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

Transmittal No: 93 LCM-54

Date: May 21, 1993

Division: Office of Field  
Operations

TO: Local District Commissioners

SUBJECT: State of New York (SNY) v. Sullivan [Cardiac Case]  
Class Action

ATTACHMENTS: Stieberger Poster (Not available on-line)  
Sullivan Poster (Not available on-line)

The purpose of this letter is to transmit posters pertaining to both the Stieberger and Sullivan cases and to advise you that on May 17, 1993, the Social Security Administration (SSA) mailed approximately 300,000 notices to SNY v. Sullivan class members.

As part of the SNY v. Sullivan agreement, the class of individuals who will be entitled to a re-examination of claims consists of those:

- a. whose Social Security Disability Insurance Benefits (Title II) or Supplemental Security Income Benefits (SSI) based on disability were denied or ceased on or after June 1, 1990; and
- b. who have had cardiovascular impairment; and
- c. whose denial or cessation was based on evaluation that considered the results of a treadmill or other exercise test; and
- d. who resided in the State of New York at the time of the final decision by the Social Security Administration to deny the application or cease the benefits.

Class members will be notified that they must respond to this notice within 120 days from the date they received the notice in order for them to have the prior denial or termination decision reviewed by SSA.

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Past experience has shown that this type of mail-out will generate a large volume of inquiries to SSA, State and local social service districts and provider agencies. Any individual who received a SNY notice and contacts a social services district should be advised to complete the notice form and return it to SSA as soon as possible. Any questions about the SNY settlement in general or about an individual's particular status should be directed to SSA by visiting or telephoning the local Social Security office or by calling SSA's toll free number 1-800-772-1213. Additionally, any individual who has not received a notice but believes that he or she may be a SNY class member should contact SSA.

Additional details regarding the impact of the SNY class action settlement on the MA and PA programs will be forthcoming.

The enclosed posters outline pertinent details of the Stieberger and Sullivan class actions. These are to be displayed in your agency and elsewhere as appropriate.

If you have any questions regarding this information, please feel free to call Thomas Malvey, Office of Disability Determinations, extension 3-7144 (Userid AY2530), Abe Anolik, Economic Security at 1-800-342-3715, extension 4-7218 (Userid AX0400) or Barbara Barnes, Health and Long Term Care, extension 3-5500 (Userid AX0960).

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William Gould  
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