

Supporting Statement for Form SSA-3826
Medical Report (General)
20 CFR 404.1512-404.1515 and 416.912-416.915
OMB No. 0960-0052

A. Justification

1. Sections 205(a), 223(d)(5)(A), 1614(a)(3)(H)(i), and 1631(d)(1) of the *Social Security Act* and sections 20 CFR 404.1512-404.1515 and 416.912-416.915 of the *Code of Federal Regulations* require an individual applying for disability benefits to provide medical evidence proving the existence and severity of an impairment. Form SSA-3826 is used to document such evidence. Sections 20 CFR 404.1514 and 416.914 of the *Code of Federal Regulations* mandate that medical professionals completing this form receive a reasonable compensation for their time.
2. SSA, through its agents, the disability determination services (DDSs), uses form SSA-3826 to make accurate determinations in disability claims cases. The form is completed by medical sources who are familiar with the claimant's impairment. Thus, it provides disability adjudicators and reviewers with a narrative record and history of the alleged disability and with the objective medical findings necessary to make a disability determination. SSA uses the medical evidence provided on this form in making a determination of whether an individual's impairment meets the severity and duration requirements for disability benefits. The respondents are members of the medical community including individual physicians, hospital doctors, medical records librarians, and other medical sources.
3. SSA has implemented the use of a computer-generated paper copy of the SSA-3826. This version of the form, which is available on demand, must be manually completed by the respondents and then scanned into SSA's electronic disability folder. It is unknown what percentage of the SSA-3826 is produced this way, because we have no programmatic need for this information. Currently we have no plans to develop an Internet version of the form, as the DDSs generally use letters to request medical reports in place of the SSA-3826, and the respondents reply by sending copies of their records. Given this trend, we estimate the number of respondents to decrease. If this proves not to be the case, SSA will revisit the possibility of creating an electronic version of the SSA-3826.
4. The nature of the information being collected and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.

5. This collection does not have a significant impact on a substantial number of small businesses or other small entities.
6. If the information documented by form SSA-3826 was not collected, SSA would be forced to use more costly methods of verifying disability, such as paying for a consultative exam, or it might be forced to deny disability benefits due to lack of evidence. This could result in a claimant unfairly being denied disability benefits. Because form SSA-3826 is only completed when an initial disability claim is made, it cannot be completed less frequently. 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 that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on July 24, 2007, at 72 FR 40353, and SSA has received no public comments. The second Notice was published on October 18, 2007, at 72 FR 59132. There have been no outside consultations with members of the public.
9. The medical sources completing form SSA-3826 are compensated for their time in accordance with the provisions of 20 CFR 404.1514, 404.1624, 416.914, and 416.1024.
10. The information provided on this form is protected and held confidential in accordance with 42 U.S.C. 1306, 20 CFR 401 and 402, 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. An estimated 150,000 respondents take 30 minutes each to complete form SSA-3826 each year for a total annual burden of 75,000 hours. The respondents are all in the private sector. 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 because they are compensated for their time.
14. The annual cost to the Federal Government is approximately \$3,384,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information (including compensation to those completing the form).

The annual cost to the Federal Government listed on the 2004 Supporting Statement was incorrect. Although the 2004 Supporting Statement said the annual Federal cost included

both the costs for printing and distributing the collection instrument and for collecting the information, in fact, in our calculation, we inadvertently omitted the costs of compensation for those completing the form. We are correcting that omission here.

15. The estimated annual reporting burden hours have been corrected to 75,000 hours. The estimated number of respondents reported on previous Supporting Statements was grossly overstated to be 750,000. Given the data, we have corrected the estimated number of respondents to 150,000 and have adjusted the burden hours accordingly to more accurately show the usage of this form.
16. The results of the information collection will not be published.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms, (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, Government waste has been avoided because stocks of forms will not have to be destroyed and reprinted.
18. SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

Statistical methods are not used for this information collection.