

**Supporting Statement for Medicaid Use Report**  
**20 CFR 416.268**  
**OMB 0960-0267**

**A. Justification**

1. *Section 1619 (b) of the Social Security Act (the Act) and 20 CFR 416.268 of the Code of Federal Regulations* require the Social Security Administration (SSA) to determine eligibility for (1) special Supplemental Security Income (SSI) cash payments and for (2) special SSI eligibility status for a person who works despite a disabling condition. It also provides that, in order to qualify for special SSI eligibility status, an individual must establish that termination of eligibility for benefits under *Title XIX of the Act* would seriously inhibit his/her ability to continue employment. This Information Collection Request is for the public reporting burdens contained in these rules.
2. SSA uses the information to determine if an SSI recipient whose payments have been stopped based on earnings, is entitled to special Supplemental Security Income (SSI) payments and, consequently, to Medicaid benefits under Section 1619 (b) of the Act. The respondents are SSI recipients for whom SSA has stopped payments based on earnings.
3. Improved information technology that would reduce the burden is not available. The information is collected electronically during a personal or telephone interview using SSA's Modernized SSI Claims System (MSSICS) for 98 percent of the claims.
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 collect similar data
5. This collection does not affect small businesses or other small entities.
6. SSA would not be able to determine if an individual was covered under Section 1619 (b), if this information was not collected, which would result in termination of their Medicaid assistance. SSA collects this information on an as-needed basis; therefore, collection cannot be less frequent. There are no technical or legal obstacles that would prevent 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. The 60-day advance Federal Register Notice published on December 11, 2008, at 73 FR 75488, and SSA received no public comments. The second Notice published on February 17, 2009, at 74 FR 7506. SSA did not have any outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. SSA protects and holds confidential the information it is 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. The information collection does not contain any questions of a sensitive nature.
12. SSA will collect information from approximately 60,000 respondents annually. The estimated average response time is 3 minutes resulting in 3,000 burden hours. The total burden represents burden hours, and SSA did not calculate a separate cost burden.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$92,400. This estimate is a projection of the costs for collecting and processing the information.
15. There are no changes in the public reporting burden.
16. SSA will not publish the results of the information collection.
17. This information collection does not involve the use of any prescribed printed 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. Collection of Information Employing Statistical Methods

SSA is not using statistical methods for this collection.