

Supporting Statement for Form SSA-827
Authorization to Disclose Information to the Social Security Administration (SSA)
20 CFR Subpart P, 404.1512 and Subpart I, 416.912
OMB No. 0960-0623

A. Justification

1. Sections 205(a) and 1631(d)(1) of the *Social Security Act (the Act)* provide the Commissioner of Social Security with full power and authority to make rules and regulations, establish procedures, and adopt reasonable and proper rules for the nature and extent of the evidence as well as the methods of taking and furnishing the same to evaluate the alleged disability. For SSA to obtain evidence, a claimant must authorize his or her medical or other source(s) to release the information to SSA. Sections 223(d)(5)(A) and 1614(a)(3)(H)(i) of *the Act*, as amended, provide that claimants have to furnish such medical and other evidence as the Commissioner of Social Security may require to prove that they are disabled. Section 223(d)(5)(B) states that the Commissioner shall consider all evidence available in such individual's case record. Implementing disability regulations 20 CFR 404.1512 and 20 CFR 416.912 of the *Code of Federal Regulations* specifically state that an individual is to furnish medical evidence and, if asked, evidence of age, education and training, work experience, daily activities, efforts to work and any other evidence showing how his or her impairment(s) affects the ability to work, or for a child, the ability to function.
2. The SSA-827 is the form that provides authorization from claimants for sources of medical and other information, including schools, to release such information to SSA. Generally, the State disability determination service (DDS) office sends the form(s), signed and dated by the claimant, to the designated source(s). The respondents are applicants for Title II benefits and Title XVI payments.
3. The SSA-827 is currently available on the Internet in a PDF format, so the claimant can print a blank form, complete it and forward the form back to SSA for processing. SSA had originally intended to develop a printable, fillable version of the SSA-827 for use by claimants filing for disability benefits using the Internet Social Security Disability Report, (ISSDR), but this is not yet possible because since the implementation of the Health Insurance Portability and Accountability Act (HIPAA), a large part of the medical community will only accept release forms with an original signature and date from the subject of the information to be released. Also due to the implications of HIPAA, SSA is unable to implement a fully electronic version of the SSA-827 at this time as further considerations into security measures need to be considered for the electronic transfer of sensitive information.

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. SSA's disability program could not operate without this information collection. If this information were not collected, SSA would not be able to receive claim-related information from third parties because the Health Insurance Portability and Accountability Act requires proper authorization. Since the SSA-827 is only used on an as needed basis, the information cannot be collected less frequently.
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 November 5, 2007, at 72 FR 62510, and SSA received no public comments. The second notice was published on January 7, 2008, at 73 FR 1253. The correction notice was published on February 11, 2008 at 73 FR 7782.

SSA has published a correction Notice to remove the references to the SSA-827-OP1 and SSA-827-OP2 as both were discontinued in 2003 when we implemented the revised, HIPAA-compliant national SSA-827. We are also correcting the burden information to include the burden for reading the Internet instructions for the SSA-827. These corrections are shown in the Notice published on February 11, 2008 at 73 FR 7782, and in #12 below.

To obtain advice from outside the Agency, SSA, as needed, consults with the Department of Health and Human Services, the Department of Education, the Department of Veterans Affairs, the American Health Information Management Association, and our State DDSs.

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. Respondents to the SSA-827 collection complete four forms. SSA estimates that it takes a claimant 10 minutes to read both sides and sign the initial SSA-827. However, once a claimant reads the first form, it takes considerably less time to date and sign the subsequent forms because the forms do not have to be read again. SSA estimates the signing and dating of the three additional forms at 1 minute per form, resulting in three additional minutes. Therefore, the total time it takes to complete all four SSA-827's is 13 minutes. In addition, SSA estimates that, of the total number of respondents, 586, 232 use the Internet and take 3 minutes to read the explanation of the SSA-827 on the Internet. A complete breakdown of the burden estimates follows:

Reading, Signing, and Dating the 1st SSA-827 (10 minutes)

Total Respondents	Number of Reports by Each Respondent	Total Annual Responses	Estimated Number of Minutes Per Response	Total Burden Hours
3,853,928	1	3,853,928	10	642,321

Signing and Dating Three Additional SSA-827s

Total Respondents	Number of Reports by Each Respondent	Total Annual Responses	Estimated Number of Minutes Per Response	Total Burden Hours
3,853,928	3	11,561,784	1	192,696

Reading the Explanation of the SSA-827 on the Internet

Total Respondents	Number of Reports by Each Respondent	Total Annual Responses	Estimated Number of Minutes Per Response	Total Burden Hours
586,232	1	586,232	3	29,312

Collectively:

Number of Respondents: 3,853,928

Frequency of Response (Average per case): 4

Average Burden Per Response: 13 minutes to complete all 4 forms

Average Burden to Read Internet Instructions: 3 minutes

Estimated Annual Burden for Reading Internet Explanation: 29,312

Estimated Annual Burden to read instructions and complete the form:
864,329 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 \$23,740,196. This estimate is a projection of the cost for printing and distributing the collection instrument and for collecting this information.
15. The public reporting burden has been increased by 29,312 hours to account for the time it takes Internet users to read the form explanation screens.
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. Collection of Information Employing Statistical Methods

Statistical methods are not used for this information collection.