

SSA Medical Listings Clearance Process 3/19/2008

- Originally Proposed 10/4/2001
- Initial OMB Approval 12/18/2001
- Last Extended 03/03/2005

Background

Per discussion on 10/2/2001³ and in subsequent working sessions, OMB and SSA have agreed to the following approach to simplify clearing burden requirements in Medical Listings (ML)⁴:

Initial Process and Clearance of Musculoskeletal Listing in Final Rule Stage:

- SSA has submitted a clearance package covering the MLs generally, and the Musculoskeletal Listing specifically as an example of a ML we are currently clearing.
- We will clear the Musculoskeletal Listing specifically, which has been sent to OMB, by revising the PRA Statement in the Final Rule to specify where in the ML burden is imposed.
 - In the PRA Statement we also will solicit comments (30-day comment period) on the burden estimate; need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden, including use of technology. We will state that the various forms SSA uses to collect the information carry the burden and that OMB has cleared the forms. For technical reasons, we will assign a 1-hour placeholder burden to the ML.
 - The PRA statement will state that while the ML will be effective in 90 days, the reporting burden will not be effective until cleared by OMB. This also needs to be stated in the effective date section of the preamble.
- After the 30-day comment period, the Reports Clearance Officer (RCO) will send a letter to SSA's OMB/QIRA Desk Officer (DO) addressing any public comments the Agency received relevant to the solicitation.
- Upon clearance of the Information Collection Request, the RCO will publish a Federal Register notice informing the public that OMB has cleared the information collection, providing the OMB clearance number and expiration date.

³ Dawn Wiggins (OGC), and Liz Davidson and Fred Brickenkamp (DCFAM) from SSA, and Lauren Wittenberg from OMB.

⁴ Originally this was referred to as a Generic Clearance, but that term is no longer descriptive. This will instead be a regular clearance of burdens included in regulation - the Medical Listings Clearance.

⁵Ongoing Process for Clearing MLs

- Subsequent MLs, which at this time are in either the NPRM or draft stage, will be cleared upon submission of a form OMB 83-C along with an attachment from the RCO to the DO describing the revised ML and addressing any comments we might have received at the NPRM stage. This attachment will become an addendum to the supporting statement in the clearance package, and will be submitted prior to the publication of the final rule. There also will be a change-form to go with the attachment, which the RCO will prepare.
- OMB will clear the changes prior to publication of the ML as a final rule, and the PRA language in the final rule will inform the public of the clearance (separate notice not required).
- Forms will continue to be cleared separately.
- We will need to solicit comments on the PRA issues in each subsequent ML NPRM. Comments will be directed to the SSA RCO.
- If there are subsequent changes to ML listings (after 2 years, for example) we will use the same ongoing clearance process - solicit comments in the NPRM and subsequently send the attachment and change-form to the DO. The attachment will lift much of the language from the NPRM describing the changes to the MLs.

Supplementary Documents

In addition to the current rules, we are requesting clearance of two listings, Immune Systems and Visual Disorders, for which we published NPRMs and solicited comments. We received no comments regarding PRA issues. Please see the supplemental documents for each listing for additional information.

⁵ The ongoing process for clearing Medical Listing was incorporated into the last ICR submitted for OMB review and approved. OMB approved the request 03/03/05 without change or comment. The current approval of Medical Listings expires on 03/31/08.

