Whereas the NPRM described a disability specialist and a decisionmaker at claims intake who could perform these functions, the final rules now have a disability claim manager model and a single decisionmaker model. The disability claim manager will assume primary responsibility for the processing of any initial disability claim, and he or she will act as the focal point for the claimant's contacts with us throughout the claims intake process and until an initial determination is issued. The disability claim manager will perform many of the functions associated with a disability specialist, but will also perform other functions. A disability claim manager will provide the claimant with an explanation of the disability programs, including the definition of disability and how we determine whether or not the claimant meets the other requirements for entitlement to disability benefits. The disability claim manager will also explain what the claimant will be asked to do throughout the initial claims process and provide information that will assist the claimant in pursuing his or her claim. When tested in combination with the single decisionmaker model, the disability claim manager will also be the decisionmaker, similar to the decisionmaker in the claims intake and determination model described in the NPRM.

The disability claim manager may work in a team environment with medical consultants who provide assistance for case adjudication, as well as with technical and other clerical personnel who may handle other aspects of case development and payment effectuation. Each team member will have a familiarity with all the steps in the process and an understanding of how he or she assists another's efforts. Team members will be able to draw upon each other's expertise on complex issues. We expect that this team environment, combined with the proper training, program tools and technological support, will eventually enable one individual to handle the responsibilities of the disability claim manager. This individual may be either a Federal employee or a State agency employee. An individual employee serving as the disability claim manager is basic to our objective of providing a single point of contact for the claimant during the initial disability process.

In the near term, it may be necessary to have the duties of a disability claim manager carried out by more than one individual and, therefore, to expand the "disability team" described above to include additional employees. The final

rules will allow us to test the disability claim manager function performed by one individual or a team of individuals. If the disability claim manager model is being tested in combination with the single decisionmaker model (i.e., the disability claim manager would be the single decisionmaker for both the medical and nonmedical aspects of the claim), and a State agency employee is performing the duties of the disability claim manager, the ultimate determination of whether or not the claimant is entitled to benefits will be made by a team that includes a Federal employee. This procedure is in accordance with current provisions of the Act which authorize State agency employees only to make determinations of disability and not determinations of entitlement to benefits based on disability.

The disability models proposed in the NPRM were designed only to modify those aspects of the disability determination process based upon the medical factors of entitlement. That is why, for example, the face-to-face predenial interview model proposed in the NPRM only provided for direct appeal of disability issues to the ALJ. Since then, we have decided to test ways to improve both the disability and nondisability aspects of the disability determination process. The face-to-face predenial interview model with limited direct appeal rights to the ALJ has been changed in the final rules to a less formal predecision interview model. As some commenters suggested, the predecision interview model does not place conditions on a claimant's appeal rights. It still provides, however, the claimant with the opportunity for an interview with the decisionmaker(s) before an initial determination denying the claim is made or when the evidence is insufficient to make a fully favorable determination. The decisionmaker(s) who will conduct the interview has the discretion to determine which method of interview (face-to-face, videoconferencing, or telephone) is most appropriate for each claimant's special needs. The reconsideration elimination model has also been modified to allow appeal to an administrative law judge if the claimant is dissatisfied with the initial determination made in his or her claim, based upon either disability or nondisability factors.

Finally, we decided not to test the face-to-face Federal reconsideration model described in the NPRM because its primary benefit, namely, an earlier opportunity to appear before a Federal decisionmaker is now contained within the single decisionmaker model.

These regulations provide the authority to test major elements of our Disability Redesign Plan. However, there are elements of the Redesign not referenced in these final regulations. There are two principal reasons why elements are omitted. First, we do not need regulatory authority to test or implement many aspects of the Redesign (e.g., improved public information materials or more efficient ways of working with applicants to obtain medical evidence). Second, some elements of the Redesign were not referenced in the NPRM, since the Redesign was developed subsequent to issuance of the NPRM. Therefore, separate regulations will be needed for those elements which are beyond the scope of the original rulemaking.

For example, separate regulations are required to establish the position of an adjudication officer who is authorized to issue some disability decisions. Current implementation planning for the Disability Redesign includes the development of regulations to test the adjudication officer element in the Redesign. We plan to test the adjudication officer in combination with one or more of the models included in these regulations as well as other aspects of the Redesign in some test sites. This will provide us with a body of information about each individual part of the Redesign as well as the combined effect on individuals and on program expenditures of the overall Redesign.

Public Comments

We received comments on the NPRM from twenty-one commenters. The commenters included attorneys, medical professionals, advocates, State agency employees and Federal employees, and representatives of numerous organizations that represent the disabled. We received no comments from persons receiving benefits based on disability. Many commenters supported and applauded us for undertaking tests of models that modify the disability determination process. These commenters included the ARC (formerly known as the Association for Retarded Citizens of the United States); the American Academy of Pediatrics; the American Foundation for the Blind; the United Cerebral Palsy Associations; the Administrative Conference of the United States; the Council for Exceptional Children; and the National Council on Disability. Some of the comments we received were outside the scope of the proposed rules, and therefore, have not been addressed. The substantive comments made by the