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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 92 LCM-72

Date: April 30, 1992

Division: Office of the
Commissioner

TO: Local District Commissioners

SUBJECT: Stieberger Class Action
Lawsuit Settlement
Outreach Posters

ATTACHMENTS: 4 Posters, English
4 Posters, Spanish
(not available on line)

Enclosed are several posters in English and in Spanish regarding the Stieberger v. Sullivan lawsuit settlement. Please post these prominently.

The purpose of the poster is to advise New York State residents who were denied or found no longer entitled to disability benefits between October 1, 1981, and October 17, 1985; and people who were denied or found no longer entitled to disability benefits after a hearing before an administrative law judge between October 18, 1985, and the date ten days after the Court approves the settlement; of the main terms of the proposed settlement and of their right to comment in writing by May 29, 1992.

At the center of the Court's decision is an injunction barring the Social Security Administration (SSA) from following its policy of "non-aquiescence" -- an administrative practice of not following Circuit Court decisions -- that forces many denied claimants to pursue their appeals to higher courts. Under the proposed settlement, SSA would instruct its employees to apply certain court decisions to all claims by New York residents. One such decision elevated the degree of weight to be given to evidence submitted by treating physicians in support of the disability claims of their patients. This and other main terms of the settlement are described in the lengthy text of the poster.

Date April 30, 1992

Trans. No. 92 LCM-72

Page No. 2

A full explanation of the impact and ramifications of this settlement will be sent to the local commissioners as soon as it becomes available.

Should you have any questions regarding this memorandum, please contact Lloyd D. Moses, Associate Commissioner of the Office of Disability Determinations at (518) 473-0070.

Gregory M. Kaladjian
Executive Deputy Commissioner