

AUTHOR'S INTRODUCTION

2026 Edition

The Social Security Disability Claims Handbook is one of the most comprehensive treatises available to assist attorneys, paralegals, and claimants' representatives in navigating the Social Security disability claims process. In fact, prior editions of this volume have been cited by District Courts around the country more than a dozen times. As a young associate more than 20 years ago, this was one of the first volumes handed to me by my managing partner. Through its practical advice, clear explanations and wealth of forms and resources, I quickly learned to navigate the challenges of Social Security Disability law. Now, with my own busy practice and tens of thousands of cases navigated before the administration and in federal court, it's time to return the favor. Continuing to update and maintain the relevance of this key resource has been an exciting honor and a welcome challenge.

This work continues to offer a comprehensive examination of the claims process that should simplify the steps needed to help claimants obtain the benefits they need.

The 2026 Edition continues to modernize the advice for practitioners. 2026 was quieter from a regulatory standpoint, at least compared to the unprecedented pace of 2025. I took the opportunity to develop substantial updates in key areas of practice. Specifically, I've added substantial updates to the treatment of vocational evidence under Social Security Ruling 24-3p, an enormously important policy update that upended the way vocational evidence is treated and the way representatives must now deal with vocational testimony. (§ 6:4, 6:5). While this Ruling was effective last year, we now have more substantial data on the effect of these changes. Included in the revisions are practical steps to cross-examine vocational experts at hearings, and a look at the tools representatives should use to perform their own research in developing rebuttal evidence. I also took the opportunity to update the developing caselaw on the treatment of opinion evidence with the "treating physician" rule long-since sunset. (§ 5:9). Much of this discussion focuses on the importance of articulation of the factors of "supportability" and "consistency," with some clear areas to develop winning arguments. I have provided substantial revisions to the discussion of fees and fee agreements, and offered new and updated forms throughout the volume, taking advantage of updated guidance throughout the practice. (§ 4:4, §§ 7:1 et seq.). Additional changes for 2026

include:

- HALLEX citations updated to reflect Social Security's revised numbering system throughout.
- § 1:20 Extended discussion of fees for work performed at the federal court level.
- § 2:5 Updated case law and update on policy shifts related to SSR 23-1p durational requirements.
- § 2:13 Added discussion of rescission of several Rulings relating to SGA.
- § 2:15 Added discussion of rescission of TWP ruling that has been obsolete since 1980.
- § 2:38 Updated with finalized policy guidance and regulations now published.
- § 2:58 Added announcement of centralization of CDR to Federal agency; added new section (f) for CDR related to children as discussed in new Social Security Ruling 26-1p. Included discussion of the full CDR standard for Children.
- § 2:59 Updated to note the rescission of two Rulings mandating participation that were rendered obsolete in 1999.
- § 3:24 Renamed to Priority cases and updated overview of this section to include (a) Compassionate Allowances (b) TERI claims (c) other priority cases and expanded the discussion of what priority cases are and how they are evaluated.
- § 4:17 New overview of AI tools.
- § 5:9 Updating cases on evaluation of supportability and consistency.
- § 5:11 New practical guide to obtaining medical records, including discussion of HIT MER process and HITECH update.
- Chapter 7 - generally: substantial updates to fee agreements and forms to modernize the same. Replacing outdated fee agreements and documents unlikely to meet current regulatory standards.
- §§ 8:1 to 8:4 Updated forms for requesting records consistent with current HIPAA best practices.
- § 8:12 New sample HIT Search letter request.
- Chapter 9 – generally: updates to Social Security forms.

Thanks to my fellow attorneys and my paralegal of more than 20 years, Melissa, who have each helped build an enduring practice where we can continuously test and implement the strategies needed to give our clients their best chance to succeed in a constantly moving system. Special thanks to my editor Wendy Sigillo, who shows her tremendous depth of knowledge, eye for detail and welcome tact when gently pointing out that I

may have left the rest of a paragraph or two in my brain alone.

I welcome any suggestions to improve future volumes of this work as we continue to update the text and modernize the advice and resources in this volume and invite any readers to reach out to me directly any time if you need advice or would like to share your own experience helping claimants navigate the difficult path to benefits. You can reach me directly with inquiries at rich@brossfrankel.com.

Richard L. Frankel
August 2026