

## **SUPPORTING STATEMENT**

### **REHABILITATION PLAN AND AWARD (FORM OWCP-16)**

**OMB NO. 1215-0067**

1. The Office of Workers' Compensation Programs (OWCP) is the agency responsible for administration of the Longshore and Harbor Workers' Compensation Act (LHWCA), 33 USC 901 *et seq.*, and the Federal Employees' Compensation Act (FECA), 5 USC 8101 *et seq.* Both of these acts authorize OWCP to pay for approved vocational rehabilitation services to eligible workers with work-related disabilities. In order to decide whether to approve a rehabilitation plan, OWCP must receive a copy of the plan, supporting vocational testing materials and the estimated cost to implement the plan, broken down to show the fees, supplies, tuition and worker maintenance payments that are contemplated. OWCP also must receive the signatures of the worker and the rehabilitation counselor to show that the worker agrees to follow the proposed plan, and that the proposed plan is appropriate. Form OWCP-16 is the standard format for the collection of this information. The regulations implementing these statutes allow for the collection of information needed for OWCP to determine if a rehabilitation plan should be approved and payment of any related expenses should be authorized. (20 CFR 10.518, 10.519, 702.506 and 702.507).

2. Form OWCP-16 serves to document the agreed upon plan for rehabilitation services submitted by the injured worker and vocational rehabilitation counselor, and OWCP's award of payment from funds provided for rehabilitation. Form OWCP-16 summarizes the costs of the rehabilitation plan to enable OWCP to make a prompt decision on funding. Items 1 through 11 are completed by the rehabilitation counselor from information in the records. Items 14 through 16 are completed by the OWCP rehabilitation specialist, and Item 17 is completed by the District Director.

If Form OWCP-16 were not utilized, OWCP would have to spend time verifying that proposed plans did not include requests for payment for services not authorized by either the FECA or the LHWCA. In addition, the form requires documentation of changes to, and extensions of, vocational rehabilitation plans, and minimizes the potential for waste, fraud and abuse by requiring pre-approval by OWCP.

3. Use of a standard format for the submission of plans for approval enables OWCP to evaluate the estimated costs associated with each plan in a timely manner and initiate the vocational rehabilitation effort for disabled workers as quickly and efficiently as possible. The current Form OWCP-16 has been posted on the Internet at <http://www.dol.gov/esa/regs/compliance/owcp/OWCP-16.pdf>, and may be filled in online and printed out by the respondent. However, since the form must be accompanied by a number of attachments and must be signed by both the worker and the rehabilitation counselor submitting the proposed plan, electronic submission of Form OWCP-16 is not considered to be practicable.

4. Information collected by the form is not duplicative of information available elsewhere. The respondent is the only source of the expenses data that is needed to process the request for payment.

5. This information collection has been streamlined to obtain the minimum information needed for OWCP to evaluate a proposed rehabilitation plan while imposing the minimum burden on respondents, and does not have a significant economic impact on a substantial number of small entities.

6. Please refer to the discussion in Nos. 1 and 2 on page 1. The information collected from respondents is the minimum necessary to evaluate whether a rehabilitation plan satisfies the requirements in the FECA and the LHWCA for vocational rehabilitation. Payment of plan expenses cannot be made by OWCP without the information collected.

7. There are no special circumstances for conducting this information collection.

8. No outside consultations have taken place concerning the use of Form OWCP-16. However, OWCP has been evaluating rehabilitation plan requests for approximately 30 years and has had sufficient experience with Form OWCP-16 to maximize its utility. OWCP has not received any complaints about the manner in which the form has been used. Should any complaints or suggestions for improvement be received, they will be carefully evaluated and appropriate action will be taken.

A notice inviting public comment on this information collection was published in the Federal Register on January 16, 2008. No comments were received.

9. There are no gifts or payments to respondents other than payments made to contractors for supplies and services rendered in connection with an approved rehabilitation plan, and to those workers entitled to receive maintenance allowances during vocational rehabilitation.

10. All information submitted using Form OWCP-16 is fully protected by the Privacy Act in the following systems of records: DOL/GOVT-1 (FECA); and DOL/ESA-15 (LHWCA).

11. There are no questions of a sensitive nature contained on the form.

12. It is estimated that 7,000 forms will be filed with OWCP annually. Based upon prior experience with the use of this form, it is estimated that it will require 30 minutes for the respondent to read the instructions, fill in the information, and return the form with attachments. This estimate is considered reasonable since the information is readily available to the respondent. One-half hour X 7,000 forms = 3,500 hours. There is no cost for the burden hours because the respondents are contractors and are remunerated for all services and expenses by OWCP.

13. All operation and maintenance costs are reimbursed.

14. The OWCP rehabilitation specialists who review the form are on the average GS-12, step 6. The hourly rate for these employees is \$36.43 (2008-RUS). It takes an average of ten minutes to review the OWCP-16 Form; this is 0.17 of an hour. There are approximately 7000 forms received each year.

Review Cost: .17 hr. X 7000 X \$36.43 = \$43,352

Mailing Cost: \$.44 (postage/envelope) X 7000 = \$3,080

Printing: 7,000 X \$0.03/form = \$210

Total Processing Cost: \$43,352 + 3,080 + 210 = \$46,642

Reimbursement to contractors is made at \$75 per hour, at ½ hour per form X 7,000 = \$262,500.

Total Federal Costs = \$309,142

15. There are no adjustments or changes in burden.
16. This information will not be published.
17. The expiration date will be displayed on the form.
18. There are no exceptions to the certification.