

December 22, 2011

Via U.S. Mail and Email (suzanne.payne@ssa.gov)

The Honorable Michael J. Astrue
Commissioner
United States Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Commissioner Astrue:

I write in response to an article in the *Wall Street Journal* regarding potentially fraudulent practices by the law firm of Binder & Binder in representing claimants for disability benefits before the Social Security Administration (“SSA”). That article, which I have attached, found that claimant representatives at the Binder & Binder firm has often withheld medical evidence from SSA that could prove their clients should not receive disability benefits.

Binder & Binder allegedly engaged in this practice, even though making false statements and misrepresentations or omissions to receive disability benefits are prohibited by the Social Security Act and subject to civil and criminal penalties. *See* Social Security Act, 42 U.S.C. §1320a-7a; 42 U.S.C. §408.

This practice raises a number of concerns, including the dire need for general reform to the SSA disability program application process. Most troubling, however, is the number of disability beneficiaries that are potentially improperly receiving benefits. Therefore, I request that SSA perform full medical continuing disability reviews (“CDRs”) on all current disability beneficiaries – both Social Security Disability Insurance (“SSDI”) and Supplemental Security Income (“SSI”) – that were represented by the Binder & Binder law firm. These individuals should receive a full medical CDR whether they are currently scheduled to receive one or not.

This review of Binder & Binder’s clients will ensure the integrity of the disability programs and that the American public is not financing benefits for individuals that do not meet the disability program criteria. Please also provide my staff with a briefing on how SSA plans to prevent claimant representatives from failing to provide all relevant medical evidence in the future. Please contact Andrew Dockham at 202-224-2224 with any questions regarding this request, as well as to schedule the requested briefing.

Sincerely,



Tom A. Coburn, M.D.
United States Senator, Oklahoma