

Supporting Statement for Form SSA-832-C3-U3
Cessation or Continuance of Disability or Blindness Determination and Transmittal (Title XVI)
20 CFR 404.1615, 20 CFR 404.1512, 20 CFR 404.1588-404.1599
OMB No. 0960-0443

A. Justification

1. *Section 221(a) of the Social Security Act (the Act)* requires that the determination of whether or not an individual is under a disability (as defined in *section 216(i) or 223(d) of the Act*), and the determination of the day on which such disability began and the day on which such disability ceases, shall be made by a State agency in accordance with *section 221(b)*, pursuant to an agreement between the Commissioner of Social Security and the State. *Section 20 CFR 404.1615 of the Code of Federal Regulations*, provides that the Disability Determination Service (DDS) will certify (on forms provided by SSA) each determination of disability. *Sections 223(d)(1)(A) and (B) and 223(d)(5)(A) of the Act* define “disability” as the “the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months. An individual shall not be considered to be under a disability unless he/she furnishes such material and other evidence of the existence thereof as the Commissioner may require.” Procedures for implementing *sections 221(a) and (b) of the Act* are set forth in *20 CFR 404.1512 and 404.1588-404.1599*. These sections require that the applicant submit, upon request, evidence as to his/her education, training, work experience and daily activities (both prior to and after the alleged date of onset of disability), as well as efforts to engage in any substantial gainful activity during the time of the alleged disability. *Section 221(i)(1) of the Act* establishes the periodic review of disability beneficiaries. The establishment of the review period and systems call up at the time of assigned date are based on information captured on Form SSA-832-C3-U3. Similarly, parts (3) and (4) of this section establish congressional reporting requirements, which depend upon data obtained from this form.
2. Form SSA-832-C3-U3 is used by the DDS’s to prepare continuance and cessation determinations of disability or blindness on title XVI claims. The information is used in the following manner:
 - (a) As an input source for stopping, continuing or reinstating disability payments
 - (b) In the course of the Federal (SSA) quality review of the determination;
 - (c) To provide for SSA input on automated systems controls; e.g. establish and or cancel diary controls;
 - (d) To establish a permanent longitudinal history of the claim; and
 - (e) To supply a statistical base to provide aggregate program information to SSA administrators, Congress and the President.

The respondents are the State Disability Determination Services.

3. This information collection must be secured and reported on an ad hoc basis each time a disability determination is prepared. The form is available on the Intranet. DDSs complete exact facsimiles of these forms, which are produced by their internal system software. Form SSA-832-C3-U3 met Government Paperwork Elimination Act (GPEA) compliance October 21, 2003, according to the CIO GPEA Status Report.
4. Form SSA-832-C3-U3 collects decision information to document Title XVI continuing disability decisions only; Form SSA-831-C3-U3 (OMB Control No. 0960-0437) collects decision information to document Title II and Title XVI continuing disability decisions; and Form SSA-833-C3-U3 (OMB Control No. 0960-0442) collects decision information to document Title II continuing disability decisions only. Separate forms are needed for Title II (SSA-833-C3-U3) and Title XVI (SSA-832-C3-U3) claims because, although much of the data contained on these forms is the same, there is data that is unique to each form. The unique Title XVI data items captured on the SSA-832-C3-U3 are Type Claim, Drug Addiction and Alcoholism Does or Does Not Contribute to Finding, State Plan Last Met (date), Eligibility Terminated at the Close of the Last Day (date), Remarks, and Letter/Paragraph Number. The unique Title II data items captured on the SSA-833-C3-U3 are Type Claim, Other Entitlement, Wage Earner's Name, Period of Disability Terminated (date), Extended Period of Eligibility (dates), Disabled For Case Benefits or Not Disabled for Case Benefits (statutory blindness date), Remarks, and Letter/Paragraph Number. There is too much data unique to each form in order to create a combined one page form.
5. This collection does not have an impact on small businesses or other small entities.
6. The collection relates to preparation of disability determinations as prescribed by law. Thus, the frequency is not subject to the Agency's control; i.e. the form must be completed as each claim is adjudicated. If the information were not collected, the following would result:
 - (a) SSA would be unable to comply with 20 CFR 404.1615 in preparing determinations of disability;
 - (b) SSA would be unable to comply with Public Law 96-265 of the Social Security Act of 1980, as prescribed in Section 221(i) 1 and 2 of the Social Security Act, for reporting on periodic review cases;
 - (c) SSA would be unable to monitor the effect of the 1984 disability amendments;

Therefore, we cannot collect this information 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 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 has received no public comments. The second Notice was published on January 17, 2008, at 73 FR 3307. There have been no outside consultations with member of the public.

Both Federal Register Notices show the burden hour estimate as 100,376; however, ROCIS calculated the number to be 100,377. This is why there is a difference between the Federal Register Notices and the estimates shown in ROCIS and #12 below.

9. SSA has a reimbursable agreement with the State DDSs (see Item 14 below).
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. The estimated burden on all DDSs is reflected as 200,753 responses per year. The estimated time required per response is 30 minutes, for a total of 100,377 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 annual cost to the Federal government is approximately \$3,348,560. This is based on 100,376 State burden hours to complete 200,753 forms, totaling \$3,348,560 (DDS costs are reimbursed by SSA).
15. The decrease in the burden estimate from 201,113 to 100,337 is due to the DDSs completing fewer Supplemental Security Income disability reviews. The number of forms completed is based on the number claims filed and the amount of funding given for the processing of these claims. SSA's budget estimates indicate a decline in the number of responses, therefore resulting in a burden reduction.

The difference between the burden hour estimate by one is due to the difference in calculation between SSA and ROCIS. Because ROCIS calculated 100,377, we have changed the burden hours in #12 to match; however, the burden hours remained the same as SSA's calculations showed on both Federal Register Notices.
16. The results of 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 would 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.