

The Continuing Education (CE) Activity for Non-Attorney Representatives Course Summary

Course Title: Submission of Evidence and Representative Referrals

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Presentation Length: 24 minutes 51 seconds

Summary

This course provides continuing education to eligible for direct payment non-attorney (EDPNA) representatives on their roles and responsibilities in submission of evidence.

Objectives

Understand how the agency's final rule, "Submission of Evidence in Disability Claims," which became effective on April 20, 2015, effects your role as a representative.

Key Points

- Each claimant must inform the agency about or submit all evidence known to him or her that relates to whether or not he or she is blind or disabled.
- A representative has an affirmative duty to assist in developing written evidence.
- When a claimant, or representative, submits evidence received from another source, he or she generally must submit that evidence in its entirety.
- There are two narrow exceptions to the submission of evidence rule: attorney-client privilege and attorney work-product protection.
- SSA also assists claimants in developing written evidence.
- Failure to comply with rules for submission of evidence or the rules of conduct and standards of responsibility for representatives may result in sanctions by the agency.

References

- **Code of Federal Regulations (CFR):**
 - [20 CFR 404.935](#). Submitting written evidence to an administrative law judge.
 - [20 CFR 404.970](#). Cases the Appeals Council will review.
 - [20 CFR 404.1512](#). Responsibility for evidence.
 - [20 CFR 404.1513](#). Categories of evidence.
 - [20 CFR 404.1740](#). Rules of conduct and standards of responsibility for representatives.
- **Federal Register:**
 - [80 FR 14828](#) Submission of Evidence in Disability Claims
 - [82 FR 46339](#) Social Security Ruling, SSR 17-4p; Titles II and XVI: Responsibility for Developing Written Evidence
- **Social Security Ruling (SSR):**
 - [SSR 17-4p](#): Titles II and XVI: Responsibility for Developing Written Evidence

- **Program Operation Manual System (POMS):**
 - [DI 22501.002](#) Responsibilities for Case Development of Disability Claims
 - [DI 22505.001](#) Medical and Nonmedical Evidence
 - [DI 24503.001](#) Evaluating Evidence - Basic Policy
 - [DI 24503.005](#) Categories of Evidence
 - [GN 03970.010](#) Rules of Conduct and Standards of Responsibility for Representatives