# Preliminary Matters:

**Rulings on Objections:**

**Letter dated: Exhibit:**

1. Objection. No regulations have heretofore been promulgated by which the Commissioner can appropriately exercise statutory authority under 42 U.S.C. §405(u).

Ruling:

1. Objection: This proceeding is an improper reopening of a final decision that determined the claimant is entitled to receive disability benefits.

Ruling:

1. Objection: The Commissioner may not act in a manner adverse to the claimant under the authority of 42 U.S.C. §405(u) because her action is not timely.

Ruling:

1. Objection: The Notice of Hearing is improper in that it precludes consideration of issues in violation of 20 C.F.R § 404.946.

Ruling:

**Clarification of Issues**

1. Am I correct in my understanding that in this proceeding you will not consider the issue of whether or not fraud or similar fault was involved in the previous determination that the claimant is entitled to disability benefits?
2. Am I correct in my understanding that in this proceeding you will not consider whether the claimant is eligible for benefits after the date SSA initially allowed the claim, which is .

**Requests to Develop the Record**

**Letter dated: Exhibit:**

**Request to Hold the Record Open for receipt of additional evidence.**

Granted. Record open until:

Denied