



## SOCIAL SECURITY ADMINISTRATION

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Refer To:

**Beneficiary/Recipient Name**

Social Security Administration  
Office of Hearings Operations  
Special Review Cadre  
1718 Woodlawn Drive  
Woodlawn, MD 21207

Tel: (844) 698-1703

Fax: (833)516-0392

Date:

**Representative or Beneficiary Name**

**Appropriate Address**

### Notice of Redetermination

As explained below, I carefully reviewed the facts of your case and the prior allowance of benefits made on [*Award Date*].

#### **Why Your Case Was Reviewed**

Under section 205(u) of the Social Security Act, the Social Security Administration (SSA) must redetermine an individual's entitlement to disability benefits when there is reason to believe fraud or similar fault was involved in that individual's application for benefits.

The New York County District Attorney's Office (DA) and SSA's Office of the Inspector General conducted an extensive criminal investigation that resulted in the criminal indictment and conviction of four principal facilitators. Raymond Lavalley, Thomas Hale, Joseph Esposito, and John Minerva pleaded guilty to directing and assisting numerous individuals in creating and submitting fraudulent Social Security Disability Insurance applications from at least January 1, 1988 through December 18, 2013. The four principal facilitators named above directed and assisted numerous individuals on how to present false mental impairments and respond to agency questions or examinations in order to obtain benefits based on a mental impairment. The DA also identified psychiatrists Edward Sodaro, M.D., and Raymond Pierre-Paul, M.D., as participants in the fraudulent scheme. Numerous individuals have also been indicted and convicted in connection with the DA's investigation.

In a February 25, 2014 referral letter, the DA outlined the facilitators' coordinated scheme "to fabricate a psychiatric disability" and obtain unauthorized benefits for numerous individuals. The 2014 referral letter identified for SSA the individual cases at issue, all of which had Raymond Lavalley as the appointed representative and applications and allegations in line with those of the fraudulent scheme. Nevertheless, the DA referred your case to SSA as one where Mr. Lavalley was your representative, and the facts of your case are similar to those of the fraudulent scheme.

#### **What Happens Next**

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I am going to look at your case again. In doing so, I will follow the procedures in Social Security Rulings 22-1p and 22-2p to determine whether there is reason to believe fraud or similar fault was involved in providing evidence in your case. If I find that fraud or similar fault was involved in providing the evidence, I will not consider that evidence in redetermining your case and will make my decision based on the remaining evidence in the file. Before disregarding evidence based on fraud or similar fault, I will consider any objections you have. If I find that fraud or similar fault was not involved in any of the evidence provided in your case, the redetermination will stop. If the redetermination stops, SSA's most recent determination or decision will remain in effect.

You may submit new evidence. The evidence must relate to your condition on or before [Award Date]. SSA will only consider evidence of impairments that you had on or before [Award Date].

If you are entitled to a hearing, you will soon receive a notice about that. If you are not entitled to another hearing, you will receive a new written decision in the mail.

If you underwent a continuing disability review following your prior allowance and benefits were continued, this redetermination will replace any findings made during that review.

### **You Have the Right to Representation**

It is important to understand that while you may have had an appointed representative at the time of your prior allowance, the representation ended after we previously allowed your claim. If you would like the assistance of a representative, you must appoint a representative to assist you. I will work with this person just as I would work with you. If you decide to have a representative, you should find one quickly so that person can start preparing your case. Our office has a list of organizations that can help you find a representative. If you get a representative, you or that person must notify us in writing.

Many representatives charge a fee. Some representatives charge a fee only if you receive benefits. Others may represent you for free. Usually, your representative may not charge a fee unless I approve it. Any appointed or previously appointed representative can submit a fee request, and we will evaluate the request.

### **If You Have Any Questions**

If you have any questions, please call (844) 698-1703 or write this office. For your convenience, our address is on the first page of this notice.

[ALJ Name]

Administrative Law Judge