

**Supporting Statement for Forms
SSA-3988 and SSA-3989
Statement for Determining Continuing Eligibility
For Supplemental Security Income Payments**

20 CFR 416.204 Subpart B

OMB No. 0960-0643

A. Justification

1. *Title XVI, part A, section 1611(c)(1) of the Social Security Act* requires that "... eligibility for and the amount of [Supplemental Security Income (SSI)] benefits ... shall be redetermined at such time or times as may be provided by the [Commissioner]."

Subpart B, 20 CFR 416.204, of the regulations provides that redeterminations (RZs) will be made periodically on a scheduled basis or when the Social Security Administration (SSA) is informed of a change which would affect an SSI recipient's continued eligibility or payment amount.

2. Forms SSA-3988 and SSA-3989 will be used to determine whether SSI recipients have met and continue to meet all statutory and regulatory non-medical requirements for SSI eligibility and whether they have been and are still receiving the correct payment amount. Periodic collection of this information is the only way SSA can make these determinations. Forms SSA-3988 and SSA-3989 are designed as self-help forms that will be mailed to recipients or to their representative payees for completion and return to the SSA. There are two versions of the SSA-3988, one for food stamp recipients and one for non-food stamp recipients.

The Forms SSA-3988-OCR-SM and SSA-3989-OCR-SM are used exclusively for high probably of error profile (HEP) redeterminations. HEP cases are those identified through scoring all cases and then this criterion is applied to all active records. The more criteria, the more likely a payment error is to occur. Historically, we select 100,000 to 500,000 records with the highest scores. The cost effectiveness of doing these cases is evident through the amount of overpayments produced on these cases.

The SSA-3988 and SSA-3989 forms have 21 and 20 questions respectively and are self-help, optical scanner forms. The information is used to determine whether SSI recipients have met and continue to meet all statutory and regulatory requirements for SSI eligibility and whether they have been and are still receiving the correct payment amount.

A specific number (60,000) of SSI beneficiaries are randomly selected for use of this form versus the SSA-8203-BK (OMB No. 0960-0416) out of the yearly profile and selection process for HEP redeterminations. The high risk of payment error cases are typically cases with wages and other types of income that needs to be verified. Cases that are at high risk of payment error are targeted for these electronic forms. The selected beneficiaries who would normally be selected for a HEP SSA-8203-BK for an in-person interview will instead receive this self-help, scannable form by mail. Once the form is completed and returned to SSA, there is expected to be minimal or no contact with the beneficiary versus the personal contact required with the SSA-8203-BK. These forms are not meant to replace the SSA-8203-BK (see below #4 for more comprehensive information about SSA-8203). The SSA-8203-BK is always completed by a CR during an interview with the claimant. The RZ would be completed in MSSICS unless the CR was completing the RZ outside of the field office - such as in a contact station, nursing home or at the respondent's home. The SSA-8203-BK may also be completed by an advocate and returned to the local FO where the form would be processed by agency personnel.

The SSA-3988-OCR-SM-FST-INST or SSA-3989-OCR-SM-FST-INST is mailed out with the SSA-3988 or SSA-3989 when the SSI recipient receives food stamps. The information provides instructions to the recipient on completing the forms. The SSA-3988-OCR-SM-NFST-INST or SSA-3989-OCR-SM-NFST-INST is for non food stamp recipients and is used for the same propose as the 3988-OCR-SM-FST-INST or SSA-3989-OCR-SM-FST-INST. Also, sent with the reporting forms are fact sheet: the SSA-3988-OCR-SM-FST-FAC, SSA-3989-OCR-SM-FST-FAC, SSA-3988-OCR-SM-NFST-FAC and SSA-3989-OCR-SM-NFST-FAC. The fact sheets provide information about the SSI income, resources and reporting responsibilities.

On approximately 6,000 of the 60,000 eRZ's selected, there will be one additional question on the SSA-3988. This question is designed to solicit information to determine continuing eligibility for Medicaid only. Unlike all other selections for eRZs, this small group of beneficiaries does not receive monthly SSI payments. This form is used solely to solicit continuing use of Medicaid services. This information is then shared with the state Medicaid office.

3. SSA also collects the information using on-line computer technology via the Modernized SSI Claims System (MSSICS) (OMB No.0960-0416) to document information gathered from the recipient and provide printed redetermination output for the recipient's signature. At this time, more than 90 percent of the high probabilities of error cases are redetermined using MSSICS. The SSA-3988 and the SSA-3989 will radically reduce the need for the SSA-8203-BK HEP collection form. SSA also conducts electronic interfaces with records of other government entities to determine whether there are conflicts between the information we have on our system of records and other government entities; however, any conflicting information we get through these sources must be verified with the SSI recipient. At this time, the agency does not have the resources to analyze the feasibility of permitting electronic submissions of responses.

Under the current agency's Government Paperwork Elimination Act (GPEA) plan the SSA-3988 and SSA-3989 is not scheduled for complete electronic implementation because of the high risk of payment error.

4. The information on all RZ forms is used to determine whether SSI recipients' have met and whether they continue to meet all statutory and regulatory requirements for SSI eligibility as well as whether they have been and are still receiving the correct payment amount. Periodic collection of this information is the only way SSA can make these determinations.

Currently, SSA uses three RZ forms. The SSA-8202-OCR-SM is a mailer form. This form is used exclusively for low probably of error profile (LEP) redeterminations. It is mailed on a 6-year cycle to recipients who complete it without a personal contact interview with a SSA employee. Once the recipient completes and returns the form to SSA it is processed electronically. It contains only 14 questions in contrast to the 15 questions of the Form SSA-8202-F6 and the 28 questions of the Form SSA-8203-BK. The questions on the Form SSA-8202-OCR-SM are much less detailed than are those on the other two redetermination forms. This form has been found to be very cost effective in conducting LEP RZs.

The other two RZ forms are the SSA-8202-F6 and the SSA-8203-BK. The SSA-8202-F6 and the SSA-8203-BK contain more, and more detailed, questions than does the SSA-8202-OCR-SM; they are not designed to be self-help forms. The three RZ forms are not used for the same collection purposes. Form SSA 8203-BK is the most comprehensive, complex redetermination form used to conduct high error profile (HEP) redeterminations. It is not a self-help form and is always completed by personal contact interviews conducted by SSA field office personnel. The Form SSA-8202-F6 is a simpler form designed for self-help completion whenever possible, and it is not be used for HEP redeterminations. On the other hand, conducting low and middle-error profile (LEP/MEP) redeterminations on Form SSA-8203-BK instead of Form SSA-8202-F6 creates an unnecessary burden on the recipients at a higher cost to the Federal government. Therefore, the three forms are not used for the same purpose.

Forms SSA-3988 and SSA-3989 are a part of SSA's efforts to move to a more streamlined, less intrusive method of information collection. These forms contain some of the more detailed questions of the form SSA-8203-BK in a self-help mailer form similar to the SSA-8202-OCR-SM. In fiscal year 2004, SSA completed approximately 2.2 million RZs. About 1/3rd of these RZs were completed using the SSA-8202-OCR-SM.

5. This collection does not have an impact on small businesses.
6. Potential ineligibility or events affecting payment amount may go undetected if RZs are not conducted. This can adversely affect recipients because of resulting underpayments that should have been paid but were not, while overpayments will result in collection

activities. There are no technical or legal obstacles that prevent burden reduction.

7. There are no special circumstances that would cause this information collection to be conducted in a manner inconsistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on May 9, 2007, at 72 FR 26443 and SSA has received no public comments. The second Notice was published on July 24, 2007, at 72 FR 40353. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information collected on this form is protected and held confidential in accordance with 42 U.S.C. 1306, 20 CFR 401 and 422, 5 U.S.C. 552 (Freedom of Information Act), 5 U.S.C. 552a (Privacy Act of 1974), and OMB Circular No. A-130.
11. The information collection does not contain any questions of a sensitive nature.
12. The information will be collected from approximately 30,000 adult respondents (SSA-3988) and 30,000 child respondents (SSA-3989) for a total of 60,000 respondents. The estimated average response time is 26 minutes, for a total of 26,000 burden hours. The total burden is reflected as burden hours, and no separate cost burden has been calculated.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$1,570,800 which includes printing, postage, envelopes, and SSA staff time.
15. The annual reporting burden has changed since last OMB Notice of Action due to budget constraints. The total number of annual redeterminations has substantially been reduced in the last few years because of the reduction in funding available for the redetermination workload. At one point, the agency instituted a moratorium on redeterminations and completed only limited issue redeterminations. For FY 07, it was determined that 60,000 cases would be a representative sample and could be accomplished within SSA's budget.
16. The results of the information collected will not be published. However, the data will be used internally by SSA staff to determine the feasibility of any future use of this new collection format. We do not foresee the need for publication of these findings.
17. SSA is not requesting an exemption from displaying the expiration date for OMB approval of this information collection.
18. SSA is not requesting an exception to the certification requirements.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used for this information collection.