

EM - Emergency Message

Effective Date: 06/21/2021

Identification

Number: EM-21000 SEN REV 3

Intended All

Audience: 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 the Electronic Non-Medical (ENM) application's Create, Upload, and Transfer of Jurisdiction Functionality

Type: EM - Emergency Messages

Program: All Programs

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

SENSITIVE - NOT TO BE SHARED WITH THE PUBLIC

Retention Date: December 15, 2021

Summary of Changes

This EM replaces the prior version, published on March 25, 2021.

This update:

Revises Section D:

- Adds a note to clarify the requirement to add an(?) electronic Non-Disability Summary Sheet (eNDSS).

Revises Section E:

- Adds instructions for the Processing Center (PC) to contact OAS staff to create a CAPRS ticket.

Revises Section F:

- Revises the instructions to route all OHO non-medical appeals to the Special Review Cadre (SRC) and provides instructions about the routing of Class Action cases to the local jurisdictional OHO location.

Revises Section G

- Revises the instructions to send all OHO cases to SRC, except Class Action cases
- Clarifies instructions about processing Misrouted and Exception cases.

This EM replaces routing instructions released on March 25,

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 PCs. These instructions will ensure the proper transfer of cases to the appropriate appeals site based on the receipt date of the appeal, from the earliest to the most recent case. These interim instructions will remain in effect until further notice.

B. Background

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

On September 21, 2020, we 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 gained the abilities to create, edit, and change the case jurisdiction in ENM for NMAs. Technicians will use the instructions in sections C – H of this EM to process NMAs. The instructions in this EM direct technicians to create ENM cases, upload the documents into the ENM application, and change the jurisdiction to OHO/OAO for processing.

Effective with the publication date of these instructions, technicians will route all non-medical T2 and T16 cases to OHO’s Special Review Cadre (SRC) and all Class Action cases will continue to be routed to the local jurisdictional OHO location.

C. Non-Medical case handling and processing

When the FO or PC receives an appeal, technicians begin the appeal process by loading the appeal into the proper system:

MCS (T2), SSI Claims System (T16), Direct SSR Update (T16), Debt Management System (DMS), and Modernized Development Worksheet (MDW).

Technicians electronically transfer NMAs 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 claims

NOTE: For any case older than **180 days**, technicians will confirm key information in the folder prior to electronically transferring the case 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.

Do not destroy the OHO folders created from the ENM application. These folders **will constitute the official paper record**. OHO staff will be responsible for creating the NMA claims folder and forwarding it to the appropriate location (e.g., SSA National Records Center (SSANRC), jurisdictional FO/PC site, or OAO). OHO staff will share all decisions electronically through WorkTrack or Paperless, depending on the claim type (e.g., Title II, Title XVI, or concurrent).

At this time, FO/PC employees WILL NOT FORWARD any paper folders to OHO due to limited staffing in the site locations. FO/PC employees will continue sending these cases electronically using the ENM application. However, FO/PC employees should send a paper folder to OAO if they receive a HA-520-U5.

D. Electronic File Information (Types of documents to include 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/HA-520-U5 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 will prepare a completed electronic Non-Disability Summary Sheet ([eNDSS](#)) with queries and a summary, save the eNDSS report as a PDF file and upload the eNDSS document into ENM. See the guide in the attachments section below.

NOTE: Title 2 exceptions cases described in GN 03103.080A.2 processed by the FO, do not require an eNDSS report be completed by the FO technician. For exceptions, forward the existing paper folder to the PC, which PC will retain as the official folder of record. The PC technician will complete the creation and upload process of the eNDSS document.

E. ENM Case Creation and Upload Instructions

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

a. To access ENM, FO/PC technicians will access the SSA Web Application Index

page at

(b) (7)(E),
search for the

“Electronic Non-Medical (ENM)” section and choose the “ENM Production” link

(b) (7)(E)

b. The FO/PC technician will create 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 Title 2 auxiliary minor child cases, choose the claim type that corresponds with the number holder’s benefit type, such as RSHI or DIB.

c. The FO/PC technician will upload all appeal documents from any SSA repository (see Section D.1) into ENM.

d. The FO/PC technician will ensure the uploaded documentation is viewable in ENM.

e. The FO/PC technician will change jurisdiction of the case in ENM to the appropriate OHO or OAO office.

f. The FO/PC technician will send an email to the applicable OHO or OAO mailbox to notify that office 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)

[Electronic Non Medical.pdf](#)

NOTE: Technicians will wait at least 24 hours to ensure that the documents are visible before changing jurisdiction to the SRC, local OHO location, or OAO. 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 Site LAN Coordinator (SLC) for guidance. If the documents are not visible within 72 hours of upload activity, FO technicians will take the necessary steps to create a CAPRS ticket by contacting Regional contacts via vHelp. PC technicians should contact OAS staff before creating a CAPRS ticket.

F. Case Handling and Routing Instructions

1. FO to OHO

- a. Send all SSI and Title 2 cases, excluding Class Action cases, pending in FO to the SRC, office code 5ZU. Local OHO Office information for routing of Class Action cases, including office codes and ENM mailboxes, can be found here, [Electronic Non Medical Desk Guides - OHO \(ssa.gov\)](http://ssa.gov).
- b. Technicians will send an email to (b) (2) to notify the SRC that they have created the case, uploaded documents, and changed jurisdiction in ENM. Technicians should send an email to the appropriate local OHO Office mailbox (located [here](#)) for Class Action cases.
- c. Include in the email to OHO any applicable special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- d. Use the email address shown in the following example:

To:	(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, 2 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.

- e. OHO will establish an electronic case in the Case Processing Management System (CPMS)
- f. OHO will work up the case and takes appropriate action (ALJ holds hearing, renders a decision, and updates CPMS/ENM).
- g. OHO support staff will send:
 - a. Title 16 decision documents to local office via the WorkTrack number,
 - b. Title 2 and the Title 2 portion of concurrent cases to the appropriate PC paperless number, and close the case in ENM.
- h. FO technicians effectuate the Title 16 decision.

NOTE: FO/PC technicians will route all Non-Medical Appeals, **excluding Class Action cases**, to the SRC. Please use the OHO office code of 5ZU. On the SSI Claims System AJAS page, Jurisdiction and Status use 5ZU when referring to another office for the final decision. Refer to MS 04420.023 Jurisdiction and Status (AJAS) for additional information and guidance. On the MCS CMWM page, Claim Movement/WMS Clearance screen, use 5ZU as the office to which you are transferring the appeal. Refer to MS 03520.003 Claim Movement/WMS Clearance (CMWM) for additional instruction and guidance.

OHO 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 will send an email with the HA-520-U5 attached to the appropriate OAO mailbox to notify them the case is in ENM and ready to be worked. Forward the paper folder to OAO (if available), upon request.
- b. Include in the email to OAO any applicable special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- c. Use the email address shown in the following example:

To:	(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.

- d. OAO will establish an electronic case in Appeals Reviews Processing System (ARPS).
 - i. OAO staff may add any additional evidence received from the claimant, if the claimant submitted evidence meets special evidentiary requirements.
- e. OAO will take appropriate action by performing a case review, issuing an action document (e.g., a notice denying review), and updating ARPS.

- f. OAO will communicate its final action to the FO/PC electronically via Paperless (Title 2) and WorkTrack (Title 16) and closes ARPS/ENM, as appropriate.
- g. OAO support staff will send:
 - i. Title 16 decision documents to local office via WorkTrack number,
 - ii. Title 2 and the Title 2 portion of concurrent cases to the appropriate PC paperless number, and close the case in ENM.
- h. If the Appeals Council issues a decision, FO technicians will effectuate it.

3. PC to OHO

- a. Technicians will set a PCACS diary/tickle for **180 days** to control for a response from OHO.
- b. Technicians will document Paperless and send ACR to FIN.
- c. Technicians will send an email to (b) (2) to notify the SRC, office code 5ZU, that they have created the case, uploaded documents, and changed jurisdiction in ENM. Technicians should send an email to the appropriate local OHO Office mailbox (located [here](#)) for Class Action cases.
- d. Include in the email to OHO any applicable special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- e. Use the email address shown in the following example:

To:	(b) (2)
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. PC mailbox.); Sender's email address</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 will establish an electronic case in CPMS.
- g. OHO will take appropriate action to exhibit the case folder.
 - i. As appropriate, an ALJ will hold a hearing, render a decision, and update CPMS/ENM.
- h. OHO will communicate its decision to the PC and close

CPMS/ENM, as appropriate.

- i. OHO support staff will send Title 2 documents to the corresponding PC paperless fax number.
- i. PC technicians will effectuate the decision.

4. PC to OAO

- a. Technicians will set a PCACS diary/tickle for 180 days to control for a response from OAO.
- b. Technicians will document and send paperless ACR to FIN.
- c. Technicians will send an email to the appropriate OAO mailbox and attach the form HA-520-U5 once they have created the case, uploaded documents, and changed jurisdiction in ENM.
- d. Include in the email to OAO any applicable special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- e. Use the email address shown in the following example:

To:	(b) (2)
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. PC mailbox.); Sender's email address</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. OAO will establishes an electronic case in ARPS.
- g. OAO will takes appropriate actions to perform a case review, issue an action document, and update ARPS.
- h. OAO will communicate decision to the PC and close ARPS/ENM, as appropriate.
- i. If the Appeals Council issues a decision, PC technicians will effectuate it.

G. How to Handle Misrouted or Exception Cases

1. Title 2 Issue received in the FO

- a. Staff should immediately send all Title 2 cases

that are not processing exceptions to the SRC.

- i. Send an email to (b) (2) [redacted]. The email to OHO should include any applicable special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- ii. Use the email address shown in the following directions and example:

To:	(b) (2) [redacted]
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. FO mailbox or PC mailbox.); Sender's email address.)</i>
Subject:	ACTION: Title (2) Non-Medical Appeal
Body:	The following SSA-501 Hearing Requests was received in FO and is being forwarded to PC to process. Please contact PC (office code) for necessary documents. The SRC will receive the case information in ENM from the PC.

b. Sending Request to PC

- i. Within 5 days of receipt, the FO will import or desktop fax the HA-501-U5 from WorkTrack into Paperless using the HA-501-U5 NONDIB-ALJ Hearing Req (NON-DIB) barcode.
- ii. If a paper folder exists, the FO will mail the paper folder to the jurisdictional PC using Form SSA-409.

NOTE: Exceptions outlined in GN 03103.080A.2 still apply. We will retain the paper folder 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.
- 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 appropriate action.
- 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 must immediately send all PC processing exceptions, such as substantial gainful activity (SGA), res judicata, work issue continuing disability review (Work continuing disability review (CDR)), representative payee misuse, Benefit Offset National Demonstration (BOND) overpayments, and administrative sanctions, to OHO or OAO as follows:

a. For OHO

- v. Send all OHO cases to the SRC at (b) (2) [redacted]. In the email, include any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND etc.
- vi. Use the email address shown in the following examples:

To:	(b) (2) [redacted]
CC:	<Division Mailbox> <i>(Refers to Sender's site location email address, i.e. FO mailbox or PC mailbox.); Sender's email address</i>
Subject:	ACTION: Title (2) Non-Medical Appeal Exclusion
Body:	The following SSA-501 Hearing Requests is an exclusion to the PC process. Please contact FO (office code) for necessary documents.

a. For OAO

- i. Send all OAO cases to (b) (2) [redacted]
- ii. The email should include any special case characteristics such as multiple appeals issues, dual entitlement, auxiliary case, BOND, etc.
- iii. 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 or PC mailbox.); Sender's email address</i>
Subject:	ACTION: Title (2) Non-Medical Appeal Exclusion
Body:	The following Request for Review is an exclusion to the PC process. Please contact FO (office code) for necessary documents.

4. Medicare Issue Received in the FO or PC

a. For cases pending at 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.); Sender's email address</i>
Subject:	ACTION: I&E Non-Medical Medicare Appeal
Body:	The following SSA-501 Hearing Request involves Medicare.

- ii. SEPC will process per above instructions in Section G.3.

b. For cases pending at OAO

- i. Email Medicare issues to the 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.); Sender's email address</i>
Subject:	ACTION: I&E Non-Medical Medicare Appeal
Body:	The following Request for Review involves Medicare.

- ii. SEPC will process per above instructions

in Section G.3.

5. Questionable CDR Received in the PC

- a. PC Technicians will review pertinent documents and determine whether a questionable CDR involves applicability of administrative finality or CDRs in which suspense months do not match cessation documents.
- b. PC Technicians will annotate the ACR and email the MSS to request input from the Reconsideration Disability Examiner (REDE).
- c. The MSS will contact 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. The PC Technician will continue 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 will inform OHO or OAO that BOND is involved in the initial email.

H. Troubleshooting

1. If user receives an ERE upload failure notification

- a. Attempt the upload again after one hour.
- b. Refer the 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 will submit a CAPRS ticket to 424.

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

- a. Contact the appropriate security officer for permission.
- b. If the problem persists, the security officer will submit a CAPRS ticket.

I. Closing

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.

References

[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)

[eNDSS GUIDE.pdf](#)

Saving Non-Medical Appeals to PDF Guide

(b) (7)(E)

[Saving a Doc to PDF Guide.pdf](#)

eNDSS Processing Guide -

(b) (7)(E)

Claims File User Interface (CFUI) - (b) (7)(E)

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Link to this document:

(b) (7)(E)