

State of New Jersey
DEPARTMENT OF LABOR
DIVISION OF DISABILITY DETERMINATION SERVICES

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SSA-DISP

MEMORANDUM

DATE: April 22, 2003

TO: Commissioner of SSA

FROM: Alexander Balaban, Supervisor, V56, Unit20; 1-609-943-5819(tel.)

SUBJECT: Comment on Federal Register of 03/17; 20 CFR 404.1520(a) and 20
CFR 416.920(a)

Dear Commissioner of SSA:

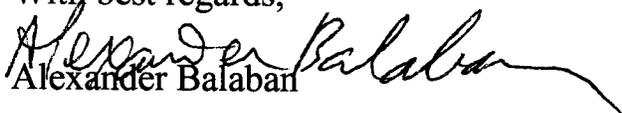
I would favor extending the current listings past 07/02/2003 Sunset date as the 12.00 and 112.00 listings are comprehensive in scope and provide an excellent objective basis for rating mental-related impairments.

Regarding revisions and/or additions to the current listings regime, I propose adding an additional basis category in Part B as a fifth factor in providing an opportunity for an allowance based upon meeting criteria for two factors in that Part along with meeting the criteria in Part A.

I propose adding the fifth factor: Treatment mode, (psychotherapy, change of prescribed medications, social worker-supervised programs) failure of at least 2 times in a 12 month period. My proposal indicates a claimant's inability to compensate for his/her psychopathology due to any cause in seeking/receiving treatment.

My proposal differs from the already established criteria: sustained episodes of decompensation. This fourth criteria of Part B does not imply treatment.

With best regards,


Alexander Balaban