
- Medicare, covered services, **64:96; 64:97**

SAFE HARBOR RULE

- FICA, employers' periodic deposits, **70:8**

SAFETY CONCERNS

- Privacy Act, individual's consent for disclosures, **48:37**

SAFETY COUNCIL MEMBERS

- Wages, **7:54**

SALARY

- Wages (this index)

SALARY DEDUCTIONS

- Foreign employment, foreign affiliate employee coverage agreement, **3:8; 3:22**

SALES AND TRANSFERS

- Applying for benefits, purchase of evidence, **30:71**
- Covered employment
 - generally, **5:38 to 5:44**
 - city salespersons, **5:70**
 - direct sellers of consumer products, individuals qualifying as common law employees, **5:38**
 - full-time life insurance salespersons, **5:68**
 - goods or services, sellers of goods or services as individuals qualifying as common law employees, **5:40**
 - individuals qualifying as common law employees, **5:38 to 5:44**
 - Insurance (this index)
 - method of sale, **5:41**
 - real estate agents and salespersons, individuals qualifying as common law employees, **5:36**
 - retailers, individuals qualifying as common law employees, **5:38 to 5:44**
 - securities salespersons, individuals qualifying as common law employees, **5:44**
 - services, sellers of services as individuals qualifying as common law employees, **5:40**
 - traveling salespersons, **5:70**

SALES AND TRANSFERS—Cont'd

- Employment taxes, bankruptcy proceedings, **73:90**
- Foreign affiliate employee coverage agreement, effect of transfer of ownership interest in, **3:15**
- Insurance (this index)
- Post-retirement earnings. crops or products, activities related to sales of, **28:24**
- Representative Payments (this index)
- Salespersons (this index)
- Self-employment, **10:55; 10:56**
- Supplemental Security Income (this index)

SALESPERSONS

- Covered employment
 - generally, **5:38 to 5:44**
 - city salespersons, **5:70**
 - direct sellers of consumer products, individuals qualifying as common law employees, **5:38**
 - full-time life insurance salespersons, **5:68**
 - goods or services, sellers of goods or services as individuals qualifying as common law employees, **5:40**
 - individuals qualifying as common law employees, **5:38 to 5:44**
 - Insurance (this index)
 - method of sale, **5:41**
 - real estate agents and salespersons, individuals qualifying as common law employees, **5:36**
 - retailers, individuals qualifying as common law employees, **5:38 to 5:44**
 - securities salespersons, individuals qualifying as common law employees, **5:44**
 - services, sellers of services as individuals qualifying as common law employees, **5:40**
 - traveling salespersons, **5:70**
 - Third Party Payments (this index)

SAME OR SIMILAR NAME CASES

- Checks, **31:53**

SAMOA

- American Samoa (this index)

SAMPLES

- Models or Samples (this index)

SANCTIONS

- Attorneys' and Representatives' Fees (this index)

SATISFACTION OF JUDGMENT

- Post-judgment remedies, motion for relief from judgment, **56:86**

INDEX

SAVINGS CLAUSE

Adjustment, application of family maximum to benefits, **25:21**

Computation of benefits, adjustment to family maximum, **25:21**

SAWMILL OPERATORS

Covered employment, individuals qualifying as common law employees, **5:32**

SCHEDULING

Disability (this index)

SCHIZOPHRENIA SPECTRUM

Generally, **42:132; 42:153**

SCHOLARSHIPS OR FELLOWSHIPS

Wages, **7:22**

SCHOOLS

Education (this index)

SCHOOL-WORK PROGRAM

Covered employment, **6:17**

SCLERODERMA

Systemic sclerosis (scleroderma), non-HIV immune system disorders, **42:90; 42:102**

SCLEROSIS

Children and minors, non-HIV immune system disorders, **42:102**

Systemic sclerosis (scleroderma), non-HIV immune system disorders, **42:90; 42:102**

SEAMEN

FICA tax returns on wages, reporting seamen's wages, **70:27**

SEASONAL EMPLOYEES

State and local government employees, coverage, **4:27 to 4:29**

SECONDARY MEDICARE BENEFITS

Medicare, secondary payments for renal disease health plan, **67:76**

SECRETARIAL SERVICES

Self-employment business, **10:57**

SECRETARY OF HEALTH AND HUMAN SERVICES

Attorneys' and Representatives' Fees (this index)

Default judgment against Commissioner, availability of, **55:91**

Judicial review, Commissioner as defendant, **55:56**

SECURITIES SALESPERSONS

Covered employment, individuals qualifying as common law employees, **5:44**

SECURITY INTEREST

Recovery of overpayment, **33:43**

SEDENTARY WORK

Disability (this index)

SELF-EMPLOYED STATUS

Determination

christian science practitioners, **10:7**

direct sellers, **10:6**

employees, considered self-employed, **10:4; 10:5**

farm crew leaders, **10:9**

general considerations, **10:1 to 10:3**

members of religious orders, **10:7**

ministers, **10:7**

public officers, **10:8**

railroad employees, **10:10**

real estate agents, **10:6**

SELF-EMPLOYMENT

Accounting year in which agricultural income taxed, **10:35**

Agricultural activities

farm crew leaders, self-employed status, **10:9**

net earnings, below

trade or business, generally, **10:53**

Babysitting or child care, **10:49**

Beauticians, **10:52**

Calculating net earnings

dividends, **10:20**

earnings

agricultural trade or business, **10:32 to 10:35**

ministers and members of religious orders, **10:29**

residents and nonresidents of Puerto Rico, **10:28**

U.S. citizens or residents living outside the United States, **10:30**

earnings from indian lands, **10:43**

earnings of husbands and wives, **10:22; 10:23**

gain or loss from disposition of property, **10:21**

general rules, **10:14; 10:15**

income or loss from a partnership, **10:24 to 10:26**

interest, **10:20**

net operating loss deduction, **10:21**

options available to individuals earning small amounts from self-employment, **10:36 to 10:42**

SELF-EMPLOYMENT—Cont'd

- Calculating net earnings—Cont'd
 - rentals from real estate, **10:17 to 10:19**
 - special disaster loss election, **10:45**
 - termination payments, extended earnings of insurance agents, **10:27**
 - treatment of other types of earnings, **10:44**
- Calculating self-employment income generally, **10:46**
- Calculation options, net earnings, **10:37 to 10:39**
- Clergy. **Religion and Religious Organizations** (this index)
- Comparability of work test, **40:40**
- Consultant to former employer, retiree acting as, **10:60**
- Continuity and regularity requirement of trade or business, **10:48**
- Countable income determination, **40:39**
- Crop sharing arrangements, net earnings, **10:33**
- Deductions. Net earnings, below
- Definitions
 - income, **10:12**
 - net earnings, **10:13**
- Definitions
 - net earnings from self-employment, **10:13**
 - self-employed on a regular basis, **10:40**
 - self-employment income, **10:12**
 - trade or business, **10:14; 10:47**
- Disability, substantial gainful activity, **40:33 to 40:44**
- Dividends and interest, net earnings, **10:20**
- Earnings Records** (this index)
- Economic worth test, **40:41**
- Elderly or infirm, caregiver to, **10:50**
- Employees considered self-employed, generally, **10:4; 10:5**
- Estate operating business, **10:54**
- Farm crew leaders, **10:9**
- Farms and farming, generally. Agricultural activities, above
- Fishing boat crewmen working for shares, **10:61**
- Foreign countries
 - earnings of U.S. citizens or residents living outside the country, **10:30**
 - taxes, **3:37**
 - totalization agreement coverage restrictions, **3:32**
- Foster parenting, **10:51**
- Gross income, computing where individual earned small amounts through self-employment, **10:41**
- Hairdressers, **10:52**
- Illegal activities, **10:59**

SELF-EMPLOYMENT—Cont'd

- Income
 - generally, **10:11 to 10:46**
 - generally, **10:12**
 - calculating self-employment income, **10:46**
 - determination of insured status. **Insured Status** (this index)
 - introduction, **10:11**
 - net earnings, below
 - Partnerships** (this index)
 - rental income, below
 - “self-employment income” defined, **10:12**
 - Supplemental Security Income** (this index)
 - “trade or business” defined, **10:14; 10:47**
- Indian lands, calculating net earnings from, **10:43**
- Insurance agents, termination payments and extended earnings, **10:27**
- Landlord and tenant. Rental income, below
- Living quarters, net earnings from renting, **10:19**
- Members of religious groups opposed to insurance, **10:64**
- Ministers or clergy. **Religion and Religious Organizations** (this index)
- Moneylenders, **10:58**
- Net earnings
 - generally, **10:15 to 10:45**
 - accounting year in which agricultural income taxed, **10:35**
 - agricultural activities
 - generally, **10:32**
 - accounting year in which agricultural income taxed, **10:35**
 - crop sharing arrangements, **10:33**
 - examples of agricultural income, **10:34**
 - farm rental income, **10:18**
 - low income, calculation options available for individuals earning small amounts, **10:37; 10:39**
 - crop sharing arrangements, **10:33**
 - deductions
 - general rules, applicable deductions from gross income, **10:16**
 - net operating loss deduction, **10:21**
 - definitions
 - net earnings from self-employment, **10:13**
 - self-employed on a regular basis, **10:40**
 - dividends and interest, **10:20**
 - foreign countries, earnings of U.S. citizens or residents living outside the country, **10:30**
 - gain or loss from disposition of property, **10:21**
 - general rules
 - generally, **10:15**

SELF-EMPLOYMENT—Cont'd

- Net earnings—Cont'd
 - general rules—Cont'd
 - applicable deductions from gross income, **10:16**
 - Indian lands, earnings from, **10:43**
 - insurance agents, termination payments and extended earnings, **10:27**
 - living quarters, earnings from renting, **10:19**
 - low income, calculation options for individuals earning small amounts through self-employment, **10:37 to 10:39**
 - ministers or clergy, **10:29**
 - “net earnings from self-employment” defined, **10:13**
 - options available, individuals earning small amounts
 - generally, **10:36**
 - agricultural trade or business, calculation options, **10:37; 10:39**
 - exercising the option, **10:42**
 - gross income, computing, **10:41**
 - nonagricultural trade or business, calculation options, **10:38; 10:39**
 - Partnerships** (this index)
 - possessions of U.S., earnings within, **10:31**
 - real estate rental. Rental income, below “self-employed on a regular basis” defined, **10:40**
 - special disaster loss election, **10:45**
 - spouses
 - generally, **10:22**
 - surviving spouse carrying on receiving income from deceased spouse’s trade or business, **10:23**
 - trade or business
 - agricultural activities, above this group calculation options, **10:37 to 10:39**
 - treatment of other types of earnings, **10:44**
- Net operating loss deduction, **10:21**
- Nonresidents
 - puerto Rico, earnings of residents and nonresidents, **10:28**
 - religious orders, earnings as subject to self-employment tax, **11:45**
- One-person business, significant services, **40:35**
- Particular workers, specific regulations, **10:4 to 10:10**
- Partnerships** (this index)
- Possessions of U.S., earnings within, **10:31**
- Post-Retirement Earnings** (this index)
- Proving status, **10:3**

SELF-EMPLOYMENT—Cont'd

- Public officers, **10:8**
 - Puerto Rico, earnings of residents and nonresidents, **10:28**
 - Railroad employees, **10:10**
 - Real estate agents and direct sellers, **10:6**
 - Real estate rental. Rental income, below
 - Real estate sales, generally, **10:56**
 - Religion and Religious Organizations** (this index)
 - Rental income
 - generally, **10:17; 10:56**
 - farm rental income, **10:18**
 - living quarters, income from renting, **10:19**
 - Retirement
 - generally, **28:18 to 28:25**
 - church, retirement benefits provided by, **11:44**
 - consultant to former employer, retiree acting as, **10:60**
 - evaluating substantial services in self-employment, post-retirement earnings, **28:46 to 28:50**
 - non-service month, self-employment in, **28:43**
 - substantial services in, **28:44; 28:45**
 - Sales, **10:55; 10:56**
 - Secretarial services, **10:57**
 - Significant services and substantial income test, **40:34 to 40:39**
 - Special disaster loss election, **10:45**
 - Special exemption from tax, special religious groups opposed to insurance, **10:64**
 - Spouses. Net earnings, above
 - Status, determination, **10:1 to 10:10**
 - Substantial gainful activity, **10:2; 40:33 to 40:44**
 - Tax. **Self-Employment Tax** (this index)
 - Totalization agreements, coverage to be restricted to country in which worker resides, **3:32**
 - Trade or business
 - agricultural trade or business. Net earnings, above
 - continuity and regularity requirement, **10:48**
 - defined, **10:14; 10:47**
 - what constitutes, generally, **10:47 to 10:63**
 - Trust operating business, **10:54**
 - Unsuccessful work attempts, **40:42**
 - Waiver of overpayment, self-employment after age 70, **33:104**
- SELF-EMPLOYMENT TAX**
- Generally, **71:1 to 71:24**
 - Agricultural activity, **71:11**
 - Agricultural earnings option and small non-agricultural income, **71:13**

SELF-EMPLOYMENT TAX—Cont'd

- Associations. Organizations, below
- Attorney and non-attorney representation, **72:13**
- Calculation. Computation, below
- Challenges to imposition of self-employment tax, **71:4**
- Christian Science practitioners, **71:21**
- Churches and qualified church controlled organizations, employees of, **71:16**
- Civil penalties
 - inaccuracy or negligence, penalty for, **73:29**
 - persons liable for penalty, **73:11**
- Community income, **71:10**
- Computation
 - generally, **71:5 to 71:18**
 - agricultural activity, **71:11**
 - agricultural earnings option and small non-agricultural income, **71:13**
 - churches and qualified church controlled organizations, employees of, **71:16**
 - community income, **71:10**
 - foreign governments, American employees of, **71:15**
 - gross income derived from trade or business, **71:7**
 - husbands and wives, **71:10**
 - income, **71:17**
 - international organizations, American employees of, **71:15**
 - net earnings, **71:6 to 71:16**
 - partnership earnings, **71:9**
 - professions, certain, **71:14 to 71:16**
 - short year, **71:18**
 - small non-agricultural income, option available to, **71:12**
 - special rules, applicability of, **71:8**
- Defenses to imposition of self-employment tax, **71:4**
- Exemptions
 - generally, **71:21 to 71:24**
 - Christian Science practitioners, **71:21**
 - ministers, **71:21**
 - nonresident alien, **71:23**
 - religious orders, members of, **71:21**
 - religious sects opposed to social security, **71:22**
 - totalization agreement between U.S. and a foreign government, **71:24**
- FICA Taxes** (this index)
- Foreign country, totalization agreement, **3:37**
- Foreign governments, American employees of, **71:15**
- Gross income derived from trade or business, **71:7**

SELF-EMPLOYMENT TAX—Cont'd

- Husbands and wives, **71:10**
 - International organizations, American employees of, **71:15**
 - Jeopardy Assessments** (this index)
 - Litigation. **FICA and Self-Employment Tax Litigation** (this index)
 - Maximum self-employment income subject to tax, **71:3**
 - Ministers, **71:21**
 - Net earnings, **71:6 to 71:16**
 - Nonresident alien, **71:23**
 - Partnership earnings, **71:9**
 - Partnerships** (this index)
 - Paying, generally, **71:20**
 - Rate of taxation, **71:2**
 - Religion and Religious Organizations** (this index)
 - Religious orders, members of, **71:21**
 - Religious sects opposed to social security, **71:22**
 - Reporting, **71:19**
 - Short year, **71:18**
 - Small non-agricultural income, option available to, **71:12**
 - Spouses. Husbands and wives, above
 - Totalization agreement between U.S. and a foreign government, **71:24**
 - Totalization agreement between US and foreign country under Social Security Act, **3:37**
 - Wife. Husbands and wives, above
- SELF-SUFFICIENCY PROGRAM**
- Ticket to Work and Self-Sufficiency Program** (this index)
- SELF-SUPPORT**
- Supplemental Security Income** (this index)
- SENIOR CITIZENS**
- Old Age** (this index)
- SENIOR HOUSING FACILITY RESIDENTS**
- Medicare Advantage (MA) program, eligibility to elect MA plan, **65:6**
- SENSORY DISORDERS**
- Special Senses** (this index)
- SENTENCE**
- Imprisonment** (this index)
- SENTENCE SIX REMANDS**
- Generally, **55:78 to 55:83**
- SEPARATE ACCOUNTS OR ACCOUNTING**
- Taxes** (this index)

INDEX

SEPARATE ENTITIES

Foreign affiliate as separate entity for purposes of employee coverage agreement, **3:10**

SEPARATION

Divorce and Separation (this index)

SEPARATION FROM MILITARY SERVICE

Applying for benefits, **30:81**

SEQUENCE OR ORDER

Attorneys' fees, order of filing fee petitions, **49:139; 49:140**

SEQUENTIAL EVALUATION OF DISABILITY

Disability (this index)

SERVICE CHARGES

FICA taxes, **69:53**
Tips distinguished, **7:44**

SERVICEMEN

Armed Forces (this index)

SERVICE OF PROCESS AND PAPERS

Anti-assignment provision, collection of alimony or child support, **34:25**

Civil monetary penalties, **58:45**

Discovery, material discoverable pursuant to summons, **72:22**

Enforcement of summonses, **72:21**

IRS enforcement procedures, generally, **72:19 to 72:25**

John Doe summonses, **72:23**

Judicial review, service of summons and complaint, **56:10 to 56:13**

Limits on summons power, **72:25**

Privileged material, **72:24**

Subpoenas (this index)

Summons power of IRS, generally, **72:19; 72:25**

Third-party summonses, special procedures pertaining to, **72:20**

SERVICES

Appeal and review, electronic service delivery, **50:2**

Covered employment, sellers of services as individuals qualifying as common law employees, **5:40**

Medicare (this index)

SERVICES APPLICABLE

Foreign employment, foreign affiliate employee coverage agreement, **3:2**

SETOFF

Anti-assignment provision and bank setoffs, **34:11**

SETOFF—Cont'd

Benefits offset to unemployment compensation, **34:67**

Overpayments
bankruptcy discharge, **33:43**

income tax refund, offset of, **33:22 to 33:24**

Supplemental security income, **35:166; 35:167**

SETTLEMENTS

Compromise and Settlement (this index)

SEVERITY OF IMPAIRMENT

Generally. **Disability** (this index)

Mental Disorders (this index)

SHARE ARRANGEMENTS

Covered employment, share-farming agreements, **2:27**

SHELTERED WORKSHOPS

Covered employment, sheltered workshop workers as individuals qualifying as common law employees, **5:45**

Supplemental Security Income (this index)

SHIFTING OF BURDEN OF PROOF

Sequential evaluation of disability, **36:12**

SHIPS AND VESSELS

Fishing and Fishermen (this index)

Foreign state or country, covered employment, **2:3; 2:4**

Medicare, exclusion of items and services performed aboard ships, **67:94**

Seamen (this index)

SHORTCOMINGS

Listing of impairments, **42:6**

SHORT YEAR

Self-employment tax, **71:18**

SIBLINGS

Brother and Sister (this index)

SICKNESS OR ACCIDENT DISABILITY

Fringe benefits and other compensation, **9:56**

SICKNESS OR ILLNESS

Self-employed person, caregiver as, **10:50**

SICK PAY

Generally, **9:52 to 9:57**

Disability insurance benefits, entitlement to, **9:57**

FICA taxes withheld, **70:78**

Post-retirement earnings, **28:16**

Retirement for disability, payments made because of, **9:55**

SICK PAY—Cont'd

Third party payments, **9:56**

SIDE EFFECTS

Severity of impairment, side effects of medication, **41:15**

SIDING MATERIALS INSTALLERS

Covered employment, individuals qualifying as common law employees, **5:47**

SIGHT

Eyes and Eyesight (this index)

SIGNATURES

Application for Benefits (this index)

Disability, consultative examination reports, **37:57; 37:58**

Expedited appeals process, refusing to sign or withdrawing from agreement, **50:55**

FICA Taxes (this index)

Forgery (this index)

Medicare, signature of beneficiary on claim for payment, **68:21 to 68:23**

Self-employment income tax return, **70:19**

SILENT ISCHEMIA

Heart disease in adults, **42:31**

SIMILAR NAME CASES

Checks, **31:53**

SIMPLIFIED EMPLOYEE PENSION (SEP)

Generally, **9:43**

Fringe benefits and other compensation, retirement and deferred compensation payments, **9:43**

SIMPLIFIED OLD-START METHOD

Primary insurance amount, calculation of benefits, **23:32**

SIMULTANEOUS ENTITLEMENT

Delayed retirement credit, effect on simultaneous entitlement, **27:37**

Post-retirement earnings and disability benefits, **28:36**

Reduction of wife's, husband's, widow's, or widower's benefit in month of simultaneous entitlement to other insurance benefit, **27:25; 27:26**

SISTER AND BROTHER

Brother and Sister (this index)

SIXTH AMENDMENT

Employment taxes, taxpayers rights and defenses, **73:60**

SKILL AND TRAINING

Covered employment, individuals qualifying as common law employees, **5:46 to 5:50**

Determination of employee status, **2:41**

Disability (this index)

Nursing care. **Medicare** (this index)

Wages, **7:19 to 7:22**

SKILLED NURSING CARE

Medicare (this index)

SKIN DISORDERS

Burns, **42:254**

Documentation, **42:251**

Genetic photosensitivity disorders, **42:253**

Other body systems, skin disorders affecting both skin and, **42:256**

Other impairments, generally, **42:255**

Photosensitivity disorders, **42:253**

Treatment, effect of, **42:252**

SKIN INTEGRITY

Skilled nursing care, quality of care, **60:117**

SLEEP-RELATED BREATHING DISORDERS

Respiratory system disorders, **42:235**

SMOKING

Failure to follow prescribed treatment, **38:8**

SMUDGED OR MUTILATED CHECKS

Generally, **31:54**

SOCIAL SECURITY ACT

For particular provisions, see appropriate index headings

Generally, **1:1 to 1:43**

Appeal and Review (this index)

Civil Monetary Penalties (this index)

Collection, civil money penalty, **1:11**

Constitutional validity of Act, **1:2**

Construction and interpretation of Act

coverage of individual, **1:14**

effect on remand because of liberal construction, **1:15**

interpretation by SSA, **1:17**

liberal construction, **1:13**

strict construction when statutory language is clear, **1:16**

Coverage of individual, construction of Act, **1:14**

Crimes (this index)

Effect on remand because of liberal construction, construction of Act, **1:15**

Hearing procedures, civil money penalty, **1:9**

Initial and final decisions, civil money penalty, **1:10**

SOCIAL SECURITY ACT—Cont'd

- Interpretation by SSA, **1:17**
- Judicial review. **Appeal and Review** (this index)
- Liberal construction, construction of Act, **1:13**
- Mandamus** (this index)
- Misuse of symbols, emblems, names, **1:4**
- Notice
 - attorneys' and representatives' fees, **49:19; 49:31; 49:38; 49:39; 49:42; 49:140**
 - civil money penalty, notice of intent to seek, **1:7**
- Penalty, procedures for imposition of, civil money penalty, **1:6**
- Periodic amendments to Act, **1:25**
- Prehearing conferences, civil money penalty, **1:8**
- Prehearing discovery, civil money penalty, **1:7**
- Program records, disclosure of, **48:41**
- Provision of basic legal framework, **1:3**
- Request for hearing, civil money penalty, **1:7**
- Settlement, civil money penalty, **1:10**
- Specific disclosure requirements, **48:6**
- Strict construction when statutory language is clear, construction of Act, **1:16**

SOCIAL SECURITY ADMINISTRATION (SSA)

- Generally, **1:26 to 1:30**
- Attorneys' fees, misconduct by SSA or commissioner, **49:142**
- Authority to promulgate regulations, **1:21**
- Computation of Benefits** (this index)
- Cost-of-living and general increases, rules and reports, **24:17**
- Earnings records, SSA investigation of request, **12:60; 12:71**
- Federal court precedent, requirement that SSA follow, **1:18**
- Freedom of Information Act, location of information, **48:13**
- Indemnification of SSA employees, **58:4**
- Interpretation of Act, **1:17**
- Interpretations, weight accorded, **1:19**
- Payment requests, **31:35; 31:40**
- Publications of SSA** (this index)
- Regulations. **Rules and Regulations** (this index)
- Restrictive regulations, **1:23**
- Statutory authority, **1:22**
- Trust funds, generally, **1:32**
- Unrepresented claimant's right to fair hearing, factors relating to SSA and Administrative Law Judges, **52:118 to 52:126**

SOCIAL SECURITY BENEFITS

- Generally, **1:33**

SOCIAL SECURITY ELIGIBILITY

- Generally, **1:34 to 1:39**
- Checklist of eligibility for benefits, **1:39**
- Child, **1:37**
- Divorced spouse, **1:36**
- Parent, **1:38**
- Spouse, **1:35**

SOCIAL SECURITY NUMBERS

- Generally, **12:1 to 12:21**
- Alien status, evidence of, **12:10**
- Applications
 - employer identification numbers, **12:22 to 12:25**
 - social security numbers, **12:3 to 12:6**
- Assignment of number, **12:2**
- Birth certificates, issuance of, **12:17**
- Blood donors, identification of, **12:18**
- Change in SSA records, request for, **12:8**
- Confidentiality of, **12:21**
- Crimes** (this index)
- Damaged cards, replacement of, **12:7**
- Employer identification numbers, **12:22 to 12:25**
- Evidentiary requirements, **12:9; 12:10**
- Federal Crop Insurance Act, **12:14**
- Federal worker's compensation programs, **12:15**
- Filing requirements, **12:5; 12:6**
- Food Stamp Program, **12:13**
- Form SS-4, application for, **12:25**
- Form SS-5, application for, **12:4**
- Identification
 - blood donors, **12:18**
 - state or local governments, identification by, **12:16**
 - taxpayers, **12:20**
- Immigration and Naturalization Service, filing application with, **12:6**
- Judicial review, **56:6**
- Jury selection, **12:19**
- Lost cards, replacement of, **12:7**
- Payment of benefits, **12:12**
- Privacy Act, information concerning individuals under same number, **48:25**
- Replacement of lost or damaged cards, **12:7**
- Social security card [Form SS-5], application for, **12:4**
- State
 - filing application with, **12:5**
 - identification by state or local governments, **12:16**
- Taxpayer identification number, **12:20**
- Uses of social security numbers, generally, **12:12 to 12:21**

SOCIAL SECURITY NUMBERS—Cont'd

Worker's compensation programs, **12:15**

SOCIAL SECURITY RULINGS

Limited effect and value of, **1:27**

SOCIAL SECURITY SUPPLEMENTAL INCOME

Generally, **1:43**

Supplemental Security Income (this index)

SOCIAL SERVICES

Medicare (this index)

Public Assistance (this index)

Representative payments, fees paid to certain social service agencies, **32:28**

SOFT TISSUE INJURIES

Musculoskeletal system, **42:183**

SOLICITATION

Covered employment, soliciting insurance agents as individuals qualifying as common law employees, **5:28**

SOMATIC SYMPTOM AND RELATED DISORDERS

Generally, **42:135; 42:156**

SOVEREIGN IMMUNITY

Judicial review, **55:2**

SPAIN

Totalization agreements, **24:42**

SPANISH LANGUAGE

Applying for benefits, form of application, **30:12**

Hearings, **51:7; 52:7**

SPECIAL EVALUATION PROCEDURE

Mental Disorders (this index)

SPECIAL MASTER

Magistrates, **56:44**

SPECIAL MINIMUM

Computation of benefits, **25:1 to 25:7**

SPECIAL NEEDS INDIVIDUALS

Medicare Advantage (MA) program, eligibility under program, **65:3**

SPECIAL SCHOOLS

State and local government employees, coverage, **4:14**

SPECIAL SENSES

Generally, **42:259 to 42:270**

Adult impairment, **42:259 to 42:267**

SPECIAL SENSES—Cont'd

Balance impairment, **42:266**

Blindness (this index)

Children's special senses and speech impairments, **42:268 to 42:270**

Hearing impairment, **42:265; 42:270**

Severity, **41:19**

Speech, loss of, **42:267**

Statutory blindness. **Blindness** (this index)

Vertigo, **42:266**

Visual impairments. **Blindness** (this index)

SPEECH

Inability to work, **43:63**

Loss of speech, listing of impairments, **42:267**

Medicare (this index)

Therapy. **Speech Therapy** (this index)

SPINAL DISORDERS

Musculoskeletal system, **42:177; 42:178**

Neurological impairments, **42:214**

SPIROMETRY

Pulmonary function testing, **42:237; 42:249**

SPLITTING TIPS

Generally, **7:42**

SPONSORS

Supplemental Security Income (this index)

SPORTS

Professional baseball team as covered employment, **6:27**

SPORTS WORKERS

Covered employment, individuals qualifying as common law employees, **5:37**

SPOUSES

Generally, as to spouse's benefits. **Spouse's Benefits** (this index)

Age 72 benefits, determination of marital status, **14:18**

Alimony (this index)

Combined payments, **31:12 to 31:14; 31:13**

Common Law Marriages (this index)

Community Property (this index)

Deemed spouses. **Marriage** (this index)

Divorce and Separation (this index)

Family employment, **2:55**

Fringe benefits and other compensation, third party payments, **9:58**

Marital Status, Proof of (this index)

Medicare Part A, quality of life, married couples in skilled nursing facility, **60:129**

SPOUSES—Cont'd

- Old-age, survivors, and disability insurance, **1:35**
- Partnerships involving family members, income from, **11:6**
- Representative payments, support of spouse, **32:36**
- Self-Employment** (this index)
- Self-employment tax, **71:10**
- Social Security eligibility—worker, **1:35**
- Spouse's Benefits** (this index)
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)
- Widows and Widowers** (this index)

SPOUSE'S BENEFITS

- Generally, **15:1 to 15:37**
- Amount and payment of benefits
 - generally, **15:27 to 15:29**
 - divorced spouses, amount of benefits payable to, **15:28**
 - married spouses, amount of benefits payable to, **15:27**
 - reduction, deduction, or nonpayment of benefits, **15:29**
- Application for wife's or husband's insurance benefits, **15:2**
- Child in care
 - generally, **15:7 to 15:20**
 - duration of benefits, **15:32; 15:36**
 - evidence
 - in-care status, evidence of, **15:20**
 - physically disabled child age 16 or over, performing personal services for, **15:13**
 - physically disabled child age 16 or over, performing personal services for, **15:12; 15:13**
 - temporary separation from claimant, **15:16**
 - under age of 16 away at school, **15:17**
 - when child is living apart from claimant
 - generally, **15:15 to 15:20**
 - employment of claimant, child under age of 16 living apart from claimant because of, **15:18**
 - evidence of in-care status, **15:20**
 - mentally disabled child age 16 or over, **15:19**
 - temporary separation from claimant, **15:16**
 - under age of 16 away at school, **15:17**
 - when child is living with claimant
 - generally, **15:9 to 15:14**
 - evidentiary requirements, performing personal services for physically disabled child age 16 or over, **15:13**

SPOUSE'S BENEFITS—Cont'd

- Child in care—Cont'd
 - when child is living with claimant—Cont'd
 - mentally disabled child age 16 or over, supervision of, **15:11**
 - physically disabled child age 16 or over, performing personal services for, **15:12; 15:13**
 - temporarily living with claimant, child, **15:14**
 - under age of 16 living together regularly, **15:10**
 - when is child in claimant's care, **15:8**
- Children
 - child in care, above
 - reduction or offset as to disability benefit, **26:18**
 - requirement that spouse be natural parent of child of insured person, **15:4**
- Divorce and Separation** (this index)
- Duration of benefits
 - generally, **15:30 to 15:37**
 - child in care, **15:32; 15:36**
 - when entitlement to benefits begins
 - generally, **15:30 to 15:32**
 - child in care, spouses with, **15:32**
 - spouses and divorced spouses age 62 to retirement age, **15:31**
 - spouses and divorced spouses who have attained retirement age, **15:30**
 - when entitlement to benefits ends
 - generally, **15:33 to 15:37**
 - child in care, spouses with, **15:36**
 - deemed and putative spouses, **15:35**
 - divorced spouses, **15:37**
 - re-entitlement to benefits after termination because of divorce, **15:34**
- Employment of claimant, child under age of 16 living apart from claimant because of, **15:18**
- Evidence. Child in care, above
- Medicare** (this index)
- Mentally disabled child age 16 or over, supervision of, **15:11**
- Mother or father's benefit reduction or offset, **26:16**
- Parents' benefit reduction or offset, **26:17**
- Payment of benefits. Amount and payment of benefits, above
- Physically disabled child age 16 or over, performing personal services for, **15:12; 15:13**
- Reduction or offset
 - child's disability benefit, **26:18**
 - mother or father's benefit and, **26:16**
 - parents' benefit and, **26:17**
 - retirement benefits and, **26:2**

SPOUSE'S BENEFITS—Cont'd

- Reduction or offset—Cont'd
 - widow's or widower's benefits and, **26:8; 26:9**
- Retirement benefits reduction or offset, **26:2**
- Suspension for residence outside U.S., **29:36**
- Temporary separation of child in care from claimant, **15:16**
- Time. Duration of benefits, above
- Under age of 16 away at school, child in care, **15:17**
- Who is spouse
 - generally, **15:3 to 15:6**
 - child of insured person, requirement that spouse be natural parent of, **15:4**
 - married at least one year, requirement that spouse be, **15:5**
 - other benefits, entitlement to, **15:6**

Widows and Widowers (this index)

SSA

- Social Security Administration** (this index)

SSI

- Supplemental Security Income** (this index)

SSI CLAIMS

- Disability** (this index)

STARE DECISIS

- Construction and interpretation, federal court precedents, **1:18**

STATE AGENCY CLAIMANTS

- Judicial review, **55:49**

STATE AND LOCAL GOVERNMENT

EMPLOYEES

- Absolute coverage groups, **4:56; 4:57**
- Agencies and departments, **4:11**
- Alternative lookback rule, **4:30 to 4:32**
- American Samoa, employees of, **4:6**
- Assistants for public officials, **4:16**
- Compensation source, effect of, **4:20**
- Composition
 - absolute coverage group, **4:57**
 - divided retirement system coverage groups, **4:65**
 - retirement system coverage groups, **4:62**
- Conduct of review, state compliance, **4:85**
- Conservation associations, **4:12**
- Continuation of coverage, **4:81**
- Covered employees, generally, **4:1 to 4:85**
- Defined benefit retirement system
 - qualified participant, **4:25**
 - transition rules, **4:41; 4:42**

STATE AND LOCAL GOVERNMENT

EMPLOYEES—Cont'd

- Defined benefit retirement system—Cont'd
 - what constitutes retirement system, **4:38**
- Defined contribution retirement system
 - alternative lookback rule, **4:32**
 - qualified participant in, **4:26**
 - transition rules, **4:43**
 - what constitutes retirement system, **4:39**
- Degree of public control, effect of, **4:19**
- Determining membership in retirement system, **4:23 to 4:33**
- Determining state or local status, **4:15 to 4:20**
- Disabled individuals, services performed by, **4:17**
- District of Columbia employees, **4:5**
- Divided retirement systems, **4:64 to 4:66**
- Duration of agreement, **4:79 to 4:82**
- Effective dates, **4:79; 4:80**
- Election of coverage
 - generally, **4:44 to 4:85**
 - divided system vote, **4:66**
 - majority vote of eligible employees, **4:63**
- Election officials and election workers, optional exclusions, **4:77**
- Employee, qualification as, **4:46; 4:47**
- Employment taxes, payment, **4:52**
- Error, modification of agreement to correct, **4:50**
- Exceptions to rule of non-coverage, **4:2**
- Exclusions from coverage
 - generally, **4:75 to 4:78**
 - mandatory coverage, **4:22**
- Fee basis, optional exclusion of persons compensated on, **4:78**
- Firefighters, **4:69 to 4:71**
- First and last year of participation, application of lookback rule, **4:31**
- Former retirement system participants, **4:33**
- Groups of employees that may be covered, **4:54 to 4:78**
- Guam, employees of, **4:6**
- Hospitals, **4:14**
- Identification of employee, **4:51**
- Independent contractors, **4:18**
- Ineligible employees, **4:68**
- Instrumentalities, state or local, **4:8 to 4:14**
- Interstate instrumentalities
 - coverage of particular employees, **4:73**
 - treated in same manner as state, **4:45**
- Law (state or local), organizations and facilities authorized by, **4:10**
- Libraries, **4:14**

STATE AND LOCAL GOVERNMENT**EMPLOYEES—Cont'd**

- Limitations on coverage of transportation services, **4:4**
- Mandatory coverage, **4:21 to 4:43**
- Mandatory exclusions, **4:75**
- Medicare coverage for employees in continuing coverage, **4:55**
- Medicare qualified government employees, **4:7**
- Minimum benefit level requirement, **4:35 to 4:37**
- Modification
 - agreement, **4:49; 4:50**
 - effective date, **4:79**
- Multiple entities maintaining system, determination of minimum benefit level, **4:37**
- Multiple positions, individual employed in, **4:24**
- Multiple retirement systems, employees in positions covered by, **4:72**
- 1991, transition rules during, **4:40**
- Northern Mariana Islands, employees of, **4:6**
- November 5, 1990—transition rules for plans in existence on, **4:41 to 4:43**
- Obtaining coverage under agreement, **4:48**
- Opposition to coverage, employees as covered anyway, **4:67**
- Optional exclusions, **4:76 to 4:78**
- Particular employees covered, **4:67 to 4:74**
- Part-time employees, **4:27 to 4:29**
- Police officers, **4:69 to 4:71**
- Promotion of state or municipality, associations for, **4:13**
- Reduction or offset of benefits, **26:55**
- Report of findings, state compliance, **4:85**
- Retirement system coverage groups, **4:58 to 4:74**
- Retroactive coverage, effective date, **4:80**
- Review of state compliance, **4:83 to 4:85**
- Scope of review, state compliance, **4:84**
- Seasonal employees, **4:27 to 4:29**
- Separate retirement system, employee groupings that may constitute, **4:61**
- Special schools, **4:14**
- Special state provisions regarding coverage of particular employees, **4:74**
- Temporary employees, **4:27 to 4:29**
- Termination of coverage, **4:82**
- Transition rules, **4:40 to 4:43**
- Transportation services covered, **4:3; 4:4**
- Utility related services, organizations providing, **4:9**
- Voluntary coverage agreements, effect of mandatory coverage on use of, **4:53**
- What constitutes retirement system, **4:34 to 4:43**

STATE AND LOCAL HEALTH WELFARE AGENCIES

- Covered employment, **6:36**

STATE COURTS

- Construction and interpretation, **1:20**

STATE GOVERNMENT EMPLOYEES

- FICA tax returns, **70:31**

STATE LAWS

- Child's Benefits** (this index)
- Judicial review, **55:64**
- State decision construing similar state laws, **1:20**
- Suspension of benefits due to conviction of claimant for killing insured person, **29:57**

STATE MENTAL INSTITUTIONS

- Representative payments, accounting, **32:48**

STATEMENTS

- Affidavits and Statements** (this index)

STATES

- Agents, welfare recipients, employer status, **6:36**
- Earnings records, correction of, **12:58**
- Employees. **State Government Employees** (this index)
- Medicare** (this index)
- Municipalities** (this index)
- Social Security Numbers** (this index)
- Supplemental Security Income** (this index)

STATISTICAL RESEARCH OR REPORTING

- Privacy Act, disclosure under, **48:35**

STATUTE OF LIMITATIONS

- Assessments
 - generally, **72:53 to 72:67**
 - adequacy of FICA tax return for purpose of starting limitations period, **72:63**
 - corporate liquidation, reducing limitations period for, **72:66**
 - evasion of tax, willful attempt, **72:57**
 - failure to file a return, **72:54**
 - false or fraudulent return, **72:56**
 - FICA tax assessment limitation, **72:62; 72:63**
 - self-employment tax assessment limitation, **72:61**
 - statutory relief from assessment limitations period, **72:67**
 - substantial omission
 - generally, **72:58**
 - IRS must prove correct gross income, **72:60**
 - what is gross income, **72:59**

STATUTE OF LIMITATIONS—Cont'd

- Assessments—Cont'd
 - suspension of assessment period, **72:65**
 - voluntary extension of limitations period for assessment, **72:64**
 - wrong form, filing, **72:55**
- Judicial Review** (this index)
- Overpayments, limitations period for recovery, **33:27; 33:32**
- Tax crimes, **73:62**
- Tax refunds, claims or suits for, limitation period on. **Refunds** (this index)

STATUTES

- Attorneys' and Representatives' Fees** (this index)
- Disability, relationship to statutory disability standard, **42:5**
- Earnings records, correction of, **12:61**
- Judicial Review** (this index)
- Mandamus, compelling SSA to comply with statutes, **58:8**
- Special senses and speech impairments, statutory blindness, **42:264**

STATUTORY AUTHORITY

- Social Security Administration (SSA), **1:22**

STATUTORY BLINDNESS

- Blindness** (this index)

STEM CELL TRANSPLANTATION

- Hematological disorders treated by, **42:80**
- Malignant neoplastic diseases, **42:194**

STEPCHILDREN

- Child's Benefits** (this index)
- Underpayment, amount due deceased person, **33:135**

STEPGRANDCHILDREN

- Child's benefits, **16:15; 16:58**

STIPULATIONS

- Attorneys' fees, effect of stipulation to withdraw on prevailing party status, Equal Access to Justice Act, **49:91**

STOCK

- Dividends and Interest** (this index)
- Supplemental security income, stocks as liquid resources, **20:43**
- Wages, **7:6; 7:12; 7:13**

STOCK BONUS PLANS

- Retirement and deferred compensation payments, **9:41**

STOLEN OR LOST CHECKS

- Lost or Stolen Checks** (this index)

STORES

- Lessee of space in department store as employer, **6:12**

STORM DOOR OR WINDOW INSTALLERS

- Covered employment, individuals qualifying as common law employees, **5:47**

STRESSOR-RELATED DISORDERS

- Generally, **42:140; 42:161**

STRICT CONSTRUCTION

- Generally, **1:16**

STRIKES

- Fringe benefits and other compensation, third party payments, **9:64**

STUDENT EARNED INCOME EXCLUSION

- Supplemental security income, **18:67; 19:48**

STUDENTS

- Education** (this index)

SUBCHAPTER S CORPORATIONS

- Wages, dividends of Subchapter S corporation paid in lieu of salary, **7:13**

SUBPOENAS

- Civil monetary penalties, subpoenas for attendance, **58:44**
- Discovery, **52:36 to 52:41**

SUBROGATION

- Bankruptcy proceedings, **73:91**

SUBSEQUENT ACTS OR MATTERS

- Duration of disability, effect of subsequent disabling impairment, **39:56**

SUBSIDIARIES

- Parent and Subsidiary Corporations** (this index)

SUBSIDIARY CORPORATIONS

- Covered employment, **6:7; 6:11**
- Employer, **6:7; 6:11**

SUBSTANCE ABUSE OR ADDICTION

- Generally, **41:25**
- Disability** (this index)
- Onset date, **39:36**
- Other disorders and impairments, **41:26**
- Representative payments, **32:18**
- Severity of impairment, substance abuse connected with mental impairments, **41:25**
- Supplemental Security Income** (this index)

INDEX

SUBSTANTIAL EVIDENCE

Judicial Review (this index)

SUBSTANTIAL GAINFUL ACTIVITY

Disability (this index)

SUBSTANTIALLY ALL INCOME TEST

Waiver of overpayment, **33:113**

SUBSTANTIAL SERVICES

Post-retirement earnings, **28:44 to 28:50**

SUBSTANTIATING EXEMPTION FROM SECA TAXES

Foreign employment, totalization agreement, **3:37**

SUBSTANTIATING TIPS

Employment taxes, requirements, **69:75**

SUBSTITUTE CHECKS

Overpayments, **33:5**

SUBSTITUTE EMPLOYEES

Wages, **7:51**

SUBSTITUTION OF PARTIES

Judicial review, **55:51; 56:29**

SUBVERSION ACTIVITIES

Recalculation of benefits, penalties, **29:10 to 29:14**

SUCCESSFUL REPRESENTATION REQUIREMENT

Attorneys' and Representatives' Fees (this index)

SUCCESSIVE IMPAIRMENTS

Disability (this index)

SUCCESSOR EMPLOYER

Annual wage limitation, **7:81; 7:82**

Foreign affiliate employee coverage agreements, continuance by successor to American employer, **3:16**

Taxation, employment taxes, **69:85 to 69:87**

SUFFICIENCY OF EVIDENCE

Disability determination, effect on, **37:12; 37:68**

SUFFICIENT FINANCIAL RESOURCES TEST

Waiver of overpayment, **33:115; 33:116**

SUICIDE

Survivor's benefits, **17:89**

SUMMONS

Service of Process and Papers (this index)

SUPERVISION

Management and Managers (this index)

SUPPLEMENTAL INFORMATION

Post-retirement earnings, **28:58**

SUPPLEMENTAL MEDICAL INSURANCE

Waiver, **34:47**

SUPPLEMENTAL SECURITY INCOME

Generally, **1:43**

Absence

deeming of income, **19:136; 19:137; 19:143; 19:144; 19:155**

essential person increment for qualified individual, effect of temporary absence, **18:176; 18:177**

limitations on eligibility of otherwise eligible claimants, below

one-third reduction rule, **19:113 to 19:115**

parental income, temporary absence of parent or child from household, **19:155**

principal place of residence, effect of absence from home, **20:80; 20:81**

spousal income, temporary absence from household, **19:144**

unearned income, one-third of support from absent parent, **19:88**

Absence temporarily from household, spousal income, **19:136; 19:137**

Accounts and accounting

computing benefits, below

financial institution accounts, below

representative payments, **35:108; 35:109**

Adjustment of benefits, overpayments, **35:128 to 35:130**

Administrative stop-payment actions, **18:135; 18:136**

Administrative wage garnishment, overpayments, **35:127**

Advance payments. Emergency advance payments, below

Age

eligibility, below

minors, below

Alcohol addiction. Substance and addiction, below

Aliens

deeming of income, generally, **19:140; 19:141**

dual sets of rule applicable, income of alien's sponsor, **19:176**

eligibility, below

exemptions from deeming of income of alien's sponsor, **19:174**

sponsor

income of, **19:140; 19:172 to 19:176; 20:110 to 20:113**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Aliens—Cont'd
 - sponsor—Cont'd
 - responsibility for overpayment, **35:122**
 - spousal income, allocations for aliens, **19:147**
 - suspension and termination of benefits, **18:127**
- Alimony payments as unearned income, **19:62**
- Amount of benefits
 - generally, **18:160 to 18:189**
 - change in status
 - eligible couple, **18:163**
 - special income rules in, **19:11 to 19:13**
 - computing benefits, below
 - cost-of-living increases, **18:167**
 - deeming of income, **19:148; 19:159**
 - disabled children under age of 18, **18:165**
 - emergency advance payments, **18:84**
 - essential person increment for qualified individual
 - generally, **18:173 to 18:180**
 - income and resource limitations of qualified individual, **18:178; 18:179**
 - more than one eligible person, effect of essential person residing with, **18:180**
 - temporary absence, effect of, **18:176; 18:177**
 - who is essential person, **18:175**
 - who is qualified individual, **18:174**
- Medicaid. Medical care facility, Medicaid paying for care of resident in, below this group
- medical care facility, Medicaid paying for care of resident in
 - generally, **18:168 to 18:172**
 - eligible couple in facility, **18:170**
 - eligible individual in facility, **18:169**
 - one member of eligible couple in facility, **18:171**
 - waiver of benefit limitation, **18:172**
- minimum monthly benefit amount, **18:166**
- overpayment, **35:111**
- parental income, deeming of income, **19:159**
- spousal income, deeming of income, **19:148**
- standard payment amount for couple, **18:162; 18:163**
- standard payment amount for individual, **18:161**
- state supplementation of federal SSI benefits, **18:106**
- temporarily institutionalized claimants, **18:164**
- underpayment, **35:161**
- Annuities
 - liquid resources, **20:48**
 - unearned income, **19:57**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Anti-assignment provision
 - garnishment to collect child support, **34:21 to 34:23**
 - interim assistance, **34:31**
- Appeal and review
 - judicial review, statutory basis for, **55:1**
 - suspension and termination of benefits, below withholding for interim assistance reimbursement, **35:185**
- Application for benefits
 - generally, **35:1 to 35:45**
 - after determination, withdrawal of application, **35:43**
 - before determination, withdrawal of application, **35:42**
 - cancellation of request to withdraw, **35:45**
 - closeout notices, **35:22**
 - date, when application is considered filed, generally, **35:14 to 35:37**
 - death of claimant, effect of, **35:20; 35:24**
 - disposition of oral inquiry, **35:27**
 - disposition of protective writing, **35:21; 35:22**
 - effective period of application, **35:38 to 35:41**
 - effect of filing application, **35:2**
 - elements of claim based on misinformation, **35:35; 35:36**
 - evidence of misinformation, **35:31 to 35:33**
 - filing of application, generally, **35:14 to 35:37**
 - first month of eligibility, filing application before, **35:39; 35:40**
 - forms, generally, **35:4; 35:5**
 - Form SSA-8000-BK, **35:5**
 - in or after first month of eligibility, filing application, **35:41**
 - limiting scope of application, **35:8**
 - mailing, date of, **35:15**
 - misinformation, date of application based on, **35:28 to 35:37**
 - new applications, **35:9; 35:40**
 - oral inquiry, filing date based on, **35:23 to 35:27**
 - preferred evidence of misinformation, **35:31**
 - protective filings
 - generally, **35:17 to 35:37**
 - misinformation, filing date based on, **35:28 to 35:37**
 - oral inquiry, filing date based on, **35:23 to 35:27**
 - written statement, filing date based on, **35:17 to 35:22**
 - receipt, date of, **35:14; 35:16**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Application for benefits—Cont'd
 - redeterminations of eligibility, **30:31**
 - reviewability of decision made on claim based on misinformation, **35:37**
 - scope of application, **35:7; 35:8**
 - scope of oral inquiry, **35:25**
 - signature
 - generally, **35:10 to 35:13**
 - evidence of authority to sign for claimant, **35:13**
 - nondesignated person, signing by, **35:12**
 - SSA, responsibility in application process, **35:5**
 - time, when application is considered filed, generally, **35:14 to 35:37**
 - Title II application, **35:26**
 - valid application, requirements for, **35:3; 35:4**
 - withdrawal of application, **35:42 to 35:45**
 - written statement, filing date based on, **35:17 to 35:22**
- Application of rule
 - one-third reduction rule, **19:110 to 19:115**
 - presumed maximum value rule, **19:119 to 19:127**
- Armed forces. Military service, below
- Assets not considered resources, **20:7 to 20:13; 20:11; 20:13**
- Assignment
 - generally, **35:176; 35:177**
 - anti-assignment provision, above
 - child support or alimony, **34:21 to 34:23; 35:177**
 - interim assistance, **34:31**
 - wage garnishment, overpayment recovery, **35:127**
- Attorneys' fees, **49:1 to 49:79**
- Augmented veterans benefits as unearned income, **19:72**
- Automobiles, personal property and other interests, **20:91**
- Awards
 - liquid resources, settlement award as, **20:50**
 - unearned income, awards as, **19:58**
- Bankruptcy proceedings, overpayments, **35:133**
- Banks. Financial institution accounts, below
- Basic earned income exclusions, **19:50**
- Blind persons
 - appeal and review, notice requirement to blind SSI applicants and recipients, **50:8**
 - overpayments, **35:114**
 - payments to. Presumptively disabled or blind claimants, payments to, below
- Bonds, liquid resources, **20:44 to 20:46**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Burial and burial funds
 - assets not considered resources, death benefits to be spent on last illness and burial, **20:10**
 - burial space or agreement, **20:84**
 - increase in value of burial funds, **20:65**
 - interest on as unearned income, **19:86**
 - liquid resources, generally, **20:61 to 20:67**
 - prepaid burial contracts, **20:63**
 - reduction in exclusion, **20:64**
 - suspension, effect on, **20:67**
- Business, property used in for self-support, **20:95**
- Cancellation of request to withdraw, **35:45**
- Change of address of recipient, **35:57; 35:58**
- Checks. Payment and payment procedures, below
- Children. Minors, below
- Citizenship. Eligibility, below
- Civil service pension, liquid resources, **20:49**
- Civil suit, overpayments, **35:132**
- Closed period of disability, **39:64; 39:65**
- Closeout notices, application for benefits, **35:22**
- COLAs, relationship between SSI and Medicaid eligibility, **35:187**
- Color of law, proof of permanent residence under, **18:12 to 18:15**
- Combined spousal and parental income, deeming of income, **19:167; 19:168**
- Community residences. Inmate of public institution, below
- Compromise, overpayments, **35:131**
- Computing benefits
 - generally, **18:181 to 18:189**
 - accounting. Retrospective accounting, below this group
 - blind persons. Presumptively disabled or blind claimants, payments to, below
 - change of status, special income rules in
 - generally, **19:11 to 19:13**
 - eligibility, **19:12; 19:13**
 - countable income determined, generally, **18:182; 19:4 to 19:13**
 - proration of benefits
 - generally, **18:188; 18:189**
 - determining amount of prorated benefits, **18:189**
 - retrospective accounting
 - generally, **18:183 to 18:187**
 - certain assistance payments, effect of, **18:186**
 - current month, authority to apply information in, **18:187**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Computing benefits—Cont'd
 - retrospective accounting—Cont'd
 - determining benefits in first three months of eligibility or reeligibility, **18:184**
 - increase in OASDI payments, effect of, **18:185**
- Conditional benefits period, disposition of resources, **20:29**
- Conservatorship accounts, **20:38**
- Constitutionality
 - eligibility, constitutionality of requirement that claimant apply for other benefits, **18:19**
 - inmate of public institution, **18:32**
 - marriage, effect of living with unrelated person of opposite sex, constitutionality of holding out provision, **18:55**
 - one-third reduction rule, **19:102**
 - presumed maximum value rule, **19:118**
 - state supplementation of federal SSI benefits, cost-of-living increases, **18:109**
- Continuation of coverage. Suspension and termination of benefits, below
- Continuous residence in state, individuals deemed not to have excess resources, **20:16**
- Cooperate, evidence of claimant's failure to, **35:49**
- Cost-of-living increases
 - amount of benefits, **18:167**
 - state supplementation of federal SSI benefits, below
- Costs and expenses
 - one-third reduction rule, pro rata share of household operating expenses, **19:108**
 - unearned income, expenses incurred in obtaining payment, **19:69**
 - work expenses of disabled persons, earned income exclusions, **19:51; 19:52**
- Credit life or disability insurance as nonincome items, **19:21**
- Creditors and debtors, **35:76**
- Crime victims, aid to
 - liquid resources, exclusions, **20:59**
 - unearned income exclusions, **19:93**
- Cross-program adjustment, overpayments, **35:130**
- Current market value of real property, rebutting evidence of, **20:72**
- Current use, property must be in for self-support, **20:94**
- Daily activities, nonbusiness property that is essential for, **20:98**
- Date. Time and date, below

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Death
 - application for benefits, effect of death of claimant, **35:20; 35:24**
 - assets not considered resources, death benefits to be spent on last illness and burial, **20:10**
 - overpayment, responsibility for, **35:121**
 - parental income, death of ineligible parent, **19:162**
 - spousal income, death of ineligible spouse, **19:152**
 - suspension and termination of benefits, below
 - underpayments, **35:170 to 35:174**
 - unearned income, death benefits as, **19:59**
- Debt, benefits withheld because of, **19:68**
- Deeming of income
 - generally, **19:133 to 19:176**
 - aliens, above
 - child, income of ineligible, **19:142**
 - combined spousal and parental income, **19:167; 19:168**
 - eligibility, **19:138 to 19:142; 19:158 to 19:164; 19:170**
 - essential person, income of, **19:140; 19:169 to 19:171**
 - military service, **19:137**
 - one-third reduction rule, application of rule when deemed income at issue, **19:112**
 - parental income
 - generally, **19:154 to 19:166**
 - allocations for ineligible parents, **19:158**
 - attainment of majority at age 18, **19:166**
 - benefit amount determination, **19:159**
 - change in family status, effect of, **19:160 to 19:166**
 - combined spousal and parental income, **19:167; 19:168**
 - death of ineligible parent, **19:162**
 - disabled children under age 18, inapplicability of deeming rules to, **19:156**
 - eligibility, **19:139; 19:158 to 19:164**
 - ineligible parent and child begin living in same household, **19:164**
 - ineligible parent and child stop living in same household, **19:163**
 - medical care facility, child becoming resident of, **19:165**
 - temporary absence of parent or child from household, **19:155**
 - presumed maximum value rule, application of when deemed income at issue, **19:127**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Deeming of income—Cont'd
 - spousal income
 - generally, **19:143 to 19:153**
 - aliens, allocations for, **19:147**
 - benefit amount determination, **19:148**
 - change in couple's status, effect of, **19:149 to 19:153**
 - children, allocations for ineligible, **19:146**
 - combined spousal and parental income, **19:167; 19:168**
 - death of ineligible spouse, **19:152**
 - divorce, effect of change in couple's status, **19:150**
 - eligibility, **19:143 to 19:153**
 - ineligible spouse, income of, **19:139**
 - medical care facility, claimant becoming resident of, **19:153**
 - separated spouses, effect of change in couple's status, **19:150**
 - temporary absence from household, **19:136; 19:137; 19:144**
 - time when deeming stops, income of essential person, **19:171**
 - Deeming of resources
 - generally, **20:103 to 20:113**
 - children and minors, **20:105 to 20:108**
 - disabled children under age 18, inapplicability of deeming rules to, **20:108**
 - eligibility, **20:103 to 20:108**
 - essential person to claimant, **20:109**
 - exemptions of sponsor to alien, **20:111**
 - married persons, ineligible spouse to claimant, **20:103; 20:104**
 - more than one eligible child in household, **20:106**
 - parent to child, generally, **20:105 to 20:108**
 - sponsor to alien, generally, **20:110 to 20:113**
 - Definitions
 - household, **19:103**
 - income, **19:2**
 - Delays, interim payments in administrative delay cases, **35:59**
 - Development of plan, income used in plan to achieve self-support, **19:129**
 - Direct deposit, payment and payment procedures, **35:53**
 - Disabled persons
 - amount of benefits, disabled children under age of 18, **18:165**
 - blind persons, above

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Disabled persons—Cont'd
 - child claimant's impairments, evaluation of severity of, **41:6**
 - deeming rules, inapplicability of to disabled children under age 18, **19:156; 20:108**
 - gifts by tax-exempt organizations to children with life-threatening conditions, assets not considered resources, **20:12**
 - inability to work, **43:97 to 43:109**
 - Medicaid, below
 - minors, below
 - nonincome items, credit disability insurance as, **19:21**
 - overpayments, presumptive disability or blindness payment, **35:114**
 - presumptively disabled or blind claimants, payments to, below
 - situations not requiring consultative examinations, **37:39**
 - unearned income, disability benefits as, **19:57**
 - work expenses of disabled persons, earned income exclusions, **19:51; 19:52**
- Disaster assistance
 - liquid resources, exclusions, **20:53**
 - unearned income exclusions, **19:80 to 19:82**
- Disposition of resources
 - generally, **20:21 to 20:31**
 - conditional benefits period, **20:29**
 - eligibility conditioned on disposition of excess resources, **20:21 to 20:26**
 - failure to dispose of resources, **20:26**
 - fair market value, disposal of resources for less than, **20:31**
 - net proceeds from disposition, **20:25**
 - payments made, **20:22**
 - real property, exception to required disposition of, **20:27 to 20:30**
 - reasonable efforts, **20:28 to 20:30**
 - time period for disposition, **20:23**
- Distinction between income and resources, **19:3**
- Dividends as unearned income, **19:64**
- Divorce, effect of change in couple's status, **19:150**
- Domestic abuse, victim fleeing principal place of residence, **20:81**
- Domicile. Residency, below
- Drug addiction. Substance abuse and addiction, below
- Dual sets of rule applying to income of alien's sponsor, **19:176**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Dwelling unit, assistance for
 - liquid resources, exclusions, **20:57**
 - unearned income exclusions, **19:91**
- Early delivered checks, overpayments, **35:116**
- Earned income
 - generally, **19:30 to 19:53**
 - basic income exclusion, **19:50**
 - blind individuals, work expenses of, **19:52**
 - disabled persons, exclusion of work expenses of, **19:51; 19:52**
 - evidence of wages, **19:35**
 - exclusions. Exemptions and exclusions, below
 - general income exclusion, **19:49**
 - impairment-related work expenses of disabled individuals, exclusion of, **19:51**
 - infrequent or irregular earned income, exclusion of, **19:47**
 - in-kind earned income, evaluation of, **19:32**
 - liquid resources, earned income tax credit refunds and payments, **20:58**
 - ministers, self-employment income, **19:38**
 - net earnings, self-employment income, **19:39**
 - not received earned income counted, **19:31**
 - payments, exclusion of, **19:46**
 - refunds, exclusions of, **19:46**
 - religious order members, self-employment income, **19:38**
 - royalties and honoraria, below
 - self-employment income, below
 - self-support plan, exclusion of income used to fulfill, **19:53**
 - sheltered workshop income, below
 - student earnings, exclusion of, **18:67; 19:48**
 - unearned income, below
 - wages, below
- Education. Schools and education, below
- Eligibility
 - generally, **18:1 to 18:73**
 - absence from United States, limitations on eligibility of otherwise eligible claimants, **18:47 to 18:49**
 - age
 - parental income, deeming of income, **19:166**
 - proof of
 - generally, **18:71 to 18:73**
 - acceptable evidence of age, **18:72**
 - payment of benefits pending further submission of proof, **18:73**
 - unearned income exclusions, periodic payments based on, **19:84**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Eligibility—Cont'd
 - blind claimants, alternative income determination for, **19:8**
 - citizenship or lawful resident requirement
 - generally, **18:7 to 18:17**
 - categories of aliens permanently residing in U.S., **18:13; 18:14**
 - color of law, proof of permanent residence under, **18:12 to 18:15**
 - lawful admission for permanent residence, proof of, **18:11**
 - Northern Mariana islands, proof of citizenship for residents of, **18:9**
 - preferred proof of citizenship, **18:8; 18:9**
 - reporting requirements for resident aliens, **18:16**
 - restrictions on alien eligibility, **18:17**
 - SSA verification of documentation, **18:15**
 - temporary protected status, aliens granted, **18:14**
 - color of law, proof of permanent residence under, **18:12 to 18:15**
 - conditions on eligibility, optional state supplementation of federal benefits, **18:97**
 - countable income, effect of on eligibility for SSI, **19:6**
 - deeming of income, **19:138 to 19:142; 19:158 to 19:164; 19:170**
 - deeming of resources, **20:103 to 20:108**
 - determination of eligibility, **18:3**
 - disposition of excess resources, eligibility conditioned on, **20:21 to 20:26**
 - emergency advance payments, **18:81**
 - evidence
 - age, proof of, above this group
 - children, eligibility, **18:65 to 18:67; 18:70**
 - citizenship, preferred proof of, **18:8; 18:9**
 - married persons, below
 - residence, proof of, **18:6**
 - student status, **18:67**
 - head of household, **18:68**
 - limitations on eligibility of otherwise eligible claimants, below
 - married persons, below
 - minors
 - generally, **18:64 to 18:70**
 - deeming of income, income of ineligible child, **19:142**
 - evidence of parent status, **18:70**
 - evidence of student status, **18:66**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Eligibility—Cont'd
 - minors—Cont'd
 - head of household, who is, **18:68**
 - limitations on eligibility of otherwise eligible claimants, **18:48**
 - parent, who is, **18:70**
 - spousal income, allocations for ineligible children, **19:146**
 - student earned income exclusion, **18:67**
 - student regularly attending school, who is, **18:65 to 18:67**
 - support by parent, **18:69**
 - unearned income exclusion, assistance for foster care of ineligible child, **19:85**
 - Northern Mariana islands, proof of citizenship for residents of, **18:9**
 - optional state supplementation of federal benefits, **18:95 to 18:97**
 - parental income, deeming of income, **19:158 to 19:164**
 - payees, who may become, **35:75; 35:76**
 - person's eligible, **18:2**
 - residency
 - generally, **18:4 to 18:6**
 - citizenship or lawful resident requirement, above this group
 - proof of residence, **18:6**
 - validity of requirement, **18:5**
 - restrictions on alien eligibility, **18:17**
 - self-support, income used in plan to achieve, **19:129**
 - special income rules in change of status, countable income determined, **19:12; 19:13**
 - spousal income, effect of change in couple's status, **19:149**
 - student earned income exclusion, **18:67**
 - temporary protected status, aliens granted, **18:14**
 - unearned income exclusion, assistance for foster care of ineligible child, **19:85**
- Emergency advance payments
 - generally, **18:80 to 18:85**
 - amount of benefits, **18:84**
 - eligibility, **18:81**
 - financial emergency, what constitutes, **18:83**
 - initial application for benefits, **18:82**
 - subsequent determination as to eligibility, effect of, **18:85**
- Equity and good conscience, waiver of overpayments, **35:154 to 35:156**
- Equity value of real property, evidence of, **20:73**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Erroneous payments, return of, **19:25**
- Essential person
 - deeming of income, **19:140; 19:169 to 19:171**
 - deeming of resources, **20:109**
 - maximum allowable resources, individuals deemed not to have excess resources, **20:18**
- Estate, recovery of overpayments from, **35:134**
- Estoppel. Waiver, below
- Evidence
 - claimant's responsibility to furnish evidence, **35:48; 35:49**
 - cooperate, failure of claimant to, **35:49**
 - current market value, rebutting evidence of, **20:72**
 - eligibility, above
 - equity value of real property, evidence of, **20:73**
 - presumptions. See groups beginning "Presumed" and "Presumptively," below
 - representative payments, **35:69; 35:92**
 - responsibility of SSA to obtain necessary evidence to support claim, **35:46; 35:47**
 - securing information from other agencies, **35:47**
 - support of claim, **35:46 to 35:50**
 - verification of evidence, **35:50**
 - wages, **19:35**
- Exceptions
 - disposition of real property, exception to required, **20:27 to 20:30**
 - inmate of public institution, below
 - maximum allowable resources, individuals deemed not to have excess resources, **20:20**
 - state supplementation of federal SSI benefits, **18:105**
 - suspension and termination of benefits, below
- Excess resources
 - individuals deemed not to have, **20:15 to 20:20**
 - waiver of overpayments, **35:156**
- Exchange of resource, nonincome items, **19:18**
- Exemptions and exclusions
 - alien's sponsor, exemption of sponsor's income from deeming, **19:174**
 - burial funds, reduction in exclusion, **20:64**
 - deeming of resources, exemptions of sponsor to alien, **20:111**
 - earned income
 - generally, **19:44 to 19:53**
 - authorization by other federal laws, **19:45**
 - basic income exclusion, **19:50**
 - blind individuals, work expenses of, **19:52**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

Exemptions and exclusions—Cont'd
 earned income—Cont'd
 costs and expenses, work expenses of disabled persons, **19:51; 19:52**
 disabled persons, work expenses of, **19:51; 19:52**
 general income exclusion, **19:49**
 impairment-related work expenses of disabled individuals, **19:51**
 infrequent or irregular earned income, **19:47**
 payments, **19:46**
 refunds, **19:46**
 self-support plan, income used to fulfill, **19:53**
 student earnings, **18:67; 19:48**
 general income exclusion, **19:49; 19:89**
 liquid resources, below
 nonreceipt of payments, excluded situations, **35:64**
 personal property and other interests, below
 real property, below
 self-support, income exclusions from plan for, **19:131**
 student earnings, exclusion of, **18:67; 19:48**
 unearned income
 generally, **19:74 to 19:96**
 absent parent, one-third of support from, **19:88**
 age, periodic payments based on, **19:84**
 burial funds, interest on, **19:86**
 children, assistance for foster care of ineligible child, **19:85**
 crime victims, aid to, **19:93**
 disaster assistance, **19:80 to 19:82**
 dwelling unit, assistance for, **19:91**
 eligibility, assistance for foster care of ineligible child, **19:85**
 exclusions, general income exclusion, **19:89**
 fellowships, **19:78**
 food tax refunds, **19:76**
 foster care of ineligible child, assistance for, **19:85**
 general income exclusion, **19:89**
 gift, transportation ticket received as gift, **19:92**
 grants, **19:78**
 home energy assistance, **19:87**
 home produce, **19:79**
 hostile fire pay, **19:95**
 infrequent or irregular, **19:83**
 interest on burial funds, **19:86**
 maintenance, disaster assistance, **19:81**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

Exemptions and exclusions—Cont'd
 unearned income—Cont'd
 maintenance in nonprofit retirement home, **19:96**
 needs-based income assistance, **19:77**
 nonprofit retirement home, support and maintenance in, **19:96**
 one-third of support from absent parent, **19:88**
 other federal laws, exclusions authorized by, **19:75**
 periodic payments based on age and residence, **19:84**
 real property tax refunds, **19:76**
 refunds and rebates, tax refunds, **19:76**
 relocation assistance, **19:94**
 residence, periodic payments based on, **19:84**
 scholarships, **19:78**
 self-support plan, income used to fulfill, **19:90**
 support, disaster assistance, **19:81**
 support in nonprofit retirement home, **19:96**
 tax refunds, **19:76**
 tickets, transportation ticket received as gift, **19:92**
 transportation ticket received as gift, **19:92**
 Extension of time
 liquid resources, replacement of excluded resources, **20:55**
 self-support, extension of time to complete plan for, **19:131; 20:101; 20:102**
 Eyesight. Blind persons, above
 Fair market value, disposal of resources for less than, **20:31**
 Fees, representative payments to qualified organizations, **35:93**
 Fellowships, unearned income exclusions, **19:78**
 Fiduciary. Representative payments, below
 Financial emergency. Emergency advance payments, above
 Financial institution accounts
 generally, **20:33 to 20:38**
 conservatorship accounts, **20:38**
 failure to give permission to contact financial institution, **18:45; 18:119**
 individually held accounts, **20:34**
 jointly held accounts, **20:35; 20:36**
 rebutting presumption of ownership of jointly held accounts, **20:36**
 time deposits, **20:37**
 Fines and penalties. Penalty deductions, below

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Food
 - one-third reduction rule, household to provide food, **19:105**
 - unearned income exclusion, food tax refunds, **19:76**
- Foreign real property, **20:74**
- Form SSA-8000-BK, **35:5**
- For-profit nonmedical institution, presumed maximum value rule, **19:124**
- Foster care of ineligible child assistance, unearned income exclusions, **19:85**
- Garnishment
 - benefits withheld because of, **19:68**
 - overpayments, garnishment of wages, **35:127**
- General income exclusion, **19:49; 19:89**
- Gifts or grants
 - bonds, liquid resources, **20:46**
 - tax-exempt organization's gifts to children with life-threatening conditions, assets not considered resources, **20:12**
 - transportation ticket received as gift, unearned income exclusion, **19:92**
 - unearned income, **19:60; 19:78; 19:92**
- Handicapped. Disabled persons, above
- Head of household, eligibility requirements, **18:68**
- Home energy assistance, unearned income exclusions, **19:87**
- Home produce, unearned income exclusions, **19:79**
- Honoraria. Royalties and honoraria, below
- Hospital insurance without premium, entitlement to widow's or widower's benefits, **60:17**
- Hostile fire pay, unearned income exclusions, **19:95**
- Household defined, **19:103**
- Household goods and personal effects, **20:90**
- Impairment-related work expenses, earned income exclusions, **19:51**
- Imprisonment. Inmate of public institution, below
- Income-producing property, self-support from, **20:96; 20:97**
- Income tax refunds, **19:19; 20:58**
- Indian lands, **20:86**
- Individually held accounts, **20:34**
- Infrequent or irregular earned income, exclusion, **19:47**
- Infrequent or irregular unearned income, exclusion, **19:83**
- Inheritances as unearned income, **19:61**
- In-kind earned income, evaluation of, **19:32**
- In-kind income, evaluation of, **19:70**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- In-kind support and maintenance
 - generally, **19:97 to 19:127**
 - one-third reduction rule
 - generally, **19:101 to 19:115**
 - application of rule, **19:110 to 19:115**
 - child, effect of temporary absence from living arrangement, **19:115**
 - costs and expenses, pro rata share of household operating expenses, **19:108**
 - couples, application of rule to, **19:111**
 - deemed income at issue, application of rule when, **19:112**
 - definition of household, **19:103**
 - food, household to provide, **19:105**
 - household defined, **19:103**
 - medical care facility, temporary absence from living arrangement, **19:114**
 - noninstitutional care situation, **19:107**
 - own household, **19:106 to 19:109**
 - pro rata share of household operating expenses, **19:108**
 - public assistance household, **19:109**
 - shelter, household to provide, **19:105**
 - temporary absence from living arrangement, application of rule, **19:113 to 19:115**
 - validity, **19:102**
 - presumed maximum value rule
 - generally, **19:116 to 19:127**
 - application of rule, **19:119 to 19:127**
 - couples, application of rule to, **19:125 to 19:127**
 - deemed income at issue, application of rule when, **19:127**
 - for-profit nonmedical institution, **19:124**
 - medical institution, application of rule when one member is of couple is in, **19:126**
 - noninstitutional care situation, **19:121**
 - nonmedical institution, **19:121 to 19:124**
 - private nonprofit retirement home, **19:123**
 - public assistance household, **19:120**
 - rebutting presumption of maximum value, **19:117**
 - retirement, private nonprofit retirement home, **19:123**
 - validity, **19:118**
 - rent under business arrangement, value of, **19:99**
 - room under business arrangement, value of, **19:99**
 - shelter income, items included under, **19:98**
 - value or valuation, **19:99; 19:100**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Inmate of public institution
 - generally, **18:24 to 18:44**
 - absence of discharge from public institution, **18:27**
 - agreement, inmate permitted to retain benefit by, **18:41**
 - community residence serving 16 or fewer persons, resident of
 - generally, **18:33; 18:34**
 - definition of community residence, **18:34**
 - definition of public institution, **18:28; 18:29**
 - exceptions, generally, **18:31 to 18:44**
 - financial institution, failure to give permission to contact, **18:45**
 - Medicaid patient in medical care facility
 - generally, **18:31; 18:32**
 - constitutionality of exception, **18:32**
 - medical care facility
 - child becoming resident of, **19:165**
 - Medicaid patient in medical care facility, above this group
 - one-third reduction rule, temporary absence from living arrangement in medical care facility, **19:114**
 - presumed maximum value rule, **19:126**
 - public control of institution, what is, **18:29**
 - public educational institution, resident of
 - generally, **18:35 to 18:37**
 - approved training programs, **18:37**
 - employment, training must prepare claimant for, **18:36; 18:37**
 - public emergency shelter, resident of
 - generally, **18:38 to 18:40**
 - definition of public emergency shelter, **18:39**
 - maximum period of eligibility, **18:40**
 - residency requirement, **18:26; 18:27**
 - schools. Public educational institution, resident of, above this group
 - spousal income, claimant becoming resident of medical care facility, **19:153**
 - temporary inmates, below
 - waiver of eligibility limitation, **18:30**
 - who is inmate subject to exclusion, **18:25 to 18:27**
- Installments
 - large past-due benefits, payment of, **35:60**
 - refund of overpayments by, **35:126**
 - Institutional care, representative payments, use of benefits for institutional care, **35:96; 35:97**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Insurance
 - credit life or disability insurance as nonincome items, **19:21**
 - life insurance, below
- Interest on money
 - burial funds, unearned income exclusions, **19:86**
 - representative payments, surplus funds, **35:102**
 - unearned income, **19:64; 19:86**
- Interim assistance reimbursement
 - underpayments, **35:175**
 - withholding for interim assistance reimbursement, below
- Interim payments in administrative delay cases, **35:59**
- Investments, surplus funds, **35:100**
- Jointly held accounts, **20:35; 20:36**
- Judicial review, statutory basis for, **55:1**
- Knowledge. Notice and knowledge, below
- Life insurance
 - liquid resources, exclusions, **20:52**
 - nonincome items, life insurance credit, **19:21**
- Limitation on recovery amount, overpayments, **35:123; 35:124**
- Limitations on eligibility of otherwise eligible claimants
 - generally, **18:18 to 18:49**
 - absence
 - inmate of public institution, **18:27**
 - United States, absence from, **18:47 to 18:49**
 - children of armed forces personnel living overseas, exceptions for, **18:48**
 - constitutionality of requirement that claimant apply for other benefits, **18:19**
 - drug or alcohol treatment, failure to undergo, **18:46**
 - other benefits, requirement that claimant apply for
 - generally, **18:18 to 18:23**
 - constitutionality of requirement, **18:19**
 - failure to timely apply for other benefits, effect of, **18:22; 18:23**
 - good reason for failure to timely apply for other benefits, **18:23**
 - SSA notice of possible eligibility, **18:21**
 - types of benefits that must be applied for, **18:20**
 - students living outside U.S., exceptions for, **18:49**
 - time and date, effect of failure to timely apply for other benefits, **18:22; 18:23**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Liquid resources
 - generally, **20:32 to 20:67**
 - annuities, **20:48**
 - bonds, **20:44 to 20:46**
 - burial and burial funds, above
 - civil service pension, **20:49**
 - crime victims, aid to, **20:59**
 - disaster assistance, **20:53**
 - dwelling unit, assistance for, **20:57**
 - earned income tax credit refunds and payments, **20:58**
 - exclusions
 - generally, **20:51 to 20:67**
 - burial and burial funds, above
 - crime victims, aid to, **20:59**
 - disaster assistance, **20:53**
 - dwelling unit, assistance for, **20:57**
 - earned income tax credit refunds and payments, **20:58**
 - extension of time period, replacement of excluded resources, **20:55**
 - life insurance, **20:52**
 - other federal laws, exclusions authorized by, **20:51**
 - relocation assistance, **20:60**
 - replacement of excluded resources, **20:54; 20:55**
 - retroactive SSI or OASDI payments, **20:56**
 - extension of time period, replacement of excluded resources, **20:55**
 - financial institution accounts, above
 - life insurance exclusions, **20:52**
 - nonliquid resources, below
 - promissory notes, **20:47**
 - property agreements, **20:47**
 - relocation assistance, **20:60**
 - replacement of excluded resources, **20:54; 20:55**
 - retroactive SSI or OASDI payments, **20:56**
 - settlement award, **20:50**
 - stocks and mutual fund shares, **20:43**
 - trusts, below
- Loans
 - nonincome items, loan proceeds, **19:22**
 - personal property and other interests, loan agreements, **20:88**
- Maintenance. Support and maintenance of persons, below
- Market value of real property, rebutting evidence of current, **20:72**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Married persons
 - constitutionality of holding out provision, **18:55**
 - deeming of income, above
 - deeming of resources, ineligible spouse to claimant, **20:103; 20:104**
 - determination that claimant and spouse are no longer eligible couple
 - generally, **18:59; 18:60**
 - report of separation, **18:60**
 - eligibility of married persons, generally, **18:50 to 18:63**
 - eligible spouse, effect on claimant's eligibility, **18:51; 18:52**
 - end of marriage, determination of
 - generally, **18:61 to 18:63**
 - effective date of end of marriage, **18:63**
 - proof of end of marriage, **18:62**
 - evidence
 - end of marriage, proof of, **18:62**
 - marital status, proof of, **18:56; 18:57**
 - existence of marriage, determination of
 - generally, **18:53 to 18:58**
 - constitutionality of holding out provision, **18:55**
 - effective date of marriage, **18:58**
 - proof of marital status, **18:56; 18:57**
 - unrelated person of opposite sex
 - generally, **18:54; 18:55**
 - constitutionality of holding out provision, **18:55**
 - proof of marital status when claimant is living with, **18:57**
 - ineligible spouse, effect on claimant's eligibility, **18:50**
 - maximum allowable resources, individuals deemed not to have excess resources, **20:19**
 - spousal income
 - aliens, allocations for, **19:147**
 - benefit amount determination, **19:148**
 - change in couple's status, effect of, **19:149 to 19:153**
 - children, allocations for ineligible, **19:146**
 - combined spousal and parental income, **19:167; 19:168**
 - death of ineligible spouse, **19:152**
 - deeming of income, above
 - divorce, effect of change in couple's status, **19:150**
 - eligibility, **19:143 to 19:153**
 - ineligible spouse, income of, **19:139**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Married persons—Cont'd
 - spousal income—Cont'd
 - medical care facility, claimant becoming resident of, **19:153**
 - separated spouses, effect of change in couple's status, **19:150**
 - temporary absence from household, effect of, **19:136; 19:137**
 - temporary absence of ineligible spouse from household, **19:144**
 - suspension and termination of benefits, **18:151**
 - time and date
 - end of marriage, effective date of, **18:63**
 - existence of marriage, effective date of marriage, **18:58**
- Maximum allowable resources
 - generally, **20:14 to 20:20**
 - application of state or federal rules, individuals deemed not to have excess resources, **20:17**
 - continuous residence in state, individuals deemed not to have excess resources, **20:16**
 - essential person, effect of, individuals deemed not to have excess resources, **20:18**
 - exceptions, individuals deemed not to have excess resources, **20:20**
 - excess resources, individuals deemed not to have, **20:15 to 20:20**
 - one spouse meeting requirements, individuals deemed not to have excess resources, **20:19**
- Medicaid
 - amount of benefits, above
 - children, disabled, **35:190**
 - COLAs, **35:187**
 - continuing eligibility, generally, **35:187 to 35:190**
 - inmate of public institution, above
 - relationship between SSI and Medicaid eligibility, generally, **35:186 to 35:190**
 - representative payments, institutional care financed by Medicaid, **35:97**
 - widows and widowers, disabled, **35:189**
 - working disabled persons, **35:188**
- Medical care and services
 - assets not considered resources, **20:8**
 - inmate of public institution, above
 - Medicaid, above
 - nonincome items, **19:15**
- Medical improvement standard of review
 - adult claimants found disabled under state plan, **44:43**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Medical improvement standard of review—Cont'd
 - child claimants
 - generally, **44:84**
 - exceptions to medical improvement standard of review, **44:65; 44:86 to 44:89**
 - Military service
 - deeming of income, **19:137**
 - hostile fire pay, unearned income exclusions, **19:95**
 - limitations on eligibility of otherwise eligible claimants, **18:48**
 - veterans benefits, unearned income, **19:72; 19:73**
 - Mineral rights, **20:76**
 - Ministers, self-employment income, **19:38**
 - Minors
 - claimants, **35:94**
 - deeming of resources, **20:105 to 20:108**
 - disability
 - amount of benefits, **18:165**
 - burden of proving disability, **37:26**
 - definition of disability, **36:7**
 - medical improvement standard of review, above
 - re-evaluation and termination of disability status, below
 - severity of impairment, evaluation of, **41:6**
 - eligibility, above
 - garnishment for child support or alimony, **35:177**
 - gifts by tax-exempt organizations to children with life-threatening conditions as assets not considered resources, **20:12**
 - limitations on eligibility of otherwise eligible claimants, **18:48**
 - Medicaid eligibility, relationship between SSI and, **35:190**
 - meeting or equaling listed impairment, SSI child claimants, **42:13**
 - one-third reduction rule, effect of temporary absence from living arrangement, **19:115**
 - parental income, below
 - past-due benefits payable to minor beneficiary, representative payee handling, **35:94**
 - payments to minor beneficiaries. Representative payments, below
 - severity of impairment, evaluation of, **41:6**
- Misuse of benefits, **35:104 to 35:107**
- Multiple properties, self-support from income-producing property, **20:97**
- Multiple residences, principal place of residence, **20:79**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Mutual fund shares, liquid resources, **20:43**
- Needs-based income assistance, unearned income exclusions, **19:77**
- Net earnings, self-employment income, **19:39**
- Nonincome items
 - generally, **19:14 to 19:29**
 - credit life or disability insurance, **19:21**
 - disability insurance, credit, **19:21**
 - erroneous payments, return of, **19:25**
 - exchange of resource, **19:18**
 - exclusions, items excludable as nonliquid resources, **19:27**
 - income tax refund, **19:19**
 - insurance, credit life or disability insurance, **19:21**
 - life insurance, credit, **19:21**
 - loan proceeds, **19:22**
 - medical care and services, **19:15**
 - nonliquid resources, items excludable as, **19:27**
 - payments
 - erroneous payments, return of, **19:25**
 - third party, debts paid by, **19:23**
 - wage-related payments, **19:29**
 - personal services, **19:17**
 - refund of income tax, **19:19**
 - refunds and rebates, **19:19; 19:20**
 - replacement of income, **19:24**
 - replacement of resource, **19:18**
 - requirements for income, **19:14 to 19:29**
 - return of erroneous payments, **19:25**
 - sale of resource, **19:18**
 - social services, **19:16**
 - third party, debts paid by, **19:23**
 - trust funds, **19:28**
 - wage-related payments, **19:29**
 - weatherization assistance, **19:26**
- Noninstitutional care situation
 - one-third reduction rule, **19:107**
 - presumed maximum value rule, **19:121**
- Nonliquid resources
 - generally, **20:68 to 20:92**
 - exclusions
 - personal property and other interests, below
 - real property, below
 - nonincome items excludable as, **19:27**
 - personal property and other interests, below
 - real property, below
- Nonmedical institution, presumed maximum value rule, **19:121 to 19:124**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Nonprofit retirement home, support and maintenance in, **19:56; 19:96**
- Nonreceipt of payment. Payment and payment procedures, below
- Northern Mariana Islands, proof of citizenship for residents of, **18:9**
- Notice and knowledge
 - overpayment, **35:117**
 - representative payments, below
 - underpayment, **35:163**
 - unknown assets, **20:3**
- OASDI payments, liquid resources exclusion, **20:56**
- One-third of support from absent parent, unearned income exclusions, **19:88**
- One-third reduction rule
 - application of rule, **19:110 to 19:115**
 - child, effect of temporary absence from living arrangement, **19:115**
 - costs and expenses, pro rata share of household operating expenses, **19:108**
 - couples, application of rule to, **19:111**
 - deemed income at issue, application of rule when, **19:112**
 - definition of household, **19:103**
 - food, household to provide, **19:105**
 - household defined, **19:103**
 - in-kind support and maintenance, above
 - medical care facility, temporary absence from living arrangement, **19:114**
 - noninstitutional care situation, **19:107**
 - own household, **19:106 to 19:109; 19:106 to 19:110**
 - pro rata share of household operating expenses, **19:108**
 - public assistance household, **19:109**
 - shelter, household to provide, **19:105**
 - temporary absence from living arrangement, application of rule, **19:113 to 19:115**
 - validity, **19:102**
- Onset date of disability, need to establish, **39:7**
- Oral trust, **20:41**
- Overpayments
 - generally, **35:110 to 35:157**
 - accepting incorrect payments, **35:142**
 - adjustment of benefits, **35:128 to 35:130**
 - alien and sponsor, responsibility for overpayment, **35:122**
 - amount of overpayment, determining, **35:111**
 - bankruptcy proceedings, **35:133**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Overpayments—Cont'd
 - civil suit, **35:132**
 - compromise, **35:131**
 - cross-program adjustment, **35:130**
 - deceased beneficiary, responsibility for overpayment, **35:121**
 - early delivered checks, **35:116**
 - eligible couple, responsibility for overpayment, **35:119; 35:120**
 - eligible individual, responsibility for overpayment, **35:118**
 - equity and good conscience, waiver of overpayments, **35:154 to 35:156**
 - estate, recovery from, **35:134**
 - estate, responsibility for overpayment, **35:121**
 - excess resources, waiver of overpayments, **35:156**
 - garnishment of wages, **35:127**
 - incorrect information, supplying, **35:144; 35:145**
 - incorrect payment, waiver of overpayments, **35:153**
 - installment, refund by, **35:126**
 - limitation on recovery amount, **35:123; 35:124**
 - notice of overpayment, **35:117**
 - penalty deductions, **35:115**
 - period of overpayment, **35:112**
 - presumptive disability or blindness payment, **35:114**
 - procedures for recovery, generally, **35:123 to 35:135**
 - recovery of, generally, **35:110 to 35:135**
 - refund, **35:125; 35:126**
 - report, failure to, **35:146 to 35:150**
 - representative payee, responsibility for overpayment, **35:119**
 - request for waiver, **35:137**
 - responsibility for overpayment, **35:118 to 35:120**
 - state supplementation of federal SSI benefits, **18:92**
 - suspension or termination of recovery, **35:135**
 - ten-year bar to adjustment, **35:129**
 - underpayments, below
 - unearned income, benefits reduced to pay overpayments, **19:67**
 - wage garnishment, **35:127**
 - waiver of overpayments
 - generally, **35:136 to 35:157**
 - accepting incorrect payments, **35:142**
 - action following waiver determination, **35:138**

SUPPLEMENTAL SECURITY INCOME

—Cont'd

- Overpayments—Cont'd
 - waiver of overpayments—Cont'd
 - additional requirement for waiver, **35:151 to 35:157**
 - against equity and good conscience, **35:154 to 35:156**
 - defeat the purpose, **35:152; 35:153**
 - excess resources, **35:156**
 - impede efficient or effective administration, **35:157**
 - incorrect information, supplying, **35:144; 35:145**
 - incorrect payment, possession of, **35:153**
 - report, failure to, **35:146 to 35:150**
 - request for waiver, **35:137**
 - willful misstatement, **35:145**
 - without fault requirement
 - generally, **35:139 to 35:150; 35:142 to 35:150**
 - accepting incorrect payments, **35:142**
 - circumstances considered, **35:140**
 - inability to understand, **35:149; 35:150**
 - incorrect information, supplying, **35:144; 35:145**
 - official misinformation, **35:148**
 - report, failure to, **35:146 to 35:150**
 - resources exceed maximum allowable, **35:143**
 - standard of proof, **35:141**
 - willful misstatement, **35:145**
 - willful misstatement, **35:145**
- Ownership
 - jointly held accounts, rebutting presumption of ownership of, **20:36**
 - one-third reduction rule, own household, **19:106 to 19:109**
 - principal place of residence, ownership interest established, **20:78**
 - real property, ownership of property established, **20:70**
- Parental income
 - allocations for ineligible parents, **19:158**
 - attainment of majority at age 18, **19:166**
 - benefit amount determination, **19:159**
 - change in family status, effect of, **19:160 to 19:166**
 - combined spousal and parental income, **19:167; 19:168**
 - death of ineligible parent, **19:162**
 - deeming of income, above

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Parental income—Cont'd
 - disabled children under age 18, inapplicability of deeming rules to, **19:156**
 - eligibility, **19:158 to 19:164**
 - medical care facility, child becoming resident of, **19:165**
 - temporary absence of parent or child from household, **19:155**
- Past-due benefits, minor beneficiary—handling payment, **35:94**
- Payment and payment procedures
 - generally, **34:42; 35:51 to 35:65**
 - alimony and support, unearned income, **19:62**
 - change of recipient's address, **35:57; 35:58**
 - check, payment by, **35:54**
 - direct deposit, availability of, **35:53**
 - disposition of resources, payments made, **20:22**
 - earned income exclusions, **19:46**
 - earned income tax credit refunds and payments, **20:58**
 - emergency advance payments, above erroneous payments, return of, **19:25**
 - installment payment of large past-due benefits, **35:60**
 - interim payments in administrative delay cases, **35:59**
 - interview of claimant, **35:65**
 - manner of payment, **35:52 to 35:54**
 - minor beneficiary. Representative payments, below
 - nonincome items, above
 - nonreceipt of payment
 - generally, **35:61 to 35:65**
 - excluded situations, **35:64**
 - interview of claimant, **35:65**
 - processing of nonreceipt report, **35:63**
 - reporting nonreceipt of payment, **35:62; 35:63**
 - overpayments, above
 - period of payment, **35:51**
 - presumptively disabled or blind claimants, payments to, above
 - reporting nonreceipt of payment, **35:62; 35:63**
 - representative payments, below
 - retroactive SSI or OASDI payments, liquid resources, **20:56**
 - state supplementation of federal SSI benefits, below
 - suspension and termination of benefits, below
 - third party, debts paid by, **19:23**
 - timeliness of payment, **35:55**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Payment and payment procedures—Cont'd
 - underpayments, below
 - wage-related payments, **19:29**
- Penalty deductions
 - overpayments, **35:115**
 - suspension and termination of benefits, below
- Pensions. Retirement and retirement benefits, below
- Periodic payments based on age and residence, unearned income exclusions, **19:84**
- Personal property and other interests
 - automobiles, **20:91**
 - exclusions
 - automobiles, **20:91**
 - household goods and personal effects, **20:90**
 - other federal laws, exclusions authorized by, **20:92**
 - household goods and personal effects, **20:90**
 - loan agreements, **20:88**
 - nonliquid resources, generally, **20:87 to 20:89**
 - other federal laws, exclusions authorized by, **20:92**
 - retirement funds, **20:89**
- Personal services, nonincome items, **19:17**
- Prepaid burial contracts, **20:63**
- Presumed maximum value rule
 - application of rule, **19:119 to 19:127**
 - couples, application of rule to, **19:125 to 19:127**
 - deemed income at issue, application of rule when, **19:127**
 - for-profit nonmedical institution, **19:124**
 - in-kind support and maintenance, above
 - medical institution, application of rule when one member is of couple is in, **19:126**
 - noninstitutional care situation, **19:121**
 - nonmedical institution, **19:121 to 19:124**
 - private nonprofit retirement home, **19:123**
 - public assistance household, **19:120**
 - rebutting presumption of maximum value, **19:117**
 - retirement, private nonprofit retirement home, **19:123**
 - validity, **19:118**
- Presumptively disabled or blind claimants, payments to
 - generally, **18:74 to 18:79**
 - additional considerations, **18:78**
 - application of alternative income determination provision, countable income determined, **19:10**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Presumptively disabled or blind claimants, payments to—Cont'd
 - countable income determined
 - generally, **19:7 to 19:10**
 - application of alternative income determination provision, **19:10**
 - eligibility, **19:8**
 - residence, requirement of continuous residence in same state, **19:9**
 - duration of payments, **18:79**
 - eligibility for payments, **18:75; 19:8**
 - evidence, **18:76; 18:77**
 - overpayments, **35:114**
 - residence in same state, requirement of continuous, **19:9**
 - work expenses of blind individuals, earned income exclusions, **19:52**
- Principal place of residence
 - absence from home, effect of, **20:80; 20:81**
 - domestic abuse, victim fleeing residence, **20:81**
 - multiple residences, **20:79**
 - nonliquid resources, exclusions
 - generally, **20:77 to 20:83**
 - absence from home, effect of, **20:80; 20:81**
 - multiple residences, **20:79**
 - ownership interest established, **20:78**
 - proceeds from sale of excluded home, **20:82; 20:83**
 - ownership interest established, **20:78**
 - proceeds from sale of excluded home, **20:82; 20:83**
- Prisons and prisoners. Inmate of public institution, above
- Private nonprofit retirement home, presumed maximum value rule, **19:123**
- Prizes as unearned income, **19:58**
- Proceeds of sale
 - principal place of residence, proceeds from sale of excluded home, **20:82; 20:83**
 - resources, net proceeds from disposition of, **20:25**
- Promissory notes, liquid resources, **20:47**
- Proof. Evidence, above
- Property
 - agreements, liquid resources, **20:47**
 - personal property and other interests, above
 - real property, below
- Proration
 - computing benefits, above

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Proration—Cont'd
 - one-third reduction rule, pro rata share of household operating expenses, **19:108**
 - suspension and termination of benefits, **18:116**
 - withholding for interim assistance reimbursement, **35:182**
- Prospective matters. Retrospective or prospective matters, below
- Protective filings. Application for benefits, above
- Protest. Representative payments, below
- Public assistance
 - assets not considered resources, **20:8**
 - nonincome items, **19:16**
 - one-third reduction rule, public assistance household, **19:109**
 - presumed maximum value rule, public assistance household, **19:120**
- Public emergency shelters. Inmate of public institution, above
- Qualification. Eligibility, above
- Real property
 - burial space or agreement, **20:84**
 - current market value, rebutting evidence of, **20:72**
 - disposition of resources, **20:27 to 20:30**
 - equity value, evidence of, **20:73**
 - evidence, **20:72; 20:73**
 - exclusions
 - as is, property that cannot be sold, **20:85**
 - burial space or agreement, **20:84**
 - Indian lands, **20:86**
 - principal place of residence, above
 - foreign property, **20:74**
 - Indian lands, **20:86**
 - mineral rights, **20:76**
 - nonliquid resources, generally, **20:69 to 20:86**
 - ownership of property established, **20:70**
 - principal place of residence, above
 - rebutting evidence of current market value, **20:72**
 - tax refunds, unearned income exclusions, **19:76**
 - valuing real property, **20:71 to 20:73**
- Reasonable efforts, disposition of resources, **20:28 to 20:30**
- Rebuttal
 - in-kind support and maintenance, rebutting presumption of maximum value, **19:117**
 - jointly held accounts, rebutting presumption of ownership of, **20:36**
 - real property, rebutting evidence of current market value of, **20:72**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Records
 - reports and reporting requirements, below
 - representative payments, records required, **35:109**
- Recovery of overpayments. Overpayments, above
- Redetermination. Suspension and termination of benefits, below
- Reduction or offset of benefits
 - generally, **26:78 to 26:82**
 - benefits subject to offset, **26:79**
 - burial funds exclusion, **20:64**
 - in-kind support and maintenance, above
 - one-third reduction rule, above
 - overpayment during underpayment period, **35:166; 35:167**
 - period of offset, **26:80**
 - refiguring amount of reduction, **26:81**
 - reimbursement of offset benefits, **26:82**
- Re-evaluation and termination of disability status
 - blind persons, failure to meet state plan criteria, **44:79**
 - medical improvement standard of review, above
 - minors
 - generally, **44:65; 44:69; 44:73**
 - termination standards
 - cessation date of disability, **44:90**
 - continuing disability, evaluating, **44:81 to 44:83**
 - medical improvement standard of review, above
 - remand of case, continued benefits upon, **44:110**
 - substantial gainful activity
 - frequency of review, **44:26**
 - work incentive programs for SSI claimants, below
 - work incentive programs for SSI claimants, below
- Refunds and rebates
 - earned income exclusions, **19:46**
 - income tax, **19:19; 20:58**
 - nonincome items, **19:19; 19:20**
 - overpayments, **35:125; 35:126**
 - tax refunds, **19:19; 19:76**
- Reimbursement. Interim assistance reimbursement, above
- Reinstatement, **18:115; 18:116**
- Religious order members, self-employment income, **19:38**
- Relocation assistance
 - liquid resources, exclusions, **20:60**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Relocation assistance—Cont'd
 - unearned income exclusions, **19:94**
- Rent
 - in-kind support and maintenance, value of rent under business arrangement, **19:99**
 - unearned income, **19:63**
- Replacement
 - liquid resources, replacement of excluded resources, **20:54; 20:55**
 - nonincome items, **19:18; 19:24**
- Reports and reporting requirements
 - married persons, report of separation, **18:60**
 - nonreceipt of payment, reporting, **35:62; 35:63**
 - overpayments, failure to report, **35:146 to 35:150**
 - resident aliens, reporting requirements for, **18:16**
 - suspension and termination of benefits, below
- Representative payments
 - generally, **35:66 to 35:109**
 - accounting, **35:109**
 - adult beneficiaries, preferred payees for, **35:82**
 - advance notice of determination, **35:84; 35:85**
 - alcoholism, beneficiaries disabled due to, **35:72; 35:83**
 - capability, evidence of, **35:69**
 - conservation and investment of surplus funds, **35:100**
 - creditors, special rules for, **35:76**
 - debts, payment of, **35:98**
 - deferral of benefits until payee is selected, **35:78**
 - drug addiction, beneficiaries disabled due to, **35:72; 35:83**
 - duties and responsibilities of payee, **35:91**
 - evaluating potential payees, **35:73; 35:74**
 - evidence, **35:69; 35:92**
 - fees, payment to qualified organizations, **35:93**
 - filing request to be selected as payee, **35:77**
 - incapable of managing benefits, adult beneficiaries, **35:68 to 35:70**
 - installment payments for past-due benefits, dedicated accounts and, **35:99**
 - institutional care, use of benefits for, **35:96; 35:97**
 - legally incompetent adult beneficiaries, **35:71**
 - legal status of payee, **35:90**
 - maintenance, payment of beneficiary's current, **35:95**
 - Medicaid, institutional care financed by, **35:97**
 - minors, past-due benefits paid to minor beneficiary, handling, **35:94**
 - new payee, selection of, **35:79**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

Representative payments—Cont'd
 notice and protest of determinations
 generally, **35:84 to 35:89**
 advance notice of determination, **35:84; 35:85**
 appeal of determinations, right to, **35:87;**
 35:88
 final notice of determination, **35:89**
 SSA response to objection or protest, **35:89**
 under age 18, advance notice of determination
 to beneficiaries, **35:85**
 overpayments, responsibility for, **35:119**
 past-due benefits paid to minor beneficiaries,
 handling, **35:94**
 payees, generally, **35:73 to 35:94**
 persons who may not become payees, **35:75;**
 35:76
 preferred investments, surplus funds, **35:101**
 preferred payees, **35:80 to 35:83**
 protest of determinations. Notice and protest of
 determinations, above this group
 records required, **35:109**
 reevaluating capability, **35:70**
 restitution of benefits, improper use or misuse,
 20:13; 35:107
 status and function of payee, **35:90 to 35:94**
 surplus funds, use of, **35:100 to 35:103**
 suspension of benefits until payee is selected,
 35:78
 transfer of surplus funds, **35:103**
 under age 18, beneficiaries, **35:67; 35:81; 35:94**
 use of benefits
 generally, **35:95 to 35:103**
 conservation and investment of surplus funds,
 35:100
 debts, payment of, **35:98**
 improper use or misuse of benefits, liability
 for, **35:104 to 35:107**
 institutional care, **35:96; 35:97**
 interest and dividend payments, surplus funds,
 35:102
 maintenance, payment of beneficiary's current,
 35:95
 Medicaid, institutional care financed by, **35:97**
 payee, improper use or misuse by, **35:105 to**
 35:107
 preferred investments, surplus funds, **35:101**
 restitution of benefits, improper use or misuse,
 20:13; 35:107
 SSA, liability for improper use or misuse of
 benefits, **35:104**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

Representative payments—Cont'd
 use of benefits—Cont'd
 surplus funds, **35:100 to 35:103**
 transfer of surplus funds, **35:103**
 veterans benefits, **19:73**
 who should become payee, determination of,
 35:73 to 35:83
 Requirements for income
 generally, **19:1 to 19:176**
 computing benefits, above
 countable income determined. Computing
 benefits, above
 definition of income, **19:2**
 distinction between income and resources, **19:3**
 earned income, above
 nonincome items, above
 resources and income, distinction between, **19:3**
 Residency
 blind claimants, residence requirement of
 continuous residence in same state, **19:9**
 continuous residence in state, individuals deemed
 not to have excess resources, **20:16**
 eligibility, above
 principal place of residence, above
 unearned income exclusions, periodic payments
 based on residence, **19:84**
 Resources
 generally, **20:1 to 20:113**
 assets not considered resources, **20:7 to 20:13;**
 20:11; 20:13
 countable resources determined, **20:6**
 death benefits to be spent on last illness and
 burial, assets not considered resources,
 20:10
 deeming of resources, above
 defined, **20:2; 20:3**
 disposition of resources, above
 distinction between resources and income, **19:3**
 gifts from tax-exempt organizations to children
 with life-threatening conditions, assets not
 considered resources, **20:12**
 liquid resources, above
 maximum allowable resources, above
 medical services, assets not considered resources,
 20:8
 nonliquid resources, above
 plan to achieve self-support, resources used in.
 Self-support, below
 replacement of resource, nonincome items, **19:18**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Resources—Cont'd
 - restitution, payments received as restitution for misuse of benefits by representative payee, assets not considered resources, **20:13**
 - retroactive in-home supportive service payments, assets not considered resources, **20:9; 20:10**
 - self-support, below
 - social services, assets not considered resources, **20:8**
 - support and maintenance assistance, assets not considered resources, **20:7**
 - unknown assets, **20:3**
 - valuing resources, **20:4; 20:5**
- Retirement and retirement benefits
 - civil service pension, liquid resources, **20:49**
 - personal property and other interests, retirement funds, **20:89**
 - private nonprofit retirement home, presumed maximum value rule, **19:123**
 - unearned income, pension benefits, **19:57**
- Retrospective or prospective matters
 - accounting, retrospective. Computing benefits, above
 - in-home supportive service payments retroactive, assets not considered resources, **20:9; 20:10**
 - liquid resources exclusions, retroactive SSI or OASDI payments, **20:56**
 - nonincome items, return of erroneous payments, **19:25**
 - unearned income, retroactive social security benefits, **19:71**
- Room under business arrangement, value of, **19:99**
- Royalties and honoraria, earned income
 - generally, **19:42**
 - counting earned income, **19:43**
- Sale and transfer of property
 - nonincome items, sale of resource, **19:18**
 - principal place of residence, proceeds from sale of excluded home, **20:82; 20:83**
 - proceeds of sale, above
- Scholarships, unearned income exclusions, **19:78**
- Schools and education
 - earned income exclusion for student earnings
 - generally, **19:48**
 - effect of being student, **18:67**
 - who is student, **18:67**
 - eligibility of children, **18:65 to 18:67**
 - inmate of public institution, above
 - limitations on eligibility for students living outside U.S., **18:49**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Schools and education—Cont'd
 - limitations on eligibility of otherwise eligible claimants, **18:49**
 - scholarships, unearned income exclusions, **19:78**
 - student earned income exclusion, **19:48**
 - suspension and termination of benefits, **18:152**
- Self-employment income
 - generally, **19:37 to 19:39**
 - ministers, earnings of, **19:38**
 - net earnings, when counted, **19:39**
 - religious order members, earnings of, **19:38**
- Self-support
 - business, property used in, **20:95**
 - counting plan income, **19:132**
 - current use, property must be in, **20:94**
 - daily activities, nonbusiness property that is essential for, **20:98**
 - development of plan, **19:129**
 - earned income exclusions, **19:53**
 - extension of time to complete plan for, **19:131; 20:101; 20:102**
 - income exclusions from plan for, **19:131**
 - income-producing property, **20:96; 20:97**
 - income used in plan to achieve, generally, **19:128 to 19:132**
 - multiple properties, income-producing property, **20:97**
 - plan to achieve self-support, **20:99 to 20:102**
 - qualification for plan, **19:129**
 - requirements for plan, **19:130**
 - resources, generally, **20:93 to 20:102**
 - trade, property used in, **20:95**
 - unearned income exclusions, **19:90**
- Separated spouses, effect of change in couple's status, **19:150**
- Settlement award, liquid resources, **20:50**
- Shelter, household to provide, **19:105**
- Sheltered workshop income, earned income
 - generally, **19:40**
 - counting earned income, **19:41**
- Shelter income, items included under, **19:98**
- Special income rules in change of status, countable income determined, **19:12; 19:13**
- Sponsor to alien. Aliens, above
- Spousal income. Married persons, above
- State supplementation of federal SSI benefits
 - generally, **18:86 to 18:112**
 - agreements on administration of state supplementation programs, **18:87; 18:88**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- State supplementation of federal SSI benefits
 - Cont'd
 - cost-of-living increases
 - generally, **18:108 to 18:112**
 - compliance with pass-along provision, **18:112**
 - constitutionality of pass-along provision, **18:109**
 - maintaining supplementary payment levels, **18:110**
 - total expenditures test, meeting, **18:111**
 - eligibility for federally administered programs, establishing, **18:89**
 - living arrangements, variations in, **18:101**
 - mandatory minimum supplementation of federal benefits
 - generally, **18:104 to 18:107**
 - amount of supplement, **18:106**
 - exception to mandatory minimum supplementation, **18:105**
 - not payable, when supplementation is, **18:107**
 - optional state supplementation of federal benefits
 - generally, **18:95 to 18:103**
 - conditions on eligibility, **18:97**
 - eligibility for optional state supplementation, **18:95 to 18:97**
 - living arrangements, variations in, **18:101**
 - payment of benefits
 - generally, **18:98 to 18:103**
 - additional income exclusions, effect on payment amount, **18:103**
 - election of payment categories, **18:99 to 18:101**
 - geographical variations, **18:100**
 - income, effect on payment amount, **18:102**
 - living arrangements, variations in, **18:101**
 - overpayments, **18:92**
 - pass along provision. Cost-of-living increases, above this group
 - payment categories, **18:90**
 - payment of benefits. Optional state supplementation of federal benefits, above this group
 - payment procedures and amounts, **18:91**
 - underpayments, **18:93**
 - waiver of state supplementary payment, **18:94**
 - Stocks and mutual fund shares, liquid resources, **20:43**
 - Student earned income exclusion, **18:67; 19:48**
 - Students. Schools and education, above

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Substance abuse and addiction
 - failure to undergo treatment
 - limitations on eligibility of otherwise eligible claimants, **18:46**
 - suspension of benefits, **18:124**
 - representative payments, beneficiaries disabled due to alcoholism, **35:72; 35:83**
- Substantial gainful employment. Re-evaluation and termination of disability status, above
- Support and maintenance of persons
 - disaster assistance, unearned income exclusions, **19:81**
 - in-kind support and maintenance, above nonprofit retirement home, unearned income exclusions, **19:96**
 - representative payments, **35:95**
 - unearned income, **19:55; 19:56**
- Surplus funds, representative payments, use of surplus funds, **35:100 to 35:103**
- Suspension and termination of benefits
 - generally, **18:113 to 18:159**
 - absence from U.S., **18:125; 18:126**
 - administrative stop-payment actions, **18:135; 18:136**
 - alcohol or drug treatment, failure to undergo, **18:124**
 - appeal, continuation of benefits pending
 - generally, **18:137 to 18:142**
 - exceptions to continuation of payment levels
 - generally, **18:140 to 18:142**
 - categories of payment, **18:141; 18:142**
 - exceeding dollar limitation of payment category, **18:141; 18:142**
 - multiple payments, **18:140**
 - pretermination review and notice, **18:137**
 - time limit on filing for benefit continuation, **18:138**
 - waiver of right to benefit continuation, **18:139**
 - constitutionality of suspending benefits for absence from U.S., **18:126**
 - continuation of benefits. Appeal, continuation of benefits pending, above this group
- death
 - penalty deduction for failure to file required report, **18:150**
 - termination of benefits, **18:133**
- disallowance rather than suspension, **18:118**
- eligibility, failure to establish, **18:134**
- exceptions. Appeal, continuation of benefits pending, above this group

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Suspension and termination of benefits—Cont'd
 - excess income, **18:121**
 - excess resources, **18:122**
 - financial institution, failure to give permission to contact, **18:119**
 - flight to avoid prosecution or custody, **18:130**
 - loss of U.S. residency, citizenship, or resident alien status, **18:127**
 - medical improvement standard of review, exemptions related to claimant's actions, child claimants, **44:65**
 - penalty deduction for failure to file required report
 - generally, **18:147 to 18:159**
 - amount of penalty deduction, **18:157; 18:158**
 - good cause for failure to file timely report, **18:159**
 - periods, **18:158**
 - reportable events
 - generally, **18:147 to 18:152**
 - certain deaths, **18:150**
 - change in income or resources, **18:149**
 - change in marital status, **18:151**
 - change in school attendance, **18:152**
 - what events must be reported, generally, **18:148 to 18:152**
 - submission of report to SSA
 - generally, **18:153 to 18:155**
 - contents of report, **18:154**
 - form of report, **18:153**
 - when report is due, **18:155**
 - when penalty deduction taken, **18:156**
 - proration of payment, **18:116**
 - public institution, residence in, **18:123**
 - redetermination of eligibility
 - generally, **18:143 to 18:146**
 - failure to respond to request for redetermination, **18:146**
 - period of time to which redetermination applies, **18:145**
 - when redeterminations are made, **18:144**
 - reinstatement, **18:115; 18:116**
 - reports. Penalty deduction for failure to file required report, above this group
 - representative payments, **35:78**
 - request by claimant for termination of benefits, **18:132**
 - request for information by SSA, failure to comply with, **18:120**
 - status of eligible couple, effect on, **18:117**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Suspension and termination of benefits—Cont'd
 - suspension of benefits, generally, **18:113 to 18:130**
 - termination of benefits, generally, **18:131 to 18:134**
 - time and date
 - appeal, continuation of benefits pending, **18:138**
 - penalty deduction for failure to file required report, above this group
 - redetermination of eligibility, **18:145**
 - timely apply for other benefits, failure to, **18:128**
 - vocational rehabilitation program, exception for participant in, **18:114**
 - whereabouts of claimant unknown, **18:129**
- Tax refunds, **19:19; 19:76; 20:58**
- Temporary absence. Absence, above
- Temporary inmates
 - generally, **18:42 to 18:44**
 - determinations, procedures for making, **18:44**
 - prohibition against using benefits for current maintenance, **18:43**
- Temporary protected status, aliens granted, **18:14**
- Ten-year bar to adjustment, overpayments, **35:129**
- Termination of benefits. Suspension and termination of benefits, above
- Termination of disability status. Re-evaluation and termination of disability status, above
- Third party, debts paid by, **19:23**
- Tickets, unearned income exclusion for transportation ticket received as gift, **19:92**
- Time and date
 - application for benefits, above
 - disposition of resources, time period for, **20:23**
 - extension of time, above
 - income of essential person, time when deeming stops, **19:171**
 - limitations on eligibility of otherwise eligible claimants, effect of failure to timely apply for other benefits, **18:22; 18:23**
 - married persons, above
 - nonreceipt of payment, reporting, **35:62**
 - payment, timeliness of, **35:55**
 - presumptively disabled or blind claimants, duration of payments to, **18:79**
 - suspension and termination of benefits, above
- Time deposits, financial institution accounts, **20:37**
- Title and ownership. Ownership, above
- Trade, property used in for self-support, **20:95**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Transfer of surplus funds, representative payments, **35:103**
- Transportation ticket received as gift, unearned income exclusions, **19:92**
- Trusts and trust funds
 - generally, **20:39 to 20:42**
 - beneficiary, claimant as, **20:42**
 - nonincome items, trust funds, **19:28**
 - oral trust, **20:41**
 - trustee, claimant as, **20:40**
 - unearned income, **19:65; 19:66**
- Underpayments
 - generally, **35:158 to 35:175**
 - amount of underpayment, **35:161**
 - deceased recipient, **35:170 to 35:174**
 - interim assistance reimbursement, **35:175**
 - netting, **35:166; 35:167**
 - notice of underpayment, **35:163**
 - offset, overpayment during underpayment period, **35:166; 35:167**
 - overpayment during different period, **35:168**
 - overpayment during underpayment period, **35:165 to 35:167**
 - overpayments, above
 - payment of
 - generally, **35:169 to 35:175**
 - deceased recipient, **35:170 to 35:174**
 - interim assistance reimbursement, **35:175**
 - proof requirement, deceased recipient, **35:174**
 - recipient alive, **35:169**
 - validity, deceased recipient, **35:173**
 - period, **35:164 to 35:168**
 - SSA action depending on amount, **35:162**
 - validity, netting and offset, **35:167**
- Unearned income
 - generally, **19:54 to 19:96**
 - absent parent, one-third of support from, **19:88**
 - age, periodic payments based on, **19:84**
 - alimony payments, **19:62**
 - annuities, **19:57**
 - augmented veterans benefits, **19:72**
 - awards, **19:58**
 - burial funds, interest on, **19:86**
 - children, assistance for foster care of ineligible child, **19:85**
 - counting unearned income, **19:66 to 19:73**
 - crime victims, aid to, **19:93**
 - death benefits, **19:59**
 - debt, benefits withheld because of, **19:68**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Unearned income—Cont'd
 - disability benefits, **19:57**
 - disaster assistance, **19:80 to 19:82**
 - dividends, **19:64**
 - dwelling unit, assistance for, **19:91**
 - eligibility, assistance for foster care of ineligible child, **19:85**
 - exclusions. Exemptions and exclusions, above
 - expenses incurred in obtaining payment, **19:69**
 - fellowships, **19:78**
 - fiduciary, payment of veterans benefits to, **19:73**
 - food tax refunds, **19:76**
 - foster care of ineligible child, assistance for, **19:85**
 - garnishment, benefits withheld because of, **19:68**
 - general income exclusion, **19:89**
 - gifts, **19:60; 19:92**
 - grants, **19:78**
 - home energy assistance, **19:87**
 - home produce, **19:79**
 - hostile fire pay, **19:95**
 - infrequent or irregular, **19:83**
 - inheritances, **19:61**
 - in-kind income, evaluation of, **19:70**
 - interest, **19:64; 19:86**
 - maintenance, **19:55; 19:56; 19:81; 19:96**
 - needs-based income assistance, **19:77**
 - nonprofit retirement home, **19:56; 19:96**
 - one-third of support from absent parent, **19:88**
 - other federal laws, exclusions authorized by, **19:75**
 - overpayment, benefits reduced to pay, **19:67**
 - payments of alimony and support, **19:62**
 - pension benefits, **19:57**
 - periodic payments based on age and residence, **19:84**
 - prizes, **19:58**
 - real property tax refunds, **19:76**
 - relocation assistance, **19:94**
 - rents, **19:63**
 - residence, periodic payments based on, **19:84**
 - retirement benefits, **19:57**
 - retroactive social security benefits, **19:71**
 - royalties, **19:64**
 - scholarships, **19:78**
 - self-support plan, income used to fulfill, **19:90**
 - support, **19:55; 19:56; 19:62**
 - tax refunds, **19:76**
 - transportation ticket received as gift, **19:92**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Unearned income—Cont'd
 - trusts, **19:65; 19:66**
 - veterans benefits, **19:72; 19:73**
- U.S. savings bonds, liquid resources, **20:45; 20:46**
- Use of benefits. Representative payments, above
- Validity. Constitutionality, above
- Value and valuation
 - burial funds, increase in value of, **20:65**
 - current market value of real property, rebutting evidence of, **20:72**
 - disposal of resources for less than fair market value, **20:31**
 - equity value of real property, evidence of, **20:73**
 - presumed maximum value rule. In-kind support and maintenance, above
 - real property, **20:71 to 20:73**
 - resources, **20:4; 20:5**
- Veterans benefits, unearned income, **19:72; 19:73**
- Vision. Blind persons, above
- Wages
 - earned income
 - generally, **19:33 to 19:36**
 - counting wages, **19:36**
 - evidence of wages, **19:35**
 - in-kind items as wages, **19:34**
 - garnishment of wages, overpayments, **35:127**
 - nonincome items, wage-related payments, **19:29**
- Waiver
 - inmate of public institution, **18:30**
 - medical care facility, Medicaid paying for care of resident in, **18:172**
 - overpayments, above
 - state supplementation of federal SSI benefits, **18:94**
 - suspension and termination of benefits, **18:139**
- Weatherization assistance, nonincome items, **19:26**
- Widows and widowers, disabled, relationship between SSI and Medicaid eligibility, **35:189**
- Withdrawal of application for benefits, **35:42 to 35:45**
- Withholding for interim assistance reimbursement
 - generally, **35:178 to 35:185**
 - affected benefits, **35:181; 35:182**
 - appeal, right to, **35:185**
 - authorization to withhold payments, **35:183**
 - definition of interim assistance, **35:180**
 - prorated benefits, **35:182**
 - SSA-state agreement, requirements of, **35:184**
 - validity, **35:179**

SUPPLEMENTAL SECURITY INCOME**—Cont'd**

- Work incentive programs for SSI claimants
 - Medicaid coverage for blind and disabled claimants, **44:149 to 44:157**
 - payment of benefits, **44:146**
 - substantial gainful activity, claimants performing generally, **44:143 to 44:148**
 - review of eligibility, **44:148**
- Working disabled persons, relationship between SSI and Medicaid eligibility, **35:188**

SUPPLEMENTAL UNEMPLOYMENT BENEFITS

- Fringe benefits and other compensation, employer payments, **9:24**

SUPPLIES

- Medicare (this index)

SUPPORT

- Alimony (this index)
- Assignment or Attachment of Benefits (this index)
- Child's Benefits (this index)
- One-Half Support (this index)
- Representative Payments (this index)
- Supplemental Security Income (this index)
- Survivor's Benefits (this index)

SUPREME COURT

- FICA and self-employment tax litigation, review of Court of Appeals decisions, **72:128**

SURGEONS

- Physicians and Surgeons (this index)

SURPLUS FUNDS

- Representative payments, **32:39 to 32:42; 35:100 to 35:103**

SURPRISE

- Post-judgment remedies, motion for relief from judgment, **56:82**

SURRENDER

- Child's Benefits (this index)

SURVIVING SPOUSES

- Generally. Widows or Widowers (this index)

SURVIVOR OR ESTATE PAYMENTS

- Fringe benefits and other compensation, death benefits, **9:51**

SURVIVOR'S BENEFITS

- Generally, **17:1 et seq.**

SURVIVOR'S BENEFITS—Cont'd

- Absence. Presumption of death, below
- Age, mother's and father's benefits, **17:28**
- Age 72 benefits, **14:21**
- Age of claimant, widows, widowers, and surviving divorced spouses, entitlement to benefits, **17:5**
- Amount of benefits
 - mother's and father's benefits, below
 - widows, widowers, and surviving divorced spouses, below
- Applications
 - lump-sum death benefits, below
 - widows, widowers, and surviving divorced spouses, **17:2; 17:3**
- Armed forces, member of
 - establishing death of person, **17:78**
 - lump-sum death benefits, below
- Children
 - lump-sum death benefits, **17:65**
 - mother's and father's benefits, below
 - parent's benefits, below
- Circumstantial evidence of death
 - generally, **17:85 to 17:89**
 - known peril, **17:88**
 - suicide, **17:89**
 - types of circumstantial evidence, **17:86; 17:87**
- Civilian dying outside U.S., evidence of death, **17:77**
- Commencement of benefits
 - mother's and father's benefits, **17:32**
 - widows, widowers, and surviving divorced spouses, **17:19**
- Computation of Benefits** (this index)
- Conflicting evidence of date of death, resolving, **17:75**
- Custodian of nongovernment records, testimony of, **17:84**
- Death of person, establishing
 - generally, **17:73 to 17:100**
 - absence. Presumption of death, below
 - circumstantial evidence of death, above
 - civilian dying outside U.S., evidence of death, **17:77**
 - conflicting evidence of date of death, resolving, **17:75**
 - custodian of nongovernment records, testimony of, **17:84**
 - evidence of death. Proof of death, below this group
 - family member, proof of death, **17:82**
 - official records, proving death from, **17:79**
 - physician's testimony, proving death from, **17:80**

SURVIVOR'S BENEFITS—Cont'd

- Death of person, establishing—Cont'd
 - presumption of death, below
 - proof of death
 - generally, **17:73 to 17:89**
 - armed forces, member of, **17:78**
 - circumstantial evidence of death, above
 - civilian dying outside U.S., evidence of death, **17:77**
 - conflicting evidence of date of death, resolving, **17:75**
 - custodian of nongovernment records, testimony of, **17:84**
 - family member, statement of with knowledge of fact, **17:82**
 - official records, proving death from, **17:79**
 - physician's testimony, proving death from, **17:80**
 - preferred evidence of death
 - generally, **17:76 to 17:80**
 - armed forces, member of, **17:78**
 - civilian dying outside U.S., evidence of death, **17:77**
 - official records, proving death from, **17:79**
 - physician's testimony, proving death from, **17:80**
 - presumption of death, below
 - secondary evidence of death
 - generally, **17:81 to 17:84**
 - custodian of nongovernment records, testimony of, **17:84**
 - family member, statement of with knowledge of fact, **17:82**
 - friend, statement of with knowledge of fact, **17:83**
 - when proof of death is needed, **17:74**
 - when proof of death is needed, **17:74**
- Deduction. Reduction, deduction, or nonpayment of benefits, below
- Disability** (this index)
- Divorce. Widows, widowers, and surviving divorced spouses, below
- Evidence
 - death of person, establishing, above
 - lump-sum death benefits, **17:70**
 - mother's and father's benefits, below
 - parent's benefits, below
- Family member, establishing death of person, **17:82**
- Foreign countries, **24:41**
- Good cause extension of filing period for lump-sum death benefits, **17:69; 17:70**

SURVIVOR'S BENEFITS—Cont'd

- Known peril, circumstantial evidence of death, **17:88**
- Lump-sum death benefits
 - generally, **17:58 to 17:72**
 - amount of payment, **17:59**
 - application requirement
 - generally, **17:67 to 17:72**
 - evidence establishing good cause for extension, **17:70**
 - good cause extension of filing period, **17:69; 17:70**
 - insured persons who die, extension applicable to, **17:72**
 - military service
 - extension applicable to claimants in, **17:71**
 - outside United States, extension applicable to claimants in military service who die, **17:72**
 - armed forces. Application requirement, above in this group
 - children of insured person, **17:65**
 - circumstances precluding payment, **17:60**
 - entitlement to benefits
 - generally, **17:61 to 17:66**
 - children of insured person, **17:65**
 - claimant dies before payment is received or negotiated, **17:66**
 - evidence of living in same household, **17:63**
 - same household as insured person
 - widow or widower living in, **17:61 to 17:63**
 - widow or widower not living in, **17:64**
 - evidence
 - application requirement, evidence establishing good cause for extension, **17:70**
 - entitlement to benefits, evidence of living in same household, **17:63**
 - good cause extension of filing period, **17:69; 17:70**
 - military service. Application requirement, above in this group
- Marriage
 - parent's benefits, effect on entitlement, **17:38**
 - remarriage, below
 - widows, widowers, and surviving divorced spouses, entitlement to benefits, **17:9 to 17:15**
- Military service, members of
 - lump-sum death benefits, above
 - proof of death, **17:78**
- Mother's and father's benefits
 - generally, **17:21 to 17:33**

SURVIVOR'S BENEFITS—Cont'd

- Mother's and father's benefits—Cont'd
 - age, proof of, **17:28**
 - amount and payment of benefits
 - generally, **17:29 to 17:31**
 - more than one person qualifies for benefits on earning record, when, **17:30**
 - child in care requirement, **17:25; 29:3**
 - commencement of benefits, **17:32**
 - constitutionality of marriage requirement, **17:24**
 - duration of benefits
 - generally, **17:32; 17:33**
 - commencement of benefits, **17:32**
 - termination of benefits, **17:33**
 - entitlement to benefits
 - generally, **17:21 to 17:28**
 - age, proof of, **17:28**
 - child in care requirement, meeting of, **17:25**
 - constitutionality of marriage requirement, **17:24**
 - evidence
 - age, proof of, **17:28**
 - entitlement, evidence of, **17:27; 17:28**
 - remarriage, effect on entitlement, **17:26**
 - requirements applicable to surviving divorced spouses, **17:22**
 - evidence. Entitlement to benefits, above this group
 - payment of benefits. Amount and payment of benefits, above this group
 - reduction or offset
 - child's disability benefits, **26:19**
 - disability benefits, **26:3; 26:4; 26:18**
 - parent's benefit, **26:20**
 - retirement benefits, **26:3; 26:4**
 - spouse's benefit, **26:16**
 - widow's or widower's benefits, **26:10; 26:11**
 - remarriage, effect on entitlement, **17:26**
 - termination of benefits, **17:33**
- Nonpayment of benefits. Reduction, deduction, or nonpayment of benefits, below
- Official records, proving death from, **17:79**
- Parent's benefits
 - generally, **17:34 to 17:57**
 - amount and payment of benefits
 - generally, **17:53 to 17:55**
 - one parent is entitled to benefits, **17:53**
 - reduction, deduction, or nonpayment of benefits, **17:55**
 - two parents are entitled to benefits, **17:54**

SURVIVOR'S BENEFITS—Cont'd

- Parent's benefits—Cont'd
 - armed forces, extension of filing period for persons serving in, **17:52**
 - commencement of benefits, **17:56**
 - duration of benefits
 - commencement of benefits, **17:56**
 - termination of benefits, **17:57**
 - entitlement to benefits
 - generally, **17:34 to 17:52**
 - applying for benefits, **17:35**
 - armed forces, extension of filing period for persons serving in, **17:52**
 - evidence
 - entitlement, **17:39**
 - relationship, proof of, **17:37**
 - support requirement, good cause exception to filing requirement, **17:51**
 - marriage, effect on entitlement, **17:38**
 - requirement that claimant be parent of insured person, **17:36; 17:37**
 - support requirement
 - generally, **17:40 to 17:52**
 - armed forces, extension of filing period for persons serving in, **17:52**
 - both parent's living together, **17:46**
 - claimant and insured person living apart, computing support for, **17:45**
 - computing support, **17:43 to 17:46**
 - filing proof of support, **17:48; 17:49**
 - good cause exception to filing requirement, **17:50; 17:51**
 - insured person living in claimant's home, computing support for, **17:44**
 - insured person's home, computing support for claimant living in, **17:43**
 - one-half support, what constitutes, **17:41; 17:42**
 - partial proof of support, **17:49**
 - proof of support, **17:47 to 17:52**
 - reasonable period of time, requirement that support be provided for, **17:42**
 - evidence. Entitlement to benefits, above this group
 - marriage, effect on entitlement, **17:38**
 - support requirement. Entitlement to benefits, above this group
 - termination of benefits, **17:57**
 - two parents are entitled to benefits, **17:54**
- Payment
 - lump-sum death benefits, **17:59**
 - mother's and father's benefits, above

SURVIVOR'S BENEFITS—Cont'd

- Physician's testimony, proving death from, **17:80**
- Presumption of death
 - generally, **17:90 to 17:100**
 - absence, presuming death from
 - generally, **17:92 to 17:99**
 - date of death presumed from absence, **17:98; 17:99**
 - rebutting presumption of death, **17:95; 17:96**
 - seven years or more, how to prove death presumed from disappearance lasting, **17:99**
 - SSA, evidence regarding presumed death of missing person, **17:93**
 - state court decisions, effect of, **17:97**
 - sufficiency of evidence to rebut presumption, **17:96**
 - when presumption of death arises, **17:94**
 - official report, presuming death from
 - generally, **17:90; 17:91**
 - date of death, **17:91**
 - parent, presuming death of, **17:100**
 - rebutting presumption of death, **17:95; 17:96**
- Rebutting presumption of death, **17:95; 17:96**
- Records and reports
 - mother's and father's benefits, when more than one person qualifies for benefits on earning record, **17:30**
 - presuming death from official report, **17:90; 17:91**
 - proof of death
 - custodian of nongovernment records, testimony of, **17:84**
 - official records, proving death from, **17:79**
 - widows, widowers, and surviving divorced spouses, when more than one person qualifies for benefits on an earnings record, **17:17**
- Reduction, deduction, or nonpayment of benefits
 - mother's and father's benefits, **17:31**
 - parent's benefits, **17:55**
 - widows, widowers, and surviving divorced spouses, **17:18**
- Remarriage
 - evidence of remarriage, widows, widowers, and surviving divorced spouses, entitlement to benefits, **17:7**
 - mother's and father's benefits, entitlement to, **17:26**
 - presumption in favor of most recent marriage, widows, widowers, and surviving divorced spouses, entitlement to benefits, **17:8**

SURVIVOR'S BENEFITS—Cont'd

- Remarriage—Cont'd
 - widows, widowers, and surviving divorced spouses, entitlement to benefits, **17:6 to 17:8**
- Suicide, **17:89**
- Support requirement. Parent's benefits, above
- Termination of benefits
 - mother's and father's benefits, **17:33**
 - parent's benefits, **17:57**
 - widows, widowers, and surviving divorced spouses, **17:20**
- Widows, widowers, and surviving divorced spouses
 - age of claimant, entitlement to benefits, **17:5**
 - amount and payment of benefits
 - generally, **17:16 to 17:18**
 - more than one person qualifies for benefits on an earnings record, **17:17**
 - other circumstances requiring reduction, deduction, or nonpayment of benefits, **17:18**
 - application requirement, **17:2; 17:3**
 - commencement of benefits, **17:19**
 - deemed surviving spouses, eligibility of, **17:15**
 - disability benefits. **Disability** (this index)
 - documentation of eligibility, **17:4**
 - duration of benefits
 - generally, **17:19; 17:20**
 - commencement of benefits, **17:19**
 - disability benefits. **Disability** (this index)
 - termination of benefits, **17:20**
 - entitlement to benefits
 - generally, **17:1 to 17:15**
 - age of claimant, **17:5**
 - application requirement, **17:2; 17:3**
 - deemed surviving spouses, eligibility of, **17:15**
 - disability of claimant, **17:5**
 - documentation of eligibility, **17:4**
 - establishing status as widow, widower, or surviving divorced spouse
 - generally, **17:9 to 17:15**
 - deemed surviving spouses, eligibility of, **17:15**
 - exceptions to nine-month marriage requirement, **17:11; 17:12**
 - nine-month marriage requirement
 - generally, **17:10 to 17:12**
 - accidental death, **17:12**
 - exceptions, **17:11; 17:12**
 - presumption in favor of most recent marriage, **17:8**

SURVIVOR'S BENEFITS—Cont'd

- Widows, widowers, and surviving divorced spouses
 - Cont'd
 - entitlement to benefits—Cont'd
 - establishing status as widow, widower, or surviving divorced spouse—Cont'd
 - who is surviving divorced spouse
 - generally, **17:13; 17:14**
 - validity of divorce or underlying marriage, determining, **17:14**
 - evidence of remarriage, **17:7**
 - presumption in favor of most recent marriage, **17:8**
 - remarriage, **17:6 to 17:8**
 - evidence of entitlement, **17:7**
 - presumption in favor of most recent marriage, entitlement to benefits, **17:8**
 - remarriage, **17:6 to 17:8**

SURVIVORS INSURANCE**Old-Age, Survivors, and Disability Insurance**
(this index)**SUSPENSION AND REVOCATION**

- Benefits, suspension of. **Suspension of Benefits** (this index)
- Foreign affiliate employee coverage agreement, terminations of contract coverage, **3:25**

SUSPENSION OF BENEFITS

- For related material see **Recalculation of Benefits; Reduction, Deduction, or Offset of Benefits**
- Age 72 benefits
 - public assistance payments, suspension because of, **14:15**
 - residence outside U.S., suspension because of, **14:16**
- Aliens
 - illegal, **29:41**
 - information regarding alien departures, **29:21**
- Armed forces service, effect on suspension for residence outside U.S., **29:25; 29:34**
- Calculating six-month period of absence, residence outside U.S., **29:17**
- Children
 - adopted children, residency requirements as to, **29:39**
 - juvenile delinquents, **29:49**
 - murder of insured, conviction for, **29:55**
 - residency requirements, **29:38; 29:39**
- Confinement construed, imprisonment, **29:52**
- Constitutional law
 - deportation, **29:43**
 - imprisonment, suspension for, **29:50**

SUSPENSION OF BENEFITS—Cont'd

- Crimes
 - aliens not lawfully present in U.S., **29:41**
 - imprisonment or institutionalization, below
 - killing of insured, conviction for, **29:54 to 29:57**
- Departures of aliens, information regarding, **29:21**
- Deportation or removal of claimant
 - generally, **29:42**
 - affected benefits, generally, **29:44**
 - constitutionality, **29:43**
 - grounds for deportation or removal, **29:45**
 - procedure for suspension, **29:46**
 - resumption of payment or entitlement status, **29:47**
- Domicile in foreign country. Residence outside U.S., below
- Evidence of residency, **29:19; 29:20; 29:40**
- Exceptions to suspension for residence outside U.S., **29:23 to 29:34**
- Expatriates, **29:15 to 29:40**
- Foreign social service or pension system, **29:26; 29:27**
- Homicide of insured, conviction for, **29:54 to 29:57**
- Identifying claimants subject to suspension provision, imprisonment, **29:53**
- Imprisonment or institutionalization
 - generally, **29:48 to 29:53**
 - affected benefits, generally, **29:51**
 - confinement construed, **29:52**
 - constitutionality of suspension provision, **29:50**
 - identifying claimants subject to suspension provision, **29:53**
 - juvenile delinquents, **29:49**
- Institutionalization. Imprisonment or instatutionalization, above
- Intent as to murder of insured, **29:56**
- Juvenile delinquents, suspension due to imprisonment or institutionalization of claimant, **29:49**
- Killing of insured, conviction for, **29:54 to 29:57**
- Military service, effect on suspension for residence outside U.S., **29:25; 29:34**
- Murder of insured, conviction for, **29:54 to 29:57**
- Overpayments** (this index)
- Parents' benefits, residency requirement as to, **29:37**
- Post-retirement earnings, **28:51 to 28:53**
- Railroad service exception, **29:33**
- Representative payments, **32:14; 35:78**
- Residence outside U.S.
 - generally, **29:15 to 29:40**
 - adopted children, residency requirements as to, **29:39**

SUSPENSION OF BENEFITS—Cont'd

- Residence outside U.S.—Cont'd
 - alien departures, information regarding, **29:21**
 - armed forces service, effect, **29:25; 29:34**
 - benefits subject to suspension, generally, **29:16**
 - calculating six-month period of absence, **29:17**
 - child's benefits, residency requirements as to, **29:38; 29:39**
 - departures of aliens, information regarding, **29:21**
 - earnings record, entitled to benefits in December 1956 on same, **29:24**
 - evidentiary requirements, **29:19; 29:20; 29:40**
 - exceptions, generally, **29:23 to 29:29**
 - exceptions based on status of insured person, **29:30 to 29:34**
 - foreign social service or pension system, **29:26; 29:27**
 - forty quarters exceptions, **29:30 to 29:32**
 - parents' benefits, residency requirement as to, **29:37**
 - railroad service exception, **29:33**
 - residency requirements, **29:35 to 29:40**
 - restricted country, effect of residence in, **29:22**
 - resumption of benefits, **29:18**
 - spouses, residency requirement as to, **29:36**
 - ten years' residency in U.S., residency as to, **29:30 to 29:32**
 - totalization agreement, **29:28**
 - treaty obligations, **29:29**
 - veterans, deceased, exception as to, **29:34**
 - Residency requirements, **29:35 to 29:40**
 - Restricted country, effect of residence in, **29:22**
 - Resumption of benefits, **29:18; 29:47**
 - Spouse's benefits, **29:36**
 - State law, application of, **29:57**
 - Supplemental Security Income** (this index)
 - Totalization agreement, residence outside U.S., **29:28**
 - World War II veterans' benefits, **14:58 to 14:61**
- SWEDEN**
- Totalization agreements, **24:42**
- SWITZERLAND**
- Totalization agreements, **24:42**
- SYMBOLS**
- Misuse of Symbols, Emblems or Names** (this index)
- SYMPTOMS**
- Listing of Impairments** (this index)
 - Pain and Other Symptoms** (this index)

INDEX

SYSTEMIC LUPUS ERYTHEMATOSUS

Non-HIV immune system disorders, **42:88; 42:100**

SYSTEMIC SCLEROSIS (SCLERODERMA)

Non-HIV immune system disorders, **42:90; 42:102**

SYSTEMIC VASCULITIS

Non-HIV immune system disorders, **42:89; 42:101**

TABLES

Primary Insurance Amount (this index)

TAXABLE YEAR

Post-retirement earnings, **28:8**

TAX COURT

Acquiescence or nonacquiescence in court decisions, **72:4**

FICA and self-employment tax litigation

generally, **72:109 to 72:123**

appeals from Tax Court decisions, **72:124**

Circuit Court and Tax Court, disagreement, **72:121**

decision of Tax Court, **72:119; 72:120**

evidence

presumptions and burden of proof, **72:117**

rules of evidence, **72:118**

finality of decision of Tax Court, **72:120**

initiation of Tax Court suit, **72:110**

IRS's answer, **72:113**

litigation in Tax Court, generally, **72:109**

place of trial, **72:115**

presumptions and burden of proof, **72:117**

reply of taxpayer, **72:114**

rules of evidence, **72:118**

small claims procedure in Tax Court

generally, **72:122**

switch to normal court procedure, **72:123**

Tax Court petition

generally, **72:111**

amendment of, **72:112**

trial, generally, **72:116**

Taxes (this index)

TAXES

Accounts and accounting. Criminal penalties, below

Accrual period, interest, **73:3**

Anti-assignment provision

child support, collection by IRS, **34:27 to 34:31**

delinquent federal taxes, levy to collect, **34:29; 34:30**

Automatic stay against collection and assessment, bankruptcy proceedings, **73:83**

TAXES—Cont'd

Bankruptcy

collection procedures, below

preferential transfers, **73:90**

priority, **73:87**

subrogation, **73:91**

withholdings, **69:9**

Benefits, federal taxation of

generally, **34:32 to 34:44**

adjustments, **34:42 to 34:44**

high income taxpayers, **34:41**

lump-sum payments, special election for, **34:44**

nonresident aliens' gross income, **34:40**

repayment of benefits, adjustment for, **34:42**

workers compensation, **34:43**

Benefits, Federal taxation of

gross income, benefits includable in, **34:37 to 34:41**

Cancellation of separate accounting notice, **73:55**

Carryovers and carrybacks, civil penalties, **73:13**

Civil penalties

generally, **73:8 to 73:49**

additions to tax for particular violations, **73:17 to 73:24**

carryovers reducing penalties, **73:13**

date. Time or date, below this group

defenses, failure to obey tax law without reasonable cause, generally, **73:15**

demand, penalties payable on, **73:14**

deposit of employment taxes, penalties for nondeposit, **73:25 to 73:28**

fraud excuses, failure to obey tax law without reasonable cause, generally, **73:15**

inaccuracy or negligence, **73:29 to 73:31**

multiple penalties, **73:12**

persons liable for civil penalties, generally, **73:9 to 73:11**

reasonable cause, failure to obey tax law without reasonable cause, generally, **73:15**

responsible person, willful failure to obey tax law, **73:32 to 73:44**

returns, failure to file, **73:17; 73:18**

Self-Employment Tax (this index)

time or date

demand, penalties payable on, **73:14**

returns, failure to file when due, **73:19 to 73:21**

willful failure to obey tax law, **73:32 to 73:44**

Collection

generally, **73:64 et seq.**

automatic stay against collection and assessment, bankruptcy proceedings, **73:83**

TAXES—Cont'd

- Collection—Cont'd
 - bankruptcy proceedings
 - generally, **73:82 et seq.**
 - automatic stay against collection and assessment, **73:83**
 - discharge of tax liabilities, **73:88**
 - extension of period for assessment and collection, **73:84**
 - jurisdiction of Tax Court in bankruptcy cases, **73:85**
 - preferential transfers, **73:90**
 - priority, **73:87**
 - subrogation, **73:91**
 - trustee in bankruptcy, treatment of tax liens by, **73:89**
 - collection period, generally, **73:69**
 - discharge of tax liabilities, bankruptcy proceedings, **73:88**
 - encumbrances. Liens, below
 - enforcement of tax liens, **73:77**
 - extension of period for assessment and collection, bankruptcy proceedings, **73:84**
 - extinguishment of tax liens, **73:79**
 - FICA Taxes** (this index)
 - filing and indexing tax liens, **73:81**
 - injunction against collection of taxes, **73:68**
 - interest on wrongful levies, **73:74**
 - jurisdiction of Tax Court in bankruptcy case, **73:85**
 - liens, below
 - powers of IRS, generally, **73:64**
 - preliminaries to collection, **73:64**
 - priority, bankruptcy proceedings, **73:87**
 - priority of tax liens, **73:80**
 - property to which general tax lien attaches, **73:76**
 - release of tax liens, **73:78**
 - suits for collection of taxes, **73:67**
 - time or date
 - bankruptcy proceedings, extension of period for assessment and collection, **73:84**
 - collection period, generally, **73:69**
 - trustee in bankruptcy, treatment of tax liens by, **73:89**
- Compounding of interest, **73:5**
- Constitutional rights of taxpayers, criminal penalties, **73:60; 73:61**
- Criminal penalties
 - generally, **73:50 to 73:63**
 - accounting requirement. Separate account requirement, below this group
 - cancellation of separate accounting notice, **73:55**

TAXES—Cont'd

- Criminal penalties—Cont'd
 - defenses and rights of taxpayer
 - generally, **73:60 to 73:63**
 - Fifth Amendment rights, **73:60**
 - limitation of actions, **73:62**
 - Sixth Amendment rights, **73:60**
 - evasion of taxes, criminal, **73:50 to 73:52**
 - evidence of tax underpayment in evasion cases, **73:52**
 - excuses. Defenses and rights of taxpayer, above this group
 - Fifth Amendment rights of taxpayer, **73:60**
 - general federal criminal law as applicable to tax crimes, **73:59**
 - limitation of actions, tax crimes, **73:62**
 - notice, separate account requirement, **73:55**
 - separate account requirement
 - generally, **73:53 to 73:57**
 - cancellation of separate accounting notice, **73:55**
 - failure to comply with separate account requirements, **73:56; 73:57**
 - Sixth Amendment rights of taxpayer, **73:60**
 - taxpayer's rights and defenses. Defenses and rights of taxpayer, above this group
 - willfulness, criminal tax evasion, **73:51**
- Date. Time and date, below
- Deductions
 - dependents, effect of receipt of benefits on deductions for, **34:75**
 - wages, employee tax deductions, **7:70**
- Defenses and rights of taxpayer
 - criminal penalties, above
 - failure to obey tax law without reasonable cause, generally, **73:15**
- Deficiency, what constitutes, **72:27**
- Demand, civil penalties payable on, **73:14**
- Discharge or release
 - bankruptcy proceedings, **73:88**
 - liens, **73:78**
- Due process, taxpayers' rights and defenses, **73:60; 73:61**
- Earnings records, nonconforming to tax returns of wages or self-employment income, **12:62 to 12:64**
- Encumbrances. Liens, below
- Enforcement of tax liens, **73:77**
- Estate taxes. Benefits, federal taxation of, above
- Evasion of taxes, criminal penalties, **73:50 to 73:52**
- Evidence, proof of tax underpayment in evasion cases, **73:52**

TAXES—Cont'd

- Excuses. Defenses and rights of taxpayer, above
- Exemptions and exclusions
 - federal government employees, coverage for work prior to 1984, **4:104**
- FICA Taxes** (this index)
- organizations. **Tax Exempt Organizations** (this index)
- Self-Employment Tax** (this index)
- Extension of time, bankruptcy proceedings, **73:84**
- Extinguishment of tax liens, **73:79**
- FICA Taxes** (this index)
- Fifth Amendment rights of taxpayers, **73:60**
- Filing, federal tax liens, **73:81**
- Fines and penalties
 - civil penalties, above
 - criminal penalties, above
- Foreign social security benefits
 - tax treatment of, **34:34**
- Fraud. Civil penalties, above
- Fringe Benefits and Similar Compensation** (this index)
- Gross estate, benefits of, **34:35**
- Gross income, benefits includable, **34:37 to 34:41**
- Income taxes. See more specific lines in this heading
- Indexing federal tax liens, **73:81**
- Injunctions against collection of employment taxes, collection procedures, **73:68**
- Insolvency. Bankruptcy, above
- Intent. Willfulness, below
- Interest on Money** (this index)
- Jurisdiction of Tax Court in bankruptcy case, collection procedures, **73:85**
- Jury and jury trial, **73:60**
- Late payments. **Interest on Money** (this index)
- Liens, collection procedures
 - generally, **73:75 et seq.**
 - bankruptcy proceedings, treatment of tax liens by trustee in bankruptcy, **73:89**
 - defined, **73:76**
 - enforcement of tax liens, **73:77**
 - extinguishment of tax liens, **73:79**
 - filing and indexing liens, **73:81**
 - priority of tax liens, **73:80**
 - property to which general tax lien attaches, **73:76**
 - release of tax liens, **73:78**
- Limitation of actions, prosecution periods for tax crimes, **73:62**
- Mitigating circumstances. Defenses and rights of taxpayer, above

TAXES—Cont'd

- Notice and knowledge, separate account requirement, **73:53; 73:55**
- Payment
 - FICA Taxes** (this index)
 - late payments. **Interest on Money** (this index)
 - Self-Employment Tax** (this index)
 - underpayment of tax, below
- Penalties
 - civil penalties, above
 - criminal penalties, above
- Pension or annuity, social security benefits as, **34:74**
- Post-retirement earnings, tax filings as report of earnings, **28:57**
- Priorities
 - bankruptcy proceedings, **73:87**
 - liens for taxes, **73:80; 73:87**
 - “Proper adjustment,” underpayment, **73:7**
- Property to which general tax lien attaches, **73:76**
- Rate of interest, **73:5**
- Reasonable cause. Civil penalties, above
- Receipt of social security benefits, effect on tax liability, **34:74 to 34:76**
- Recovery of overpayment, offset of income tax refund, **33:22 to 33:24**
- Release. Discharge or release, above
- Reporting requirements, **34:36**
- Responsible person, willful failure to obey tax law, civil penalties, **73:32 to 73:44**
- Restraining orders, injunctions against collection of employment taxes, **73:68**
- Returns
 - civil penalties, failure to file, **73:17; 73:18**
 - FICA Taxes** (this index)
 - foreign employment, foreign affiliate employee coverage agreement, return filing requirements, **3:13**
- Rights and defenses of taxpayer. Defenses and rights of taxpayer, above
- Self-Employment Tax** (this index)
- Separate accounting. Criminal penalties, above
- Sixth Amendment rights of taxpayer, criminal penalties, **73:60**
- Social security benefits, **34:33**
- State governments, interest on late payments, **73:4**
- Stays, bankruptcy proceedings, automatic stay against collection and assessment, **73:83**
- Successor employer, **69:85 to 69:87**
- Suits for collection of taxes, **73:67**
- Supplemental security income, tax refunds, **19:19; 19:76; 20:58**

TAXES—Cont'd

- Tax Court
 - civil penalties, penalty for instituting Tax Court proceedings for purpose of delay, **73:46**
 - collection procedures, jurisdiction of Tax Court in bankruptcy case, **73:85**
- Termination of interest before payment, **73:6**
- Time or date
 - civil penalties, above
 - collection procedures
 - generally, **73:69**
 - bankruptcy proceedings, extension of period for assessment and collection, **73:84**
 - extension of time, bankruptcy proceedings, **73:84**
- FICA Taxes** (this index)
- Interest on Money** (this index)
- Transfers, bankruptcy, **73:90**
- Trustee in bankruptcy, treatment of tax liens by, **73:89**
- Underpayment of tax
 - criminal penalties, evidence of tax underpayment in evasion cases, **73:52**
 - FICA taxes, **70:64**
 - interest, **73:7**
- Willfulness
 - civil penalties, willful failure to obey tax law, **73:32 to 73:44**
 - criminal penalties, tax evasion, **73:51**

TAX EVASION

- FICA taxes, willful attempt to evade, **72:57**

TAX EXEMPT ORGANIZATIONS

- Covered employees, generally, **2:33; 4:105 to 4:110**
- Definition of church or church-controlled organization, **4:107**
- Exclusion from coverage, **2:33; 4:106 to 4:108**
- Gifts given children with life-threatening conditions, assets not considered resources, **20:12**
- 1984, service performed before, **4:109; 4:110**
- 1983, service performed after, **4:105**
- Wages, **7:23 to 7:30; 7:76**
- Waiver of exemption for service performed before 1984, **4:110**

TAXICAB DRIVERS

- Covered employment, individuals qualifying as common law employees, **5:54**

TAXPAYER IDENTIFICATION NUMBER

- Social security numbers, **12:20**

TEACHERS

- Covered employment, teachers as individuals qualifying as common law employees, **5:51**

TECHNICAL ADJUSTMENTS

- Generally, **24:1 to 24:44**
- Cost of Living and General Increases** (this index)
- Increased cost of living
 - automatic recomputation, **24:24**
 - general increase, **24:11 to 24:20**
 - generally, **24:10 to 24:34**
 - reasons for recomputation, **24:23**
 - recalculation, **24:34**
 - recomputation, **24:21 to 24:33**
 - recomputation from recalculation, **24:22**
 - requested recomputation, **24:25**
 - waiver of recomputation, **24:25**
- Social security eligibility, **24:35 to 24:44**
- appeals procedure, **24:44**
- auxiliary and survivors benefits, **24:41**
- fits under more than one totalization agreement, **24:43**
- rounding of benefits, **24:39**
- totalization agreements, **24:42**
- Windfall reduction, noncovered employment, **24:1 to 24:9**
- average indexed monthly earnings calculation, **24:5**
- calculation methods, **24:4**
- deemed amounts of periodic payments, **24:9**
- pension based reduction calculation, **24:6**
- periodic payments, **24:8**
- reduction calculation, **24:3; 24:7**
- reduction calculation methods, **24:2**
- Windfall Reduction** (this index)

TECHNICAL ADVICE MEMORANDA

- Internal Revenue Service procedures, **72:7**

TELECONFERENCING

- Objections to time, place, and method of hearing, **51:24**

TELEPHONES

- Applying for benefits, filing date based on telephone contact, **30:33**
- Change or modification, payment and payment procedures, **31:2**

TEMPORARY EMPLOYEES

- State and local government employees, coverage, **4:27 to 4:29**

INDEX

TEMPORARY MATTERS

- Supplemental Security Income** (this index)
- Union members working for union on temporary assignment, employer, **6:23**

TERMINAL ILLNESSES

- Hospice care
- Medicare Part A** (this index)
- Medicare** (this index)

TERMINATION

- Generally, as to cancellation. **Cancellation** (this index)
- Child's Benefits** (this index)
- Disability** (this index)
- Discharge from Employment** (this index)
- Divorce and Separation** (this index)
- Employment, termination of. **Discharge from Employment** (this index)
- Employment taxes, when interest stops before payment, **73:6**
- Final decision requirement, **55:7**
- Foreign employment, foreign affiliate employee coverage agreement, **3:23 to 3:27**
- Foreign State or Country** (this index)
- Medicare Advantage (MA) Program** (this index)
- Medicare** (this index)
- Overpayments** (this index)
- Post-retirement earnings, termination of grace year, **28:40**
- Res judicata, **54:66**
- Self-employment earnings of insurance agents, termination payments and extended earnings, **10:27**
- State and local government employees, termination of coverage, **4:82**
- Supplemental Security Income** (this index)
- Survivor's Benefits** (this index)
- Ticket to work and self-sufficiency program, termination of ticket, **44:161**
- Waiver of overpayment, **33:83; 33:100**
- World War II veterans' benefits, **14:58 to 14:61**

TERMINOLOGY

- Definitions** (this index)

TERRITORIES OR POSSESSIONS OF UNITED STATES

- American Samoa** (this index)
- FICA taxes, withholding of taxes by employers, **70:76**
- Guam** (this index)

TESTIMONY

- Evidence** (this index)

TESTS AND TESTING

- Clinical Tests** (this index)
- Disability** (this index)
- Evaluations** (this index)
- Exercise Testing** (this index)
- Financial hardship test, overpayments, **33:117**
- Mental Disorders** (this index)
- Respiratory System Disorders** (this index)
- Substantially all income test, overpayments, **33:113**
- Sufficient financial resources test, overpayments, **33:115; 33:116**

THEORETICAL EARNINGS RECORD

- Foreign countries, **24:37**

THEORETICAL PRIMARY INSURANCE AMOUNT

- Foreign countries, **24:38**

THERAPY

- As to particular types of therapy, see specific topics i.e. **Occupational Therapy; Physical Therapy; Speech Therapy**
- Disability** (this index)
- Malignant Neoplastic Diseases** (this index)
- Medicare Part A** (this index)
- Medicare** (this index)

THIRD PARTIES

- Attorneys' fees, payment of fee by third party, Social Security Act, **49:10**
- Judicial review, **55:57**
- Payments. **Third Party Payments** (this index)
- Social security number of another person, disclosure, use, or compelling disclosure of, **59:13**
- Wages, services performed for third party by certain members of religious orders, **7:26**

THIRD PARTY PAYMENTS

- Fringe Benefits and Similar Compensation** (this index)
- Medicare** (this index)

THRIVE, FAILURE TO

- Children and Minors** (this index)

THROMBOSIS

- Hematological disorders, **42:78**

TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM

Re-evaluation and termination of disability status generally, **44:158 to 44:170**
 assignment of ticket, **44:160**
 disputes between claimants and employment networks, **44:166**
 eligibility, **44:159**
 employment networks, **44:163; 44:164**
 frequency of review, **44:25**
 individual work plans, **44:165**
 program managers, **44:162**
 state vocational rehabilitation agencies, **44:164**
 suspension of disability reviews, **44:167**
 termination of ticket, **44:161**
 use of ticket, **44:160**

TIMBER

Agricultural wages, **8:13; 8:14**

TIME AND DATE

Appeal and Review (this index)
Application for Benefits (this index)
Attorneys' and Representatives' Fees (this index)
Commencement of Benefits (this index)
 Computation of benefits, years of coverage, **25:3**
Cost-of-living and General Increases (this index)
Covered Employment (this index)
 Delay. **Laches and Delay** (this index)
Disability (this index)
 Disciplinary proceedings against representatives, **46:25**
Duration (this index)
 Early delivery, overpayments, **33:6**
 Early receipt of benefits. **Reduction, Deduction, or Offset of Benefits** (this index)
Effective Date (this index)
 Expedited payment, **31:32 to 31:35**
Expedited Procedures (this index)
Extension of Time (this index)
FICA Taxes (this index)
 Finality
 Appeals Council dismissal of untimely request for review, **55:25**
 refusal to grant extension of time, **55:27**
Fiscal Year (this index)
 Foreign affiliate employee coverage agreement, effective period of, **3:9**
 Freedom of Information Act, response to requests for information, **48:45; 48:46**
Grace Period (this index)
Hearings (this index)

TIME AND DATE—Cont'd

Interim Payments (this index)
Judicial Review (this index)
Magistrate Judges (this index)
Medicare (this index)
Monthly Matters (this index)
 Overpayment, **33:6; 33:14**
Payment and Payment Procedures (this index)
Post-judgment Remedies (this index)
Post-Retirement Earnings (this index)
Primary Insurance Amount (this index)
Quarterly Matters (this index)
Reconsideration (this index)
Reduction, Deduction, or Offset of Benefits (this index)
Religion and Religious Organizations (this index)
Reopening and Revising Determinations (this index)
Retirement and Retirement Benefits (this index)
Spouse's Benefits (this index)
Supplemental Security Income (this index)
Taxes (this index)
Wages (this index)
Waiting Period (this index)
 Waiver of overpayments, time limits for requesting, **33:14**

TIME DEPOSITS

Supplemental security income, financial institution accounts, **20:37**

TIPS

Generally, **7:40 to 7:45**
 Constructive payment, **7:78**
FICA Taxes (this index)

TITLE AND OWNERSHIP

Foreign State or Country (this index)
Sole Proprietorship (this index)
Supplemental Security Income (this index)

TITLE II ADMINISTRATIVE ACTIONS

Initial determinations, **50:17; 50:18**

TITLE XVI ADMINISTRATIVE ACTIONS

Initial determinations, **50:19; 50:20**

TOLLING

Earnings records, correction of, **12:50**
 Reopening and revising determinations, **54:19**

TOOLS AND SUPPLIES

Generally as to equipment. **Equipment** (this index)
 Determination of employee status, **2:42**
 Expenses, **9:15**

INDEX

TOOLS AND SUPPLIES—Cont'd

Fringe benefits and other compensation, **9:15**

TORT CLAIMS ACT

Federal Tort Claims Act (this index)

TOTAL DISABILITY

Covered employment, retirement because of total disability, **5:76**

TOTALIZATION AGREEMENT

Foreign Employment (this index)

Foreign State or Country (this index)

Self-employment tax, **3:37; 71:24**

Suspension of benefits, residence outside U.S., **29:28**

TOTALIZATION OF BENEFITS

Foreign State or Country (this index)

TOWNS

Generally. **Local Government** (this index)

TRADE

Agricultural activities, **10:53**

Babysitting, **10:49**

Care for elderly or infirm, **10:50**

Child care, **10:49**

Continuity and regularity requirement, **10:48**

Definition, **10:47**

Fishing boat crewmen working for shares, **10:61**

Foster parenting, **10:51**

Illegal activities, **10:59**

Lending money, **10:58**

Miscellaneous activities, **10:62; 10:63**

Operation of a business by a trust or estate, **10:54**

Real property rentals and sales, **10:56**

Retiree acting as consultant to former employer, **10:60**

Sales, **10:55**

Secretarial services, **10:57**

Work as a beautician, **10:52**

TRADE OR BUSINESS

Generally as to business income, see **Business Income**

Self-Employment (this index)

Self-Employment (this index)

Supplemental security income, property used in business, **20:95**

TRADE SECRETS

Freedom of Information Act, exemption from disclosure under, **48:18**

TRAINING

Skill and Training (this index)

TRANSCRIPT OF RECORD

Judicial review, filing by SSA, **56:26**

TRANSFER OF OWNERSHIP INTEREST IN FOREIGN AFFILIATE

Foreign employment, foreign affiliate employee coverage agreement, **3:15**

TRANSFER OF RESIDENTS

Medicare, beneficiary's liability for services resulting from erroneous transfer from facility, **68:46**

TRANSFER OF VENUE

Judicial review, **55:46**

TRANSFERS

Sales and Transfers (this index)

TRANSITION RULES

State and local government employees, coverage, **4:40 to 4:43**

TRANSLATIONS

Appeal and review, foreign languages translations, **50:5**

TRANSPLANTATION IN CHILDREN

Liver, **42:65.50**

Pancreas, **42:65.50**

Small intestine, **42:65.50**

TRANSPLANTS

Lung transplantation, **42:232; 42:246**

Medicare (this index)

Stem Cell Transplantation (this index)

transplantation in children (this index)

TRANSPORTATION

Expenses. **Travel and Transportation Expenses** (this index)

State and local government employees, coverage, **4:3; 4:4**

TRAUMA-RELATED DISORDERS

Generally, **42:140; 42:161**

Neurological impairments, traumatic brain injury, generally, **42:218**

Onset date of disability, **39:12**

TRAVEL AND TRANSPORTATION EXPENSES

Exceeding employer's expense allowance, **9:8**

Fringe benefits and other compensation, generally, **9:7 to 9:9**

Reimbursement, **52:74 to 52:82**

TRAVEL AND TRANSPORTATION EXPENSES
—Cont'd

Transportation reimbursements and allowances, **9:9**
 Waiver of overpayment, **33:101**

TRAVEL EXPENSES REIMBURSEMENT

Generally, **52:74 to 52:82**
 Notice of availability of reimbursement, **52:75**
 Reimbursable expenses, **52:76 to 52:78**

TRAVELING SALESPERSONS

Covered employment, **5:70**

TREASURY OBLIGATIONS

FICA Taxes (this index)

TREATIES

Services performed by nonresident aliens, effect of tax treaty on, **2:15**
 Suspension of benefits, residence outside U.S., **29:29**

TREATING PHYSICIAN RULE

Waiver of overpayment, **33:68**

TRIAL WORK

Old-Age, Survivors, and Disability Insurance (this index)
 Waiver of overpayment, **33:88**

TRUCKING COMPANIES

Covered employment, **6:29**
 Employer status, **6:29**

TRUCKS

Covered employment
 individuals qualifying as common law employees, **5:56; 5:57**
 owner-drivers, individuals qualifying as common law employees, **5:56**

TRUST FUND

Combined payments, **31:12; 31:13**
 Social Security Administration (SSA), **1:32**

TRUSTS AND TRUSTEES

Administration of programs, **1:32**
 Bankruptcy proceedings, treatment of tax liens by trustee, **73:89**
 Covered employment
 generally, **6:5**
 trustees as individuals qualifying as common law employees, **5:21; 5:22**
 Direct deposit, trust accounts, **31:26**
 Employer, **6:5**
 FICA taxes, withholding, **69:26**
 Reduction or offset of benefits, **26:52**

TRUSTS AND TRUSTEES—Cont'd

Self-employment, operation of business by trust or estate, **10:54**
Supplemental Security Income (this index)
 Wages to bankruptcy trustees, **7:55**

TYPICALITY

Judicial review, class actions, **56:20**

ULTRASOUND SCREENING FOR ABDOMINAL AORTIC ANEURYSM

Medicare, exclusions, **67:19**

UNCASHED CHECKS

Generally, **31:20**

UNCONSTITUTIONALITY

Constitutional Law (this index)

UNDERPAYMENTS

Generally, **33:130 to 33:138**
 Death, payment due deceased person, **33:134 to 33:138**
 Foreign affiliate employee coverage agreement, adjustments of contract payments, **3:18; 3:20**
 Forms, claim for amounts due in the case of a deceased beneficiary [Form SSA-1724-F4], **33:138**
 Legal representative, payment due deceased person, **33:136**
 Notice, **33:132**
 Old-Age, Survivors, and Disability Insurance, generally, **33:130 to 33:138**
 Overpayment, effect of outstanding overpayment, **33:133**
 Payment, generally, **33:131**
 Stepchildren, payment due deceased person, **33:135**
Supplemental Security Income (this index)
Taxes (this index)

UNDISCLOSED POLICY

Judicial review, **55:39**

UNEARNED INCOME

Supplemental Security Income (this index)

UNEMPLOYMENT INSURANCE

Inability to work, **43:93**
 Receipt of social security benefits, effect of, **34:67**

UNIFORMED SERVICES

Armed Forces (this index)

UNIONS

Covered employment, members on temporary assignment, **6:23**
 Employer status, **6:23**

INDEX

UNIONS—Cont'd

- Fringe benefits and other compensation employer payments, fund payment, **9:22**
- Fund payment for layoff period, employer payments, **9:22**
- Wages
 - apprenticeship programs, **7:20**
 - negotiations, payments for conducting, **7:56**

UNITED KINGDOM

- Totalization agreements, **24:42**

UNITED STATES

- Citizens and Citizenship** (this index)
- Medicare exclusion of items and services performed outside of, **67:93; 67:94**
- Post-Retirement Earnings** (this index)
- Territories of U.S.** (this index)

UNITED STATES SUPREME COURT

- Appeal to circuit court, **57:19**

UNIVERSITIES

- Covered employment, services performed by enrolled students, **2:24**

UNLOADERS

- Covered employment, individuals qualifying as common law employees, **5:53**

UNREPRESENTED CLAIMANT

- Administrative law judges, **52:118 to 52:126**
- Fair hearing
 - Generally, **52:111 to 52:126**
- Mental capacity, Factors relating to Claimant, **52:113 to 52:117**
- Remand for new hearing, **52:112**

UNSKILLED LABORERS

- Covered employment, individuals qualifying as common law employees, **5:52; 5:53**
- Inability to work, **43:56**

UNUSUAL OR UNAVOIDABLE CIRCUMSTANCES

- Waiver of overpayment, **33:107; 33:108**

URINARY SYSTEM IMPAIRMENTS

- Medicare Part A, skilled nursing care, **60:120**

U.S. GOVERNMENT EMPLOYEES

- FICA tax returns, **70:30**

U.S. SOURCE INCOME

- Receipt of benefits, treatment of social security benefits as U.S. source income, **34:76**

UTILITY RELATED SERVICES

- State and local government employees, coverage, **4:9**

VA

- Veterans and Veterans' Administration** (this index)

VACATION PAY

- Employer payments, **9:25**
- Fringe benefits and other compensation, **9:25**
- Post-retirement earnings, **28:16**
- Waiver of overpayment, **33:101**

VACCINES AND VACCINATIONS

- Medicare** (this index)

VALIDITY OF STATUTE

- Constitutional Law** (this index)

VALUE AND VALUATION

- Economic worth of work. **Disability** (this index)
- Supplemental Security Income** (this index)
- Wages paid in medium other than cash, **7:5**

VASCULAR INSULT TO THE BRAIN

- Neurological impairments, **42:210**

VASCULITIS

- Non-HIV immune system disorders, systemic vasculitis, **42:89; 42:101**

VEHICLES

- Automobiles and Other Vehicles** (this index)

VENUE

- Judicial review, **55:45 to 55:47**

VERIFICATION

- Fee petition, attorneys' fees, Social Security Act, **49:60**
- Privacy Act, identification of requester under, **48:54**

VERTIGO

- Special senses impairments, **42:266**

VESSELS

- Ships and Vessels** (this index)

VESTING OF BENEFITS

- Generally, **1:40**
- Old-age, survivors, and disability insurance, **1:40**

VETERANS AND VETERANS' ADMINISTRATION

- Applying for benefits, form of application, **30:14**
- Request for hearing filed with VA, **51:16**

VETERANS AND VETERANS'

ADMINISTRATION—Cont'd

Wages, payments under training program for veterans, **7:21**

World War II Veterans (this index)

VICE-PRESIDENT

Federal government employees, coverage, **4:96**

VIDEO TELECONFERENCING

Objections to time, place, and method of hearing, **51:22; 51:24**

VIOLATIONS

Crimes (this index)

VISION

Eyes and Eyesight (this index)

VISITS AND VISITATION RIGHTS

Medicare Part A (this index)

VISTA

Federal government employees, coverage, **4:93**

VOCATIONAL EDUCATION PROGRAM IN PRIVATE COMPANY PLANT

Covered employment, **6:18**

VOCATIONAL THERAPY

Defined, **44:49**

VOCATIONAL TRAINING AND REHABILITATION

City-sponsored vocational education in plant of private company, employer, **6:18**

Reduction or offset of benefits
workers' compensation payments, **26:50**

Re-evaluation and termination of disability status generally, **44:158 to 44:170**

Supplemental security income, **18:114**

Wages, **7:19**

VOID JUDGMENT

Post-judgment remedies, motion for relief from judgment, **56:85**

VOLUNTARY ACTS

Corporate officers, voluntary repayment of salary to, **7:17**

Foreign affiliate employee coverage agreement, termination of contract coverage, **3:23**

Peace Corps (this index)

World War II veterans, voluntary termination of benefits, **14:61**

VOLUNTEERS

FICA tax, withholding statement for Peace Corps volunteers and volunteer leaders, **70:74**

Hospitals, payments to religious organization for services of volunteer members, **7:30**

WAGES

Generally, **7:1 et seq.**

Actors, **7:52**

Advances, **7:46; 7:67**

Agriculture (this index)

Annual wage limitation, **7:79 to 7:82; 69:3; 69:84**

Armed Forces (this index)

Artists, **7:52**

Awards paid to employees, **7:47**

Bankruptcy trustees, **7:55**

Bonuses (this index)

Caddy fees, **7:45**

Cash

generally, **7:9 to 7:11**

agriculture, **8:1 to 8:3**

domestic service, **7:35; 7:36**

tips, **7:40**

Closely held corporation, remuneration for management of rental property owned by, **7:15**

Commissions (this index)

Constructive payment, **7:62 to 7:78**

Corporations, **7:12 to 7:18; 7:16**

Cost-of-Living and General Increases (this index)

Covenant not to compete while services are rendered for employer, payments under, **7:16**

Customers, salaries paid by, **9:61**

Deferred Compensation (this index)

Determining insured status. **Insured Status** (this index)

Distributions to shareholder-employees, **7:12**

Dividends of Subchapter S corporation paid in lieu of salary, **7:13**

Domestic Service (this index)

Educational or training programs, payments made by, **7:19 to 7:22**

Fees, **7:40 to 7:45**

FICA Taxes (this index)

Foreign state or country, **7:53**

Forfeiture, property subject to substantial risk of, **7:77**

Fringe Benefits and Similar Compensation (this index)

Government contractors as successor employers, **7:82**

Guaranteed annual wage, fringe benefits and other compensation, **9:19**

INDEX

WAGES—Cont'd

- Home workers, **7:34 to 7:39; 7:75**
- Income tax withholding rules to determine whether fringe benefits are, **9:2**
- Judgments, **7:50**
- Minimum Wage or Wages** (this index)
- Noncash payments
 - generally, **7:4 to 7:8; 7:10**
 - agriculture, **8:4; 8:5**
 - domestic service, **7:37**
- Fringe Benefits and Similar Compensation** (this index)
 - stock, **7:6**
 - tips, **7:41**
 - value of wages paid in medium other than cash, **7:5**
- Overtime Compensation** (this index)
- Partnerships, **7:12 to 7:18**
- Peace Corps volunteers, **7:33**
- Religious organizations, **7:23 to 7:30**
- Retirement and Retirement Benefits** (this index)
- Safety council members, **7:54**
- Scholarships or fellowships, **7:22**
- Self-employment income. **Self-Employment** (this index)
- Sick Pay** (this index)
 - State and local government employees, effect of compensation source on coverage, **4:20**
- Stock, **7:6; 7:12; 7:13**
- Substitutes or assistants, **7:51**
- Supplemental Security Income** (this index)
- Tax exempt organizations, **7:23 to 7:30; 7:76**
- Tips** (this index)
- Training programs, payments made by, **7:19 to 7:22**
- Unions** (this index)
- Vacation Pay** (this index)
- Value of wages paid in medium other than cash, **7:5**
- Veterans, payments under training program for, **7:21**
- Vocational training programs, **7:19**
- Voluntary repayment of salary to corporation by officer, **7:17**
- When wages are considered paid and received, **7:59 to 7:78**
- Workers' Compensation** (this index)
- World War II internees, **7:58**

WAITING PERIOD

- Disability** (this index)

WAIVER AND ESTOPPEL

- Administrative law judge, waiver of objection to, **52:30**

WAIVER AND ESTOPPEL—Cont'd

- Beneficiaries, request for waiver of OASDI benefits, **34:53; 34:54**
- Best interest of beneficiary, when waiver of benefits is not in, **34:54**
- Cost-of-living and general increases, waiver of recomputations, **24:26**
- Custody of beneficiary, when requesting party (for waiver of benefits) does not have, **34:53**
- Divorce, parties estopped from denying validity of divorce, **21:80**
- Documentation and verification of OASDI benefits waiver request, **34:52**
- Earnings, duty to report, **34:49**
- FICA taxes, waiver of filing requirements, **70:16**
- Finality, waiver of requirement of exhaustion of administrative remedies, **55:13 to 55:19**
- Hearings** (this index)
- Marital status, proof of, parties estopped from denying validity of divorce, **21:80**
- Medicare Part A** (this index)
- Medicare** (this index)
- OASDI benefits, generally, **34:45 to 34:57**
- Overpayments** (this index)
- Payments, status of during pendency of waiver request, **34:55**
- Pendency of waiver request, status of payments during, **34:55**
- Religious waiver, **34:56**
- Representation, claimant's right to, **46:6**
- Representative payee or other qualified person, waiver of benefits, **34:51 to 34:55**
- Res Judicata** (this index)
- Retroactive benefits, **34:57**
- Revocation of waiver of OASDI benefits, **34:50**
- Special waiver rules, **34:57; 34:58**
- Status of payments during pendency of waiver request, **34:55**
- Supplemental medical insurance, **34:47**
- Supplemental Security income** (this index)
- Tax exempt organizations, waiver of exemption for service performed before 1984, **4:110**
- Untimeliness, estoppel of SSA from raising, **55:43**
- Venue request, waiver of, **55:47**
- Waiver
 - capacity to make waiver, **52:15**
 - personal appearance, **52:12**
 - voluntary and knowing waiver in writing, **52:13**
 - written waiver, Form, **52:14**

WAR

- Medicare exclusion of items and services resulting from, **67:92**

WARRANTIES

Medicare payments for items under warranty, **67:25**

WATERWAYS

Agricultural wages for services performed in connection with operation or maintenance of non-profit ditches, canals, reservoirs, or waterways, **8:17**

WEIGHT OF EVIDENCE

Earnings records, evidentiary value of, **12:32**
Meeting or equaling listed impairment, weight of medical opinions, **42:23 to 42:25**

WEIGHT OF PERSON

Low birth weight and failure to thrive. **Children and Minors** (this index)
Overweight persons. **Obesity** (this index)
Weight loss due to any digestive disorder, **42:57**

WELFARE

Public Assistance (this index)

WELFARE BENEFITS

Receipt of social security benefits, effect on eligibility for welfare assistance, **34:70**

WIDOWS AND WIDOWERS

Generally. **Survivor's Benefits** (this index)
Computation of benefits, certificate of election for reduced widow(er)'s benefits [Form SSA-4411], **27:9**
Delayed retirement credit, effect of, **27:40; 27:41**
Disability
amount and payment of benefits, **14:42**
duration of benefits
commencement of benefits, **14:47**
termination of benefits, **14:48**
reduction or offset of benefits, **26:12**
Forms, computation of benefits, certificate of election for reduced widow(er)'s benefits [Form SSA-4411], **27:9**
Meeting or equaling listed impairment, widows' benefits claimants, **42:19**
Reduction, Deduction, or Offset of Benefits (this index)
Supplemental security income, disabled, relationship between SSI and Medicaid eligibility, **35:189**

WIFE

Spouses (this index)

WILLFULNESS

Criminal liability, **59:18**
Taxes (this index)

WINDFALL REDUCTION

Generally, **24:1 to 24:9**
Average-indexed-monthly-earnings calculation, **24:5**
Calculations
generally, **24:2 et seq.**
cost-of-living increases, **24:32**
old-start reduction calculation, **24:7**
Cost-of-living increases, **24:32**
Exemptions from reduction calculation, **24:3**
Indexes, average-indexed-monthly-earnings calculation, **24:5**
Modified average-indexed-monthly-earnings calculation, **24:5**
Noncovered pension based reduction, **24:6**
Old-start reduction calculation, **24:7**
Pensions, noncovered pension based reduction, **24:6**
Periodic payments requirement, **24:8; 24:9**
Reduction calculation methods, **24:2; 24:4**

WINDFALL RULE

Attorneys' fees, contingency fee agreement, Social Security Act, **49:64**

WINDOW INSTALLERS

Covered employment, individuals qualifying as common law employees, **5:47**

WITHDRAWAL

Appeal and review, withdrawing from expedited appeals process agreement, **50:55**
Applying for benefits
generally, **30:57 to 30:66**
Supplemental Security Income (this index)
Earnings records, withdrawal of request for correction of, **12:72**
Expedited appeals process, withdrawing from agreement, **50:55**
Reconsideration, withdrawing request for, **50:35**

WITHHOLDING

Attorneys' fees, Secretary's failure to withhold fees, effect on direct payment from past-due Social Security benefit, **49:70**
FICA Taxes (this index)
Fringe benefits as wages, **9:2**
Lump-sum death payment, withholding or recovery of, **33:25**
Partial withholding of monthly benefit, **33:28**
Payment and Payment Procedures (this index)
Rules to determine whether fringe benefits are wages, **9:2**
Supplemental Security Income (this index)

WITNESSES

- Civil monetary penalties, **58:43; 58:48**
- Claimant impairment, **52:85**
- Credibility determinations, **52:88**
- Cross Examination** (this index)
- Disciplinary proceedings against representatives, **46:26**
- Examination, Generally, **52:83 to 52:110**
- Examination of witnesses
 - Cross-Examination** (this index)
 - Hearings** (this index)
 - reimbursement for travel expenses, **52:74 to 52:82**
- Experts** (this index)
- Oaths and affirmations, **52:84**
- Scope of cross-examination, **52:86**
- Travel expenses of witnesses, reimbursement for, **52:74 to 52:82**
- Waiver of overpayment, **33:57**

WITNESS EXAMINATION

- Generally, **52:83 to 52:88**

WORK ACTIVITY

- See also **Employer; Employment**
- Ability to work. **Disability** (this index)
- Mental Disorders** (this index)
- Pain and Other Symptoms** (this index)

WORKERS' COMPENSATION

- Benefits reduction. **Workers' Compensation Benefits Reduction** (this index)
- Exclusion of services paid by workers' compensation. **Medicare** (this index)
- Federal taxation of benefits, **34:43**
- Federal workers' compensation plans
 - reduction for, **26:48**
 - social security numbers, **12:15**
- Lump-sum benefits and payments
 - generally, **67:62 to 67:65**
 - reduction or offset, **26:51; 26:52; 26:72; 26:73**
- Medicare** (this index)
- Receipt of social security benefits, effect of, **34:68**
- Reduction. **Workers' Compensation Benefits Reduction** (this index)
- Social security numbers, **12:15**

WORKERS' COMPENSATION BENEFITS REDUCTION

- Generally, **26:43 to 26:77**
- Amount of reduction, computing, generally, **26:65 to 26:77**
- Annuities, benefits payable in, **26:52**

WORKERS' COMPENSATION BENEFITS**REDUCTION—Cont'd**

- Average current earnings determination, **26:66**
- Computing amount of reduction, generally, **26:65 to 26:77**
- Earnings record affecting, **26:67**
- Eligibility verification, **26:45**
- Expenses relating to claim, **26:68 to 26:70**
- Family changes affecting reduction amount, **26:74**
- Federal workers' compensation plans, **26:48**
- Lump sum payments, **26:51; 26:52; 26:72; 26:73**
- Nonmonthly benefit treatment, **26:71 to 26:73**
- Non-workers' compensation benefits, **26:53**
- Prorating lump sum payments, **26:72; 26:73**
- Redetermination of benefits, **26:77**
- Reporting information to SSA, **26:46**
- Reverse offset plans, **26:60 to 26:62**
- Same disability, benefits need not be based on, **26:44**
- Settlements, third part, **26:49**
- Social security increases affecting reduction amount, **26:75**
- Third party settlements, **26:49**
- Trust, benefits payable in, **26:52**
- Verification of eligibility, **26:45**
- Vocational rehabilitation payments, **26:50**

WORK INCENTIVE PROGRAM

- Supplemental Security Income** (this index)

WORK OR WORK-LIKE SETTINGS

- Disability** (this index)
- Mental Disorders** (this index)
- Old-Age, Survivors, and Disability Insurance** (this index)

WORLD WAR II INTERNEES

- Wages, payment of, **7:58**

WORLD WAR II VETERANS

- Amount of benefit, **14:55**
- Application for special benefits (Form SSA-2000-F6), **14:54**
- Benefits
 - amount and payment, **14:55 to 14:57**
 - duration, **14:58 to 14:61**
 - entitlement, **14:51 to 14:54**
- Benefits, special, **14:51 to 14:61**
- Benefits entitlement
 - generally, **14:51 to 14:54**
 - amount of benefit, **14:55**
 - application for special benefits (Form SSA-2000-F6), **14:54**

WORLD WAR II VETERANS—Cont'd

- Benefits entitlement—Cont'd
 - definition of World War II veteran, **14:52**
 - disqualification, benefits, **14:53**
- Definition of, **14:52**
- Disqualification, benefits, **14:53**
- Duration of benefits, **14:58 to 14:61**
- Insured status, **13:7**
- Payment of benefits, **14:56**
- Resumption of suspended benefits, **14:59**
- Suspension or termination of benefits, **14:58 to 14:61**
- Termination or suspension of benefits, **14:58 to 14:61**
- Voluntary termination of benefits, **14:61**

WRITERS

- Covered employment, writers and persons in similar occupations as individuals qualifying as

WRITERS—Cont'd

- common law employees, **5:59**

WRONGFUL DEATH

- Receipt of social security benefits, effect of, **34:71**

WRONGFUL DISCHARGE

- Receipt of social security benefits, effect of, **34:72**

X-RAYS

- Mammography, **64:78; 64:79; 67:10**
- Medicare** (this index)

YEAR OF ELIGIBILITY

- Computation of benefits, **25:12**

YEARS OF COVERAGE

- Computation of benefits, **25:3**