SUPPORTING STATEMENT FOR FORM SSA-455
DISABILITY UPDATE REPORT

20 CFR 404.1589-.1595 and 416.988-.996

OMB No. 0960-0511

A. Justification

1. Sections *205(a)* and *1631(e)(1)(A)* of the *Social Security Act* empower the Social Security Administration (SSA) to establish and uphold reasonable procedures for evaluating an alleged disability. Section *221(i)* of the *Act* requires SSA to periodically assess current disability payment recipients to determine if their eligibility for benefits should continue. Sections *1614(a)(4)* and *1633(a)/(c)* authorize SSA to review the disability status of Supplemental Security Income beneficiaries. *Sections 223(d)(5)(A)* and *1631(e)(1)* of the *Act* require claimants to furnish medical and other evidence SSA asks for to prove the continued existence of their disability. Sections *20 CFR 404.1589-.1595* and *416.988-.996* of the *Code of Federal Regulations* detail the rules for implementing the requirements of the above *Social Security Act* sections.

   To complete this mandated continuing disability entitlement evaluation, SSA must have an assessment instrument. The agency uses form SSA-455, the Disability Update Report, for this purpose.

2. SSA uses form SSA-455, the Disability Report Update, to evaluate current disability payments recipients' continued eligibility for Social Security benefits. Specifically, we use the form to determine if 1) there is enough evidence to warrant referring the beneficiary for a full medical Continuing Disability Review (CDR); 2) the beneficiary's impairment is still present and is strong enough to eliminate the need for a CDR; or 3) there are unresolved work-related issues for the beneficiary.

3. Form SSA-455 is not a form used by the general public; in other words, we only send it to specific disability beneficiaries whom we have selected as possibly qualifying for the continuing disability review process. We pre-fill the form with data specific to the beneficiary, except for those sections we ask the beneficiary to fill. For those reasons, we do not believe it would be beneficial to create an Internet-based version of this form under the agency's Government Paperwork Elimination Act plan.

   SSA has found our current process to be effective and relatively quick. When we receive the completed form, we scan it, allowing our computers to extract the information and store it in

the beneficiary's electronic folder. This allows for rapid processing of the form, enabling us to quickly make the next step in the decision process. To date, we have only needed to refer approximately 2.5% of respondents for a full medical review. For these reasons, we believe our current modality of collecting this information is the preferred method.

4. The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. This collection does not affect small businesses or other small entities.

6. If SSA did not use this information collection, we would have no means of documenting the recovery of current beneficiaries. This could lead to an indefinite payment of benefits to people who should not be receiving them. Because we only collect this information annually, we cannot collect it less frequently.

   There are no technical or legal obstacles to burden reduction.

7. There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.

8. SSA published the 60-day advance Federal Register Notice on July 11, 2008 at 73 FR 40005, and we did not receive any public comments. We published the 30-day Federal Register Notice on September 17, 2008, at 73 FR 53919. If we receive any public comments in response to the 30-day Notice (we have not to date), we will forward them to OMB.

   Since SSA last cleared this form, we did not consult outside members of the public about its contents.

9. SSA provides no payments or gifts to the respondents.

10. SSA protects and holds confidential the information we are requesting 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. Form SSA-455 does not contain sensitive questions. To avoid asking such questions, we deliberately omit any impairment-specific or limitation-specific questions relating to the beneficiary's diagnosis of record.

12. Approximately 880,000 beneficiaries spend 15 minutes each to complete this form annually, resulting in an annual burden of 220,000 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

13. There is no known cost burden to the respondents.

14. The approximate annual cost to the Federal Government for conducting this information collection is $19,360,000. This figure represents the costs for printing, mailing, processing, and analyzing the form.

15. Because SSA has a lower budget for conducting medical CDRs than in previous years, we have 101,000 fewer respondents for this form, causing a burden reduction of 25,250 hours.

16. SSA will not publish the results of the information collection.

17. OMB exempted SSA from the requirement to print the OMB approval expiration date on its program forms. SSA produces millions of public-use forms, most of which outlive an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g. on an annual basis). OMB granted this exemption so we would not have to stop using forms simply because of a past OMB expiration date. In addition, we are avoiding Government waste because we do not have to destroy and reprint stocks of forms.

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

SSA will not use statistical methods for this information collection.