

# Services Description

Effective: 12/5/2023

This Assure Disability Services Description describes the Services that may be ordered on an Order Form, or provided by Assure Disability, and sets forth further Service-specific terms and conditions that may apply to Assure Disability's provision and Customer's use of the Services. Capitalized terms not defined herein shall have the meanings assigned to them in the Terms of Service, or any other services agreements for the delivery of the Services, as applicable.

References to "Customer" herein will be a reference to "You" and "Your" as that term is defined in the Terms of Service.

1. **Representative Services.** Representative Services allow Customers to request coverage for administrative hearings and to request to cover administrative hearings for other customers. Representative Services are performed by Assure Disability Attorneys for the Customer, or by Customer Attorneys for Claimants not affiliated with the Customer. All requests for Representative Services made by the Customer will be fulfilled by Assure Disability Attorneys. Whether performed by Assure Disability Attorneys or Customer Attorneys, Representative Services are to be performed under the following terms and conditions:
  - a. **Business Process.** The following business process is to be used for requesting and fulfilling requests for Representative Services:
    - a.i. **Requesting Representative Services, Hearing Scheduling, and Attorney Assignment.** Customer may make a request for Representative Services by creating a new hearing on the Assure Disability website from the dashboard or hearings tab. Alternatively, Customer may use the Atlasware Service discussed in Section 2 to automatically import cases with scheduled hearings to their hearings tab. At Customer's request, cases that are automatically imported through Atlasware may be proactively scheduled for hearing by Assure Disability. Imported cases that are not associated with a request for Representative Services will be demonstrated on the hearings tab as a private hearing. Representative Services can be requests for a private hearing through the hearings tab. Customer may request that a Customer Attorney complete a request for Hearing Services not affiliated with the Customer through the open hearings tab. Assure Disability maintains the discretion as to when requests for Representative Services are published on the open hearings tab as well as the discretion to assign Customer Attorneys or Assure Disability Attorneys to a request for Representative Services. Consideration for Representative Services

completed by a Customer Attorney will be determined at the time the Customer requests that a Customer Attorney complete a request for Representative Services.

a.ii. **Pre-Hearing Services.** Assure Disability Attorneys and Customer Attorneys assigned to complete a request for Representative Services will contact the Represented Claimant for a pre-hearing conference and, when requested by the entity requesting the Representative Services, an initial conference. In the initial conference, the Assure Disability Attorney or Customer Attorney will introduce themselves to the Represented Claimant, outline the schedule of events related to the Represented Claimant's hearing, and answer any of the Represented Claimant's questions regarding the hearing. **INITIAL CONFERENCES MUST BE COMPLETED AT LEAST SEVENTEEN (17) CALENDAR DAYS BEFORE THE SCHEDULED HEARING, OR WITHIN SEVENTY-TWO (72) HOURS OF ASSIGNMENT.** In the pre-hearing conference, the Assure Disability Attorney or Customer Attorney will explain the Represented Claimant's role in the hearing, identify the questions the Represented Claimant may be asked and how best to answer these questions, confirm the Represented Claimant's treatment history and review the Represented Claimant's file to confirm completeness of the record, and confirm the date and time of the hearing with the Represented Claimant. **PRE-HEARING CONFERENCES MUST BE COMPLETED AT LEAST SEVEN (7) CALENDAR DAYS BEFORE THE SCHEDULED HEARING, OR WITHIN SEVENTY-TWO (72) HOURS OF ASSIGNMENT.** If an Assure Disability Attorney or Customer Attorney is not in receipt of the information needed to conduct an initial or pre-hearing conference, they are obligated to contact Assure Disability as soon as practicable at [support@myassureservices.com](mailto:support@myassureservices.com). If an Assure Disability Attorney or Customer Attorney unsuccessfully attempts to conduct an initial or pre-hearing conference, they are obligated to make at least two subsequent attempts on different days to contact the Represented Claimant. Assure Disability Attorneys and Customer Attorneys must log all initial and pre-hearing conferences, as well as all attempts to conduct initial and pre-hearing conferences, in the document folder associated with the Represented Claimant on the Hearings Tab. If an Assure Disability Attorney or Contract Attorney is unable to reach the Represented Claimant after three attempts, they are obligated to contact Assure Disability for alternate contact information at [support@myassureservices.com](mailto:support@myassureservices.com).

a.iii. **Hearing Services.** Assure Disability Attorneys and Customer Attorneys will personally attend all hearings assigned to them through a request for Representative Services. Assure Disability Attorneys and Customer Attorneys will make themselves available to Represented Claimants at least thirty (30) minutes prior to hearing to answer questions and conduct final hearing preparation. Assure Disability Attorneys and

Customer Attorneys will execute any representative documents required with the Represented Claimant, submit a copy of the executed representative documents to the Administration as appropriate, and retain a copy of the executed representative documents for the entity requesting Representative Services. Assure Disability Attorneys and Customer Attorneys will comply with all applicable rules of the Administration and relevant State Bar(s) while attending the hearing. Immediately following the hearing, to the extent practical, Assure Disability Attorneys and Customer Attorneys will address any remaining hearing issues with the Represented Claimant to the best of their ability. Assure Disability Attorneys and Customer Attorneys may direct Represented Claimants to the entity requesting Representative Services for resolution of any post-hearing issues.

- a.iv. **Post-Hearing Services.** Assure Disability Attorneys and Customer Attorneys will upload any executed representative documents to the appropriate document folder on the Assure Website following hearing. Assure Disability Attorneys and Customer Attorneys will also complete a post-hearing summary found within the document folder for the Represented Claimant. **ALL POST-HEARING SERVICES MUST BE COMPLETED WITHIN SEVENTY-TWO (72) HOURS OF THE COMPLETED HEARING.** If an Assure Disability Attorney or Customer Attorney is unable to complete post-hearing services within seventy-two (72) hours of the completed hearing, they are obligated to contact Assure Disability at [support@myassureservices.com](mailto:support@myassureservices.com) for alternate arrangements.
- b. **Enrollment; Representations; Qualifications.** Prior to making a request to Representative Services or requesting to fulfill a request for Representative Services, Customer will be required to enroll in Assure Disability Representative Services by providing Customer Data that confirms the following representations. Assure Disability and Customer mutually represent and warrant that all Assure Disability Attorneys and all Customer Attorneys satisfy the following qualifications, and each party will notify the other as soon as commercially reasonable if there is a change in an Attorney's status with regard to any of the following qualifications:
- b.i. Each Attorney is an attorney active and in good standing with an applicable state bar and is permitted to practice before the highest court in such state as well as the Social Security Administration.
  - b.ii. No Attorney is or has been previously disbarred or subject to discipline from a court or bar to which the attorney was or is admitted to practice as an attorney.
  - b.iii. Each Attorney maintains a current Form SSA-1699: Registration for Appointed Representative Services and Direct Payment with the Administration, Assure

Disability may act as the custodian of such form, and Assure Disability may update such form with the Social Security Administration as necessary for the performance of Representative Services.

b.iv. Each Attorney will perform Representative Services in a professional and workmanlike manner in accordance with all Laws and generally recognized industry standards for similar services and shall devote adequate resources to meet their obligations under the Agreement.

b.v. Each Attorney will have and maintain professional liability insurance that conforms to industry standards.

c. **Compensation.** Customer shall pay Assure Disability a fee of \$550.00 for each request for Representative Services made by the Customer and completed by an Assure Disability Attorney. Customer shall pay a fee of \$550.00 for each supplemental request for Representative Services concerning the same Claimant, regardless of whether such request is completed by the same Attorney. Customer shall pay Assure Disability a fee of \$225.00 for each request for Representative Services that is cancelled by the Customer within seven (7) calendar days of the scheduled hearing, except that Customer shall pay Assure Disability a fee of \$550.00 for each request for Representative Services that is cancelled by the Customer within twenty-four (24) hours of the scheduled hearing date and time.

2. **Atlasware.** Atlasware is proprietary software owned and operated by Assure Disability that allows Customers to manage cases pending before the Social Security Administration and procure case files compiled and distributed by the Social Security Administration regarding such cases. Once enrolled in Atlasware, all cases relating to the Customer that are demonstrated within by the Social Security Administration's Electronic Records Express service will be demonstrated on the cases tab of the Assure Disability website. From the cases tab, Customers may procure a case file associated with a case by selecting "Get Case File" from the case's action menu, and the procured case file will be delivered to the documents folder associated with the case on the Assure Disability website. Customers may also submit documents to the case file maintained by the Social Security Administration by uploading a document to the documents folder associated with the case and selecting "Upload" from the case's action menu. At the Customer's request, case files and documents can be procured and/or uploaded automatically on a schedule mutually agreed to by the parties.

a. **Service Levels.** Atlasware is available in two separate service levels: standard and premium. The features of the standard and premium service levels are:

a.i. **Standard Atlasware.** Standard Atlasware includes:

- a.i.1. streamlined hearing scheduling options;
- a.i.2. consolidated status report of all representatives in one view;
- a.i.3. daily Electronic Records Express status report monitoring;
- a.i.4. retention of Electronic Records Express upload receipts;
- a.i.5. optical character recognition (OCR) processing to allow searching of downloaded Electronic Records Express files;
- a.i.6. one-time customer support for Electronic Records Express credential retrieval;
- a.i.7. automated updating of exhibited Electronic Records Express files on standard schedule (at ready to schedule, scheduled hearing, 45 days prior to hearing, 14 days prior to hearing, 7 days prior to hearing, 3 days prior to hearing, and 2 days prior to hearing);
- a.i.8. automatic hearing audio file download;
- a.i.9. automatic decision notification; and
- a.i.10. data storage of Atlasware-generated data for at least seven years with SOC 2/Type 2 security standards.

a.ii. **Premium Atlasware.**

- a.ii.1. all features of Atlasware's standard service level;
- a.ii.2. automatic updating of exhibited Electronic Records Express files on a customizable schedule;
- a.ii.3. tracking of changes to downloaded Electronic Records Express files;
- a.ii.4. annotations/notes to exhibited Electronic Records Express files.

b. **Enrollment.** Prior to utilizing Atlasware, Customer will be required to enroll in Atlasware by providing Customer Data necessary to allow Atlasware to interface with the Social Security Administration's Electronic Records Express Service. Customer Data will need to be supplied for each representative that is to have cases processed by the Atlasware Service. At the time of enrollment, Customer will be required to elect either a standard or premium level of service. The customer's service level can be changed at any time during enrollment by contacting Assure Disability at [support@myassureservices.com](mailto:support@myassureservices.com).

c. **Compensation.** Customers enrolled in Atlasware's standard level of service shall pay Assure Disability a fee of \$6.00, and Customers enrolled in Atlasware's premium level of service shall pay Assure Disability a fee of \$8.00, for each case and initial case file imported through the Atlasware Service from the Social Security Administration's Electronic Records Express. Customer owes no fees for supplemental or subsequent downloads or uploads through the Atlasware Service for the same case.

3. **Briefing; Brief Tool.** Briefing Services allow Customers to request that an Assure Disability Attorney draft an administrative brief regarding a case associated with the Customer's account. Brief Tool is proprietary software owned and operated by Assure Disability that allows Customers to draft an administrative brief that conforms to industry best practices.

a. **Requesting Briefing Services.** Requests for Briefing Services or use of the Brief Tool can be made through the dashboard, briefs tab, hearings tab, or cases tab on the Assure Disability website. Requests for Briefing Services should be made at least two (2) weeks prior to any associated hearing, and generally requires at least seventy-two (72) hours to complete. Completed briefs are imported to the documents folder associated with the case for which the request was made.

- b. **Compensation.** Customer shall pay Assure Disability a fee of \$100.00 for each request for Briefing Services at the hearing level fulfilled by an Assure Disability Attorney. Customer shall pay Assure Disability a fee of \$125.00 for each request for Briefing Services at the appellate level fulfilled by an Assure Disability Attorney. Customer shall pay Assure Disability a fee of \$10.00 for each case that has a brief prepared through Customer's use of the Brief Tool. Customer owes no fees for supplemental or subsequent uses of the Brief Tool for the same case.
  
- 4. **Appeal Leads.** Assure Disability identifies and purchases qualified appeal leads from Customers enrolled in Assure Disability's Appeal Leads program. Qualified appeal leads consist of personal information regarding Social Security disability claimants represented by Customer who have had a disability claim denied following an administrative hearing. Customers agree that they will not represent or seek fees for representation for any individual that is the subject of a purchased appeal lead, and Customer agrees not to initiate, solicit, or engage in the distribution of any purchased appeal leads. Customers represent and warrant that all disclosures required by law have been provided to individuals whose information is contained in an appeal lead.
  - a. **Enrollment.** To enroll in the Assure Disability Appeal Leads program, contact Assure Disability at [support@myassureservices.com](mailto:support@myassureservices.com).
  
  - b. **Compensation.** Assure Disability shall pay Customer a fee of \$50.00 for each purchased qualified appeal lead.
  
- 5. **Third Party Programs.** Assure Disability requires representatives that use Assure Disability Software and Services to do so in compliance with the rules and regulations published by the Social Security Administration regarding the representation of Claimants. This includes a representative's responsibility to provide representation to a Claimant regarding all provisions of law applicable to their case and a representative's responsibility to act with reasonable promptness to obtain and submit evidence. To assist representatives in their compliance obligations, Assure Disability provides access to the following third party programs free of charge.
  - a. **Medical Records Procurement.** Assure Disability has partnered with release of information servicers to allow Customers to have medical records and other documentation procured by such servicers automatically imported into the documents folder of an associated case and, for Customers enrolled in Atlasware, uploaded to the associated case file within the Social Security Administration's Electronic Records

Express. The automatic importing of medical records and documents is contingent upon Assure Disability entering into sufficient data processing and exchange agreements with the release of information servicer.

- a.i. **Requesting Medical Records.** A request for medical records can be made through the medical records tab or cases tab on the Assure Disability website. Requests for medical records are fulfilled by third party release of service providers and fulfilled requests for medical records are imported to the documents folder associated with the case for which the request was made.
- a.ii. **Enrollment.** To enroll in the medical records procurement service, Customers must enter into a service contract with a cooperating release of information service provider. Please contact us at [support@myassureservices.com](mailto:support@myassureservices.com) for a list of cooperating service providers.
- b. **Medical Profile.** Assure Disability has partnered with a telehealth clinic to allow Customers to have medical profiles developed automatically from information procured from the clinic. The medical profile may encompass but is not limited to demographic information, physicians and providers, diagnoses, procedures, lab and imaging results, and medical records.
  - b.i. **Requesting a Medical Profile.** A request for a medical profile can be made through the medical profile tab on the Assure Disability website. Requesting to send enrollment and authorization documents (discussed below) automatically requests a medical profile for the individual identified. Subsequent requests for a medical profile can be made for any individual for which a medical profile has already been developed through the medical profile tab.
  - b.ii. **Enrollment.** Development of medical profile is contingent upon clinic enrollment and authorization execution by the subject of the medical profile. Customers may assist individuals with clinic enrollment and authorization execution through the Assure Disability platform by completing the New Medical Profile form found within the Medical Profile tab. Completion of the form will transmit enrollment and authorization documents to the identified individual via text message.
  - b.iii. **Compensation.** Customer shall pay Assure Disability a fee of \$52.00 for the first medical profile developed by Assure Disability regarding an enrolled and



authorizing subject. Two additional medical profiles may be made for an individual that is already the subject of a medical profile at no charge. Customer shall pay Assure Disability a fee of \$10.00 for each medical profile developed by Assure Disability regarding an individual that is already the subject of three prior medical profiles.