

EM-21000 SEN Revised – Instructions Will Follow Shortly

Identification Number: EM-21000 SEN REV 2

Effective Date: (Posted Date)*

Intended Audience: All RCs/ARCs/ADs/FOs/TSCs/PSCs/OCO/CSTs/OHO/OAO

Originating Office: DCO OPSOS

Title: Instructions for Sending Non-Medical Appeals (NMA) to the Office of Hearings Operations (OHO) and Office of Appellate Operations (OAO) using Electronic Non-Medical (ENM) application's Create, Upload, and Transfer of Jurisdiction Functionality

Type: EM – Emergency Message

Program: All Programs

Link to Reference: See Reference at the end of this EM.

Retention Date: (The date cannot be more than 6 months in the future.)

Summary of Changes

This EM replaces the prior version, latest publication date January 12, 2021.

This update:

Revises Section B:

- Adds information about the additional functionality in the Electronic Non-Medical (ENM) application.

Revises Section C:

- Adds instructions that both favorable reversals and affirmative denials will be sent to FO/PCs electronically via WorkTrack or eFax/Paperless.

Revises Section E:

- Revises the instructions to include specific instructions for FO/PC technicians to create the case in ENM, which documents need to be uploaded and the change to the OHO email notification process.
- Clarifies when the email needs to be sent to OHO/OAO locations.

Revises Section F

- Provides clear instructions for FO technicians to use OHO office code on the AJAS screen when processing SSI appeals.
- Provides the correct email address to Southeastern Program Service Center (SEPC).
- Provides reminders for handling of BOND cases.

All sections have been updated to reflect the changes to the process due to the new functionality available in ENM to FO/PC technicians with the latest release as of March 20, 2021.

A. Purpose

This Emergency Message (EM) provides revised, interim instructions for the electronic transfer and receipt of all non-medical appeals (NMA) currently pending in Field Offices (FO) or Processing Centers (PC). Transfer cases to the appropriate appeal site in the order the appeal was received, oldest case to youngest case. These interim instructions will remain active until further notice.

B. Background

Currently, the NMA process is a manual, paper workload. Due to the COVID-19 pandemic, the NMA workload was previously suspended while we developed an interim process for electronic transfer and receipt of NMA between the FO/PC and OHO/OAO.

On September 21, 2020, the agency resumed processing this workload. All technicians are responsible for processing the HA-501-U5 "Request for Hearing by Administrative Law Judge" or HA-520-U5 "Request for Review of Hearing Decision/Order" in the correct system i.e., Modernized Claims System (MCS), SSI Claims System (formerly MSSICS), Debt Management System (DMS) and Modernized Development Worksheet (MDW).

Beginning December 21, 2020, technicians were able to upload documents directly into ENM. This enhancement reduced the need to send large PDFs with NMA documents to OHO/OAO.

Effective March 20, 2021, technicians will have the ability to: create, edit and change the case jurisdiction in ENM for NMA. Technicians should use the updated instructions in C – H of this EM to process NMA. The updated instructions in this EM require and instruct technicians to create ENM cases, upload the documents into the ENM application, and change jurisdiction to OHO/OAO for processing.

C. Non-Medical Case handling and processing

When an appeal is requested, FO/PC technicians should begin the appeal process by loading the appeal into the proper system: MCS (T2), SSI Claims System (T16), Debt Management System (DMS), and Modernized Development Worksheet (MDW).

Technicians should electronically transfer the requested non-medical appeals from *oldest age to youngest age* in the following order of priority:

1. Title 16 and Concurrent Claims (specifically the T16 portion)
2. Title 2

NOTE: For any case older than **180 days**, technicians should confirm key information in the folder prior to electronically transferring to OHO/OAO:

- Claimant's mailing address;
- Claimant's valid contact information, including phone number and email address, if applicable;
- Any updated evidence that may have been submitted since the last decision, and;
- Any recent notices relevant to the appeal issue(s) or the last decision.

The OHO folders created from the ENM application **should not be destroyed and will be considered the official paper record**. OHO staff will be responsible for creating the NMA claims folder and forwarding it to the appropriate location (SSA National Records Center (SSANRC), jurisdictional FO/PC site, or OAO). All decisions will be electronically shared via WorkTrack or Paperless, dependent on the claim type, Title II or Title XVI or concurrent.

At this time, FO/PC employees SHOULD NOT FORWARD any paper folders to OHO due to limited staffing in the site locations. Office of Operations employees will continue sending these cases electronically using the ENM application. However, a folder should be sent to OAO if an HA-520-U5 is received.

D. Electronic File Information (Documents that should be included in the ENM folder)

1. Technicians gather documents from electronic repositories such as Claims File User Interface (CFUI), Non-Disability Repository for evidentiary documents (NDRed), Online Retrieval System (ORS), and the paper folder. The documents include, but are not limited to:
 - HA-501-U5-U5/520/301 appeal request(s) form(s),

- SSA-561 reconsideration request,
 - Award/denial notice(s),
 - Relevant queries,
 - Application screen shots (EVID, MDW, DMS, MCS, Shared Processes),
 - Data sheets,
 - Prior MBR data, worker's compensation data,
 - PHUS records,
 - Single copy folder reference,
 - Good cause statements,
 - DMS remarks screen(s),
 - Prior overpayment or waiver determinations,
 - Overpayment decisional notice(s),
 - Evidence used at initial and reconsideration level, etc., and
 - Hearing decision documents, specifically the exhibited folder with hearing recording.
2. Technicians prepare a completed eNDSS with queries and a summary and save as a PDF. See the guide in the attachments section below.

E. ENM Case Creation and Upload Instructions

1. Case Processing Instructions-See E.2 for additional information

- a. To access ENM, FO/PC technicians should visit the SSA Web Application Index page at (b) (2), search for the "Electronic Non-Medical (ENM)" section and choose the "ENM Production" link (b) (2)
- b. FO/PC technician creates the case via ENM by entering the SSN of the claimant—the Beneficiary's Own Account Number (BOAN).

NOTE: Technicians must also use the claimant's BOAN for child and other auxiliary cases. For T2 auxiliary minor child cases, choose the claim type that corresponds with the NH's benefit type, such as RSHI or DIB.

- c. FO/PC technician uploads all appeal documents from any SSA repository (see section D.1) into ENM.
- d. FO/PC technician ensures uploaded documentation is viewable in ENM.
- e. FO/PC technician changes jurisdiction of the case in ENM to the appropriate OHO or OAO office.
- f. FO/PC technician sends an email to the applicable OHO/OAO mailbox to notify them to begin case processing.

2. Step-by-Step Instructions

Follow the instructions below to create a case in ENM, upload NMA documents electronically and change jurisdiction.

(b) (7)(E)

NOTE: Technicians should wait at least 24 hours to ensure that the documents are visible. If the documents are not visible within 24 hours of upload activity, please send an email to (b) (2) as well as reach out to your local SLC for guidance. If the documents are not visible within 72 hours of upload activity, FO/PC technicians should take necessary steps to create a CAPRS ticket by contacting Regional contacts via vHelp.

F. Case Handling and Routing Instructions

1. FO to OHO

- a. Technicians send an email to OHO to notify them that they have created the case, uploaded documents, and changed jurisdiction in ENM.
- b. The email should inform of any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- c. Use the following directions and example:
 - i. SSI-only cases pending in FO should be sent to: (b) (2)

NOTE: When sending SSI Only Non-Medical Appeals to the SRC, please use the OHO office code of **5ZU** on the SSI Claims System AJAS page, Jurisdiction and Status when referring to another office for the final decision. Refer to [MS 04420.023 Jurisdiction and Status \(AJAS\)](#) for additional information and guidance.

- ii. All other NMA OHO cases should be sent to the local hearing office non-medical email address provided (see Excel spreadsheet immediately below):

To:	(b) (2) OR for SSI Only Cases: (b) (2)
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. FO mailbox.); Sender's email address</i>
Subject:	ACTION: Title (16 or Concurrent) Non-Medical Appeal
Body:	Please refer to the ENM case created for SSN xxx-xx-xxxx. Please return decision to WorkTrack number (xxx) xxx-xxxx.

- b. OHO establishes an electronic case in the Case Processing Management System (CPMS).
- c. OHO works up the case and takes appropriate action (ALJ holds hearing, renders a decision, and updates CPMS/ENM).
- d. OHO support staff sends:
 - i. T16 decision documents to local office via WorkTrack number,
 - ii. T2 and the T2 portion of concurrent cases to the appropriate PC paperless number, and closes the case in ENM.
- e. FO technicians effectuate the T16 decision.

NOTE: OHO/OAO will send the paper hearing folder (created by OHO) directly to the SSANRC, based on the final decision or action rendered, upon case completion.

2. FO to OAO

- a. Technicians send an email with the HA-520-U5 attached to the appropriate OAO mailbox to notify them that the case is in ENM ready to be worked and forward the paper folder to OAO.
- b. The email should inform of any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- c. Use the following directions and example:

To: | (b) (2)

CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. FO mailbox)</i>
Subject:	ACTION: Title (16 or Concurrent) Non-Medical Appeal
Body:	Please refer to the ENM case created for SSN xxx-xx-xxxx. Please return decision to WorkTrack number (xxx) xxx-xxxx.

- d. OAO establishes an electronic case in Appeals Reviews Processing System (ARPS).
 - i. OAO specialists adds additional exhibits as needed.
- e. OAO takes appropriate action by performing a case review, issuing an action, and updating ARPS.
- f. OAO communicates the action to the FO electronically and closes ARPS/ENM, as appropriate.
- g. OAO support staff sends:
 - i. T16 decision documents to local office via WorkTrack number,
 - ii. T2 and the T2 portion of concurrent cases to the appropriate PC paperless number, and closes the case in ENM.
- h. FO technicians effectuate the decision.

3. PC to OHO:

- a. Technicians set a PCACS diary/tickle for **180 days** to control for response from OHO.
- b. Technicians document Paperless and send ACR to FIN.
- c. Technicians send an email to the appropriate OHO mailbox once they have created the case, uploaded documents, and changed jurisdiction in ENM.
- d. The email should inform of any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- e. Use the following directions and example:
 - i. Send all OHO cases to the **local hearing office non-medical email address.**

To:	local hearing office non-medical email address
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. PC mailbox.)</i>
Subject:	ACTION: Title 2 Non-Medical Appeal
Body:	Please refer to the ENM case created for SSN xxx-xx-xxxx. Please return decision to Paperless number (xxx) xxx-xxxx.

- f. OHO establishes electronic case in CPMS.
- g. OHO takes appropriate action to exhibit the case folder.
 - i. ALJ holds a hearing, renders a decision, and updates CPMS/ENM.
- h. OHO communicates decision to the PC and closes CPMS/ENM, as appropriate.
 - i. OHO support staff sends T2 documents to corresponding PC paperless fax number.
- i. PC technicians effectuate the decision.

NOTE: PC MPA monitors the division mailbox for correspondence from OHO and FOs regarding public relations issues, request for summaries, updated queries, questionable CDRs or Manager to Manager (M2M) requests from other offices, and ensures clarification or development is completed within **five days** of receipt.

4. PC to OAO:

- a. Technicians set a PCACS diary/tickle for 180 days to control for response from OAO.
- b. Technicians document and send paperless ACR to FIN.

- c. Technicians send an email to the appropriate OAO mailbox with attached HA-520-U5 once they have created the case, uploaded documents, and changed jurisdiction in ENM.
- d. The email should inform of any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- e. Use the following directions and example:

To:	(b) (2)
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. PC mailbox.)</i>
Subject:	ACTION: Title 2 Non-Medical Appeal
Body:	Please refer to the ENM case created for SSN xxx-xx-xxxx. Please return decision to paperless number (xxx) xxx-xxxx.

NOTE: PC MPA will monitor the division mailbox for correspondence from OAO and FOs regarding public relations issues, request for summaries, updated queries, questionable CDRs or Manager-to-Manager (M2M) requests from other offices and ensure clarification or development is completed within **five days** of receipt.

G. How to Handle a Misrouted or Exception Cases

1. Title 2 Issue received in the FO

- a. Sending Appeal to OHO
 - i. Send an email to the appropriate HO with an explanation as to why you are referring the appeal to their office.
- b. Sending Request to PC
 - i. FO imports or desktop faxes the HA-501-U5 from WorkTrack into Paperless using the HA-501-U5 NONDIB-ALJ Hearing Req (NON-DIB) barcode within 5 days of receipt.
 - ii. If a paper folder exists, FO mails the paper folder to the jurisdictional PC under Form SSA-409.

NOTE: Exceptions outlined in GN 03103.080A.2 should still apply. Paper folder should be retained in the PC as the official folder of record.

2. Disability/Medical or SSI Medical/non-medical Issue Received in the PC

a. Hearing request (HA-501-U5):

- i. Desktop fax the HA-501-U5 appeal to the appropriate FO WorkTrack number with an explanation as to why you are referring the appeal to their office.
- ii. Transfer any MCS segments to the FO with remarks that the HA-501-U5 has been uploaded in ENM for a medical determination and an email has been sent to OHO for case processing.
- iii. Annotate the paperless ACR with the reason that this request was sent to the FO and send the ACR to FIN.

b. Appeals Council request (HA-520-U5):

- i. Prepare an MDW to the appropriate FO with an explanation as to why you are referring the appeal to their office.
- ii. Transfer any MCS segments to the FO with remarks to forward the Request for Review to OAO for a medical determination.
- iii. Upload documents into NDRed and/or in eView for disability appeals.
- iv. Annotate the paperless ACR with the reason the case is not a non-medical hearing case, and send the ACR to FIN.

3. Processing Exceptions received in the PC

Staff should immediately send all PC processing exceptions such as: substantial gainful activity (SGA), res judicata, work issue continuing disability review (Work CDR), rep payee misuse, Benefit Offset National Demonstration (BOND) overpayments and administrative sanctions to OHO with an explanation as follows:

a. For OHO

- i. Send all OHO cases to the [local hearing office non-medical email address](#)
- v. The email should inform of any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- vi. Use the following directions and example:

To:	local hearing office non-medical email address
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. FO mailbox or PC mailbox.)</i>
Subject:	ACTION: Title (2) Non-Medical Appeal Exclusion
Body:	The following SSA-501 Hearing Requests is an exclusion to the PC process.

a. For OAO

- i. Send OAO cases to DCARO as follows:

To:	(b) (2)
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. FO mailbox or PC mailbox.)</i>
Subject:	ACTION: Title (2) Non-Medical Appeal Exclusion
Body:	The following Request for Review is an exclusion to the PC process.

4. Medicare Issue Received in the FO or PC

a. FOR OHO:

- i. Email Medicare issues to the Southeastern Program Service Center (SEPC) as follows:

To:	(b) (2)
CC:	<Division Mailbox> <i>(Refers to sender's site location email address, i.e. FO mailbox or PC mailbox.)</i>
Subject:	ACTION: I&E Non-Medical Medicare Appeal
Body:	The following SSA-501 Hearing Request involves Medicare.

- ii. SEPC should process per above instructions.

b. FOR OAO:

- i. Email Medicare issues to the SEPC as follows:

To:	(b) (2)
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CC:	<Division Mailbox> <i>(Refers to sender's site location email address, i.e. FO mailbox or PC mailbox.)</i>
Subject:	ACTION: I&E Non-Medical Medicare Appeal
Body:	The following Request for Review involves Medicare.

- ii. SEPC should process per above instructions.

5. Questionable CDR Received in the PC

- a. PC Technicians review pertinent documents and determine whether questionable CDR involves applicability of administrative finality or CDRs in which suspense months do not match cessation documents.
- b. Annotate the ACR and email the MSS to request input from the Reconsideration Disability Examiner (REDE).
- c. The MSS contacts DEU management for assignment of the case to an REDE for completion within **10 days**.
- d. The REDE prepares a CDR determination for the eNDSS summary.
- e. The REDE contacts the DEU manager or MSS who will send the case to the technician who requested REDE review.
- f. PC Technician continues preparing the electronic non-medical documentation.

6. BOND Cases

- a. OHO and OAO will process BOND cases in accordance with the usual rules and regulations that govern non-medial hearing requests.
- b. FO/PC technicians should inform OHO/OAO that BOND is involved in the initial email.

H. Troubleshooting

1. If user receives an ERE upload failure

- a. Attempt upload again after an hour.
- b. Refer issue to Regional Office (RO) support staff or PC Operations Analysis (OA) staff.
- c. If the problem persists after 72 hours, RO or PC technical staff should submit a CAPRS to 424

2. If a user cannot access the upload feature/button

- a. Contact security officer for permission.
- b. If the problem persists, security officer should send a CAPRS.

Closing paragraph:

Direct all program-related and technical questions to your Regional Office (RO) support staff or PC Operations Analysis (OA) staff. RO support staff or PC OA staff may refer questions, concerns or problems to their Central Office contacts.

Reference:

[GN 00301.322](#) Retention of Paper Material after Faxing into Either the eDIB Folder or Claims Folder using NDRed

[GN 03103.020](#) HA-501-U5 (Request for Hearing by Administrative Law Judge)

[GN 03103.080](#) Forwarding the Form HA-501-U5 (Request for Hearing by Administrative Law Judge) and Folder to the Servicing Hearing Office

[SI 04030.030](#) Title XVI Instructions for Forwarding the Form HA-501-U5 (Request for Hearing by Administrative Law Judge) and Folder to the Servicing Hearing Office

[GN 03103.090](#) Hearing Request Filed Somewhere Other Than the Servicing Field Office (FO)

[GN 03101.150](#) Medicare Entitlement Appeals

eNDSS Processing Instructions for Non-Medical Appeals

(b) (7)(E)

Saving Non-Medical Appeals to PDF Guide

(b) (7)(E)

eNDSS Processing Guide - (b) (2)

Claims File User Interface (CFUI) - (b) (2)