

EM - Emergency Message

Effective Date: 08/23/2021

Identification Number: EM-21000 SEN REV 4
Intended Audience: 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 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: February 23, 2022

Summary of Changes

This EM replaces the prior version published on June 21, 2021.

This update:

Revises Section D:

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

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). 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 appeal filing date to the most recent appeal filing date. These interim instructions will remain active until further notice.

B. Background

Currently, the NMA process is a manual, paper-based 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 NMAs 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 Electronic Non-Medical (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 NMA. Technicians will use the instructions in sections C – H of this EM to process NMA. The instructions in this EM direct technicians to create ENM cases, upload the documents into the ENM application, and change 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) with the exception of Class Action cases. Class Action cases will continue to be routed to the local jurisdictional OHO location.

C. Non-Medical Case handling and processing

When an appeal is received, FO/PC 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 the non-medical appeals from *earliest appeal filing date to latest appeal filing date* in the following order of priority:

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

2. Title 2

NOTE: For any case older than **180 days**, technicians will 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 **are not to be destroyed and will be considered the official paper record.** OHO staff create the NMA claims folder and forward it to the appropriate location (e.g., SSA National Records Center (SSANRC), jurisdictional FO/PC site, or OAO). OHO will share all decisions electronically through WorkTrack or Paperless, dependent 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 a HA-520-U5 is received.

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 prepare a completed [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: T2 exceptions cases described in GN 03103.080A.2 and processed by the FO, do not require the FO technician to complete an eNDSS report. For exceptions, forward the existing paper folder to PC to be retained as the official folder of record.

E. ENM Case Creation and Upload Instructions

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

a. To access ENM, FO/PC technicians 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. 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 Number Holder'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 or OAO mailbox to notify those offices 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 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, the technician will send an email to (b) (2) as well as reach out to the 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 Operations Analysis Section (OAS) staff before creating a CAPRS ticket.

F. Case Handling and Routing Instructions

1. FO to OHO

- a. Technicians send all SSI and T2 cases, excluding Class Action cases, pending in FO to the SRC, office code 5ZU. Local OHO Office information for routing of Class Action cases can be found here, [Electronic Non Medical Desk Guides - OHO \(ssa.gov\)](#).
- b. Technicians send an email to (b) (2) to notify OHO that they have created the case, uploaded documents, and changed jurisdiction in ENM.
- c. In the email to OHO, include 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 establishes an electronic case in the Case Processing Management System (CPMS)

f. OHO works up the case and takes appropriate action (an administrative law judge (ALJ) holds hearing, renders a decision, and updates CPMS/ENM).

g. OHO support staff sends:

- a. T16 decision documents to local office via WorkTrack number,
- b. 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 T16 decision.

NOTE: All Non-Medical Appeals, excluding Class Action cases, will be routed 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 you are transferring the appeal to. 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 send an email with the HA-520-U5 attached to OAO (b) (2) to notify them the case is in ENM and ready to be worked. Forward the paper folder to OAO (if available), upon request.
- b. In the email to OAO, include 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 establishes a case in the Appeals Reviews Processing System (ARPS).
 - i. OAO staff may add any additional evidence received from the claimants, if the claimant submitted evidence meets the requirements for additional evidence.
- e. OAO takes appropriate action by performing a case review, issuing an action, and updating ARPS.
- f. OAO communicates its final action to the FO/PC electronically via Paperless (T2) and WorkTrack (T16) 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 (b) (2) once they have created the case, uploaded documents, and changed jurisdiction in ENM.
- d. In the email to OHO, include 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 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.

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 OAO at (b) (2) with attached HA-520-U5 once they have created the case, uploaded documents, and changed jurisdiction in ENM.
- d. In the email, inform OAO of 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 establishes a case in ARPS.
- g. OAO takes appropriate actions to perform case review, issues an action and updates ARPS.
- h. OAO communicates decision to the PC and closes ARPS/ENM, as appropriate.
- i. PC technicians effectuate the AC's decision.

G. How to Handle Misrouted or Exception Cases

1. Title 2 Issue received in the FO

- a. Staff will immediately send all T2 cases that are not processing exceptions to the SRC.
 - i. Send an email to (b) (2). 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) |
| 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. 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 using Form SSA-409.

NOTE: Exceptions outlined in GN 03103.080A.2 still apply. Paper folder is 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.
- 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 must immediately send all PC processing exceptions such as substantial gainful activity (SGA), res judicata, work issue continuing disability review (Work 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) . 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) |
| 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)

ii. In the email, 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 (SEPSC) 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 SEPSC 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 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. 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 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 upload again after an hour.
- b. If unsuccessful, 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 submit a CAPRS ticket 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 submits a CAPRS.

I. Closing

Direct all program-related and technical questions to your 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)

[eNDSS Processing Instructions for Non-Medical Appeals.pdf](#)

Saving Non-Medical Appeals to PDF Guide

(b) (7)(E)

[Saving Non-Medical Appeals 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)