

**SUPPORTING STATEMENT FOR FORM SSA-4290  
DEVELOPMENT OF PARTICIPATION IN A VOCATIONAL REHABILITATION  
OR SIMILAR PROGRAM**

**20 CFR 404.316(c), 404.337(c), 404.352(d), 404.1586(g), 404.1596, 404.1597(a), 404.327, 404.328,  
416.1338(c)-(d), 416.1321(d), 416.1331(a)-(b), and 416.1338, 416.1402**

**OMB No. 0960-0282**

**A. Justification**

1. The Ticket to Work and Self-Sufficiency Program allows recipients of Title II and Title XVI Social Security Administration (SSA) disability benefits to continue receiving benefits while they are enrolled in a vocational rehabilitation or other job-training program. Regulations in sections 404.316(c), 404.327, 404.328, 404.337(c), 404.352(d), 404.1586(g), 404.1596, 404.1597(a), 416.1321(d), 416.1331(a)-(b), and 416.1338 of the *Code of Federal Regulations* implement the provision that, provided they are still enrolled in a vocational rehabilitation or other job-training program, disability recipients may continue to receive benefits even if their disability ceases. These sections require that proof be provided to document the disability recipient's enrollment in a vocational rehabilitation or job training program. Form SSA-4290, the Development of Participation in a Vocational Rehabilitation or Similar Program, is used for that purpose.

*Sections 225(b)(2) and 1631(a) (6)(B) of the Social Security Act provide the statutory authority for use of this form. Regulatory authority for the use of this form stems from 20 CFR 404.316, 404.337, and 404.352; 404.1586, 404.1596, and 404.1597; 416.1321, 416.1331, and 416.1338; and 416.1402 of the Code of Federal Regulations.*

2. As mandated by the regulations cited above, SSA State Disability Determination Services (DDSs) must determine if a recipient of disability benefits whose disability has ceased but who is enrolled in a vocational rehabilitation program can continue to receive SSA benefits. To do this, information is needed about the beneficiary, the type of program he/she is enrolled in, and the types of services the beneficiary is receiving under the auspices of that program. Form SSA-4290 is used to collect this information. The form is completed by State Employment Networks (EN), Vocational Rehabilitation (VR) agencies, educational institutions, or other providers of education/job training services. The DDSs use this form in conjunction with evidence from the disability recipient's file to make a disability determination.
3. This form is not scheduled for electronic implementation under the Agency's Government Paperwork Reduction Act plan due to the low number of respondents and higher Agency priorities.

0960-0282  
2/5/2021

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 information collection may involve small businesses and other small entities (ex: ENs or VRs). However, the burden on the respondents is not significant.
6. If form SSA-4290 were not completed, State DDSs would be unable to determine if disability recipients whose disability had ceased but who wanted to continue participating in an EN or VR should still receive Title II or Title XVI benefits. Thus, there would be no way of collecting the information mandated by the regulations in the *Code of Federal Regulations*; moreover, this would be a violation of the provisions of the Ticket to Work and Rehabilitation Services Program. Since the information is only collected when a DDS is trying to determine if benefits should be continued, it cannot be collected 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 inconsistent with 5 CFR 1320.5.
8. The advance 60-day Federal Register Notice was published on November 5, 2007 at 72 FR 62510, and no public comments were received. The 30-day Federal Register Notice was published on January 17, 2008, at 73 FR 3307. We will forward any public comments we receive in response to the 30-day Notice to OMB.

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 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. Form SSA-4290 is used by approximately 3,000 respondents annually. The estimated average response time is 15 minutes, for a total of 750 burden 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 total annual cost to the Federal government is approximately \$18,480. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. Previously, we projected that 17,000 respondents took 15 minutes each to complete form SSA-4290, for a total of 4,250 burden hours. However, the increased activity due to the Ticket to Work legislation that we had anticipated did not materialize. Based on data documenting actual activity, we now project that 3,000 respondents take 15 minutes to complete the form, resulting in a total burden of 750 hours. This change represents a decrease of 3,500 burden hours.
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.