



NOV 03 2014

## SOCIAL SECURITY

October 31, 2014

Mr. Ken Levine, Director  
Sunset Advisory Commission  
PO Box 13066  
Austin, Texas 78711

Dear Mr. Levine:

The following comments are offered in response to the Sunset Advisory Commission's Staff Report for the Health and Human Services Commission (HHSC) and System Issues.

As a stakeholder of the Texas Disability Determination Services (DDS), my role in the Social Security Administration (SSA) Dallas Regional Office as the Director in the Center for Disability is to provide operational leadership, resources, policy and program direction to the Texas (DARS) DDS on a regular and routine basis. The SSA fully funds the SSA-DDS program in Texas. There are no General Revenue funds in the SSA-DDS program. Ensuring SSAs Program Integrity is paramount when administering the DDS program. SSA requires all DDS employees, contactors, consultants and providers to comply with the regulations and laws related to administering the 100% federally funded program. SSA must at all times ensure the intent of the federal Social Security Act, specific to the state disability program, is executed in accordance with federal regulations and related policies.

The comments offered are to provide input related to the alignment and services expected by the SSA Center for Disability for the Texas DDS. If the intent of the Sunset Issues 1, 2, 7, 12 and 15 will impact the alignment and service delivery as administered and practiced today within the Texas DDS, we would oppose the recommendations. It is noted on page 39 of the report that "disability determination-federal" is confined within a separate box. This is commendable and necessary for the functionality of the program. However, if the intent is to include the SSA-DDS in any of the recommendations related to the issues identified above, this could be problematic. SSA funds the Texas DDS through a letter of credit, solely intended for carrying out the SSA disability determination functions pursuant to federal law. SSA-DDS personnel and program resources, along with SSA disability workloads are not interchangeable, nor can they be consolidated for any other purpose than that of performing medical determination for the SSA. The funding provided by the SSA includes processing the disability workload in Texas, all DDS staffing, all network and associated IT costs (all DDS employees work on the federal SSA secured network, not a state network), along with funding the building lease which occupies the employees of the Texas DDS in a secure location that follows SSA security and safety regulations. Every DDS employee is assigned secure access to the SSA network and all SSA-DDS claimant information is considered privileged and confidential and cannot be shared or used for any purpose external of the Texas DDS.

As the federal partner that fully funds the Texas DDS, we would be concerned with any efforts that would impede or modify the current business practices used in carrying out the SSA disability program. Anything that will impact SSA-DDS service delivery, SSA-DDS data exchanges, SSA-DDS claimant inquiries, SSA-DDS claimant medical information, SSA-DDS program policies which could compromise the intent of the SSA disability program, are opposed.

Thank you for the opportunity to provide input, if I may answer any questions please contact me.

Sincerely,



Irving Wilkerson  
Director, Center for Disability Dallas Regional Office