

**ADVISORY NO. 149**

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**TOPIC:       REQUESTS FOR BRC TO DISPUTE SIBS**

In a Supplemental Income Benefits case, the request for a Benefit Review Conference must be FILED, NOT MAILED, within ten (10) days from the date we receive the TWCC-52. The request for the BRC is a jurisdictional prerequisite to disputing SIBs. It may not be extended.

As your Austin Carrier Representative, we receive the TWCC-52 Initial Determination of Entitlement, log the official receipt and deadline dates, fax it to your attention and monitor your 10 day period in which you must request a BRC in order to raise a dispute. Due to the time-sensitive nature of this service, we request that the reply BRC request (TWCC-45) be faxed to our attention in order to comply with the known deadline. If returned to our office by facsimile on a timely basis, we file the TWCC-45 on your behalf and notify you of our actions.

Unfortunately, continuing entitlement to supplemental income benefits is established by the claimant's filing of the TWCC-52 directly with the carrier rather than our office. Accordingly, our office is not "part of the loop" on continuing benefits and is not in a position to monitor the time-sensitive deadline. For that reason, when disputing continuing supplemental income benefits, ALL BRC REQUESTS MUST BE FILED DIRECTLY WITH THE FIELD OFFICE AND NOT THROUGH FO&L. We will continue to offer the service of generally requesting and monitoring BRCs in your behalf. We cannot, however, offer this service on a time-sensitive basis outside the Initial Determination of Entitlement to Supplemental Income Benefits procedure described above.

Absent special arrangements in advance and agreed upon in writing and unless procedures can be developed to identify these as separate time-sensitive documents, we cannot accept responsibility for timely filing a TWCC-45 to dispute continuing supplemental income benefits. Please do this directly with the appropriate Field Office.