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The Role of Non-Attorney Representation in the SSDI Determination Process: A Case Study of One Prominent Intermediary

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Non-Attorney Representation in SSDI: Context

- SSDI application process is long and complex
 - Transaction costs affect participation (e.g., Armour 2018, Deshpande & Li 2018, Foote, Grosz & Rennane 2018)
- Representation very common for hearings and appeals
- Representation increasing at the initial stage (GAO 2014)
- 2011 reforms to ALJ trainings (Hoynes, Maestas & Strand 2018)
- Role of representation is not well understood

Non-Attorney Representation in SSDI: This Paper

Several important contributions:

- Description of the intermediary's objectives, role and screening process
- Obtain proprietary, administrative data on one intermediary's potential clients
- Data Analysis:
 - Who is eligible for, and who uses, non-attorney representation?
 - How do these applicants compare to the overall SSDI applicant pool?

Key Take-aways

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- Clients (of this intermediary) are older, have larger benefits, more likely to have musculoskeletal issues
 - How does the population compare with those served by other representatives?
- Most clients (of this intermediary) are also eligible for LTDI
 - Shifts in costs from private sector to public sector?
 - To what extent does employer facilitate application?
 - Autor, Duggan, Gruber (2014): 1/3 of civilian workers are eligible for LTD

A wish list..

- Would love to know more about :
 - Geography ?
 - LTDI from particular industries?
 - Firm size, age?
 - Only SSDI, or other benefits/services?
 - Advertising & outreach – with individuals or employers?
- Any sense on the number of other players in this space, and/or if they have similar clientele?

Ideas for the future

- LTDI implies this is likely a more affluent and potentially better educated sample. At the very least, better insured.
 - Anything we can imply to the broader SSDI population?
- Comparison to attorney representatives. Who chooses which type of representative, and when?
- Look at trends over time, across states, etc

Implications for applicants and policy

- What do applicants know about the cost & likelihood of success, and when do they know it?
 - Could have implications for the decision to hire, and more broadly, to apply
- What do we know about duration of application process?
- Shifting costs between private individuals, private sector and federal government (if mostly LTDI?)
 - Trade offs between benefits and costs to applicants, society