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## **SOCIAL SECURITY DISABILITY - RECENT DEVELOPMENTS**

1. **SSR 11-1p**
  - You can appeal or file a new claim, but not both
  - Res Judicata
  - DLI
2. **Appeals Council Form Letter Denials**
  - We denied your appeal, but we don't have to tell you why or even show that we even considered what you had to say
3. **Secret ALJ Policy**
  - Why would you ever want to know who the judge is going to be unless you are planning to try to avoid him or her?
4. **Video Hearings. National Hearing Center**
  - Videos have higher denial rates
5. **Focus on "Outlying" ALJs**
6. **Skipping Step 4 (Can you do past relevant work)**
  - Sets you up to be denied at step 4 on an appeal
7. **Listing 12.05 - Focus on Adaptive Functioning**
  - driver's license, marriage, special education

**8. Vocational Experts - 20% Loss of Productivity**

- Suddenly, they all say the same thing and they look like they are reading from a script

**9. Proposed Elimination of Treating Physician Rule**

- Far and away, the most serious threat to claimants
- Outdated "Acceptable Medical Source" Rule already used to not give controlling weight to opinions from CRNP's and PA's

**The Bottom Line:**

***You absolutely need representation at the outset by an experienced and vigorous attorney who is willing to go to Federal Court if necessary.***