

Technical Updates to Applicability of the Supplemental Security Income (SSI) Reduced Benefit Rate for Individuals Residing in Medical Treatment Facilities.

SSA-794F

OMB 0960-NEW

A. Justification

1. The Balanced Budget Act of 1997 (Public Law 105-33), enacted August 5, 1997, contained two provisions that affected the payment of SSI benefits to certain SSI beneficiaries who are institutionalized. One of the provisions extended temporary institutionalization benefits to children who enter private medical treatment facilities and who otherwise would be subject to a reduced benefit because of private insurance coverage. The other provision removed obsolete terminology in the Act that referred to particular categories of inpatient medical facilities and substituted the broader, more descriptive term “medical treatment facility. Sec. 1611(e)(1)(A) of the Act specifies that no resident of a public institutions is eligible for SSI benefits. However, Sec. 1611(e)(1) (B) lists certain exceptions to this rule. This rule makes it necessary for SSA to collect information about any SSI recipient who enters or leaves a public institution. The purpose of this regulation is to codify this change in the Act.
2. The information is used by SSA to determine eligibility and the amount of the benefit. The collection is done by SSA Field Offices and may be a report directly from the recipient or someone reporting on behalf of the recipient via various methods (i.e., phone or mail).
3. All collection information is input directly into the Supplemental Security Income computer system (SSR). Regardless of how the FO receives the information, it is entered into the SSR via MSSICS or direct input.
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. All institutional reporting is done by existing data matching agreements.
6. 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 public has the opportunity to review and comment on the information collection requirements through a notice in the preamble of the regulation. The NPRM was published at 72 FR 14053. In the publication of the NPRM dated March 26, 2007, SSA solicited for comments on the burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize the burden on respondents, including the use of automated collection techniques or other forms of information technology. We received no public comments to this solicitation.

On April 4, 2007 OMB filed comment in accordance with 5 CFR 1320.11 (c), requiring SSA to review public comment in response to the NPRM and address any such comments in the preamble of the final rule. As a result SSA has submitted a new clearance package for OMB review and approval. Once approved SSA will publish in the Federal Register the OMB control number and expiration date. There have been no outside consultations with members of the public.

9. SSA provides no payment or gifts to the respondents.
10. The information requested 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. These proposed rules contain reporting requirements as outlined in the following table. The total annual hour burden for the public is 3,990 hours.

Title/Section & Collection Description	Annual number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
What you must report 416.708(k) Admission to or discharge from: (1) A medical treatment facility, (2) A public institution, or; (3) A private institution.	34,200	1	7	3,990

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 \$252,100. This estimate is a projection of the costs for collecting the information and is based on a formula used by the Office of the Deputy Commissioner, Operations, to determine the cost of processing SSI changes by field offices (FOs).
15. There are no changes in the public reporting burden. This is not a new collection as this reporting requirement has been in effect since 1981. However, this is the first time this regulation has been changed since the original publication when there was no requirement to report the public burden.
16. The results of the information collection will not be published
17. No collection instrument is used. All information received is input into the SSR via MSSICS or direct input.
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.