

## § 416.1002

## 20 CFR Ch. III (4-1-01 Edition)

the Commissioner and the States covered in detail in other sections.

(b) Sections 416.1010 through 416.1018 describe the Commissioner's and the State's responsibilities in performing the disability determination function.

(c) Sections 416.1020 through 416.1033 describe the administrative responsibilities and requirements of the States. The corresponding role of the Commissioner is also set out.

(d) Sections 416.1040 through 416.1050 describe the performance accuracy and processing time standards for measuring State agency performance.

(e) Sections 416.1060 through 416.1061 describe when and what kind of assistance the Commissioner will provide State agencies to help them improve performance.

(f) Sections 416.1070 through 416.1075 describe the level of performance below which the Commissioner will consider a State agency to be substantially failing to make disability determinations consistent with the regulations and other written guidelines and the resulting action the Commissioner will take.

(g) Sections 416.1080 through 416.1083 describe the rules for resolving disputes concerning fiscal issues and providing hearings when we propose to find that a State is in substantial failure.

(h) Sections 416.1090 through 416.1094 describe when and what action the Commissioner will take and what action the State will be expected to take if the Commissioner assumes the disability determination function from a State agency.

[46 FR 29211, May 29, 1981, as amended at 62 FR 38454, July 18, 1997]

### § 416.1002 Definitions.

For purposes of this subpart:

*Act* means the Social Security Act, as amended.

*Class or classes of cases* means the categories into which disability claims are divided according to their characteristics.

*Commissioner* means the Commissioner of Social Security or his or her authorized designee.

*Determination of disability or disability determination* means one or more of the following decisions:

(a) Whether or not a person is under a disability;

(b) The date a person's disability began; or

(c) The date a person's disability ended.

*Disability* means *disability* or *blindness* as defined in sections 1614(a) (2) and (3) of the Act.

*Disability determination function* means making determinations as to disability or blindness and carrying out related administrative and other responsibilities.

*Disability program* means the Federal program for providing supplemental security income benefits for the blind and disabled under title XVI of the Act, as amended.

*Initial* means the first level of disability or blindness adjudication.

*Other written guidelines* means written issuances such as Social Security Rulings and memoranda by the Commissioner of Social Security, the Deputy Commissioner for Programs and Policy, or the Associate Commissioner for Disability and the procedures, guides, and operating instructions in the Disability Insurance sections of the Program Operations Manual System that are instructive, interpretive, clarifying, and/or administrative and not designated as advisory or discretionary. The purpose of including the foregoing material in the definition is to assure uniform national application of program standards and service delivery to the public.

*Regulations* means regulations in this subpart issued under sections 1102, 1631(c) and 1633(a) of the Act, unless otherwise indicated.

*State* means any of the 50 States of the United States and the District of Columbia. It includes the State agency.

*State agency* means that agency of a State which has been designated by the State to carry out the disability determination function.

*We, us, and our* refers to the Social Security Administration (SSA).

[46 FR 29211, May 29, 1981, as amended at 56 FR 11021, Mar. 14, 1991; 62 FR 38454, July 18, 1997]