

Justification
Continuing Disability Report
RRB Form G-254 and G-254a

1. Circumstances of information collection - Under section 2 of the Railroad Retirement Act (RRA), an annuity is not payable or is reduced for any months in which the annuitant works for a railroad or earns more than prescribed dollar amounts from either non-railroad employment or self-employment. Certain types of work may indicate an annuitant's recovery from disability. The provisions relating to the reduction or nonpayment of annuities by reason of work and an annuitant's recovery from disability for work are prescribed in 20 CFR 220.17-220.20.

The Railroad Retirement Board (RRB) conducts continuing disability reviews (CDR) to determine whether annuitants continue to meet the disability requirements of the law. Payment of disability benefits and/or a beneficiary's period of disability ends if medical evidence or other information shows that an annuitant is not disabled under the standards prescribed in section 2 of the RRA. CDRs are generally conducted if (1) the annuitant is scheduled for a routine periodic review, (2) the annuitant returns to work and successfully completes a trial work period, (3) substantial earnings are posted to the annuitant's wage record, or (4) information is received from the annuitant or a reliable source that the annuitant has recovered or returned to work. Provisions relating to when and how often the RRB conducts disability reviews are prescribed in 20 CFR 220.186.

2. Purposes of collecting, consequences of not collecting the information - **Form G-254, Continuing Disability Report**, is used by the RRB to develop information for CDR determinations, including determinations prompted by a report of work, return to railroad service, allegations of medical improvement, or routine disability review call-up. The form obtains information about a disabled annuitant's work activity and any medical treatment received by the annuitant during the reporting period shown in item 6 of the form.

Completion of Form G-254 is necessary when RRB headquarters personnel receive information of work activity or a change in the physical or mental condition of a disability annuitant. The RRB receives this type of information from various sources, including telephone calls or letters from the annuitants themselves or from other individuals, earnings information received from the Social Security Administration and State Employment Service(s) and from other outside sources. Whenever such information is received, an RRB field office is requested to secure a completed Form G-254 from the disability annuitant. Completion of the form is usually accomplished by means of an in-person or telephone interview between an RRB field office representative and the annuitant. In some cases, the field office mails Form G-254 (which is designed for self-completion) to the annuitant. When mailed, the form is transmitted by form RL-254 and a self-addressed envelope is enclosed for returning the completed G-254 to the RRB field office. The identifying information requested in Section 2 of the G-254 is entered by the RRB field office from information already available on RRB records prior to completion of the form whether by interview or by mail. The completed Form G-254 is

forwarded to RRB headquarters by the RRB field office.

Items 7 (a), (b) and (c) of Form G-254 requests the name, address, and telephone number of the annuitant's employer(s). When necessary (about 10 percent of the cases), RRB headquarters requests a field office to contact the employer(s) listed in these items to verify the annuitant's period of employment and wages earned. Likewise, the RRB will request that a field office contact a doctor, hospital, or clinic identified in items 27, 29 and 30, a vocational rehabilitation agency or counselor identified in item 32 or another agency identified in item 33 to provide information needed to verify information provided by an annuitant. The field office then forwards the information to RRB Headquarters.

In response to a request from the RRB's Office of Inspector General, the RRB proposes to obtain additional employment about an annuitant's self-employment. The changes proposed were reviewed by staff of the RRB's General Counsel, and Chief Information Officer and found to be acceptable. Subsequently, the forms were reviewed and approved for use (pending OMB approval) by the RRB's Board Members.

The proposed changes, which are found on page 5 of the proposed G-254 are as follows:

- Expand current introduction to Section 4 to include specific examples of self-employment,
- Item 15e - Add "corporation" and "LLC" (limited liability corporation) to the list of business descriptions,
- Create new item 15f(1) to ask if anything of value has been given in lieu of salary for any work performed and, if so, to provide a description in new item 15(f)(2),
- Create new item 15h pertaining to work as a corporate officer or work performed for any corporation,
- Renumbering of existing subitems due to proposed new items.

No other changes are proposed to Form G-254a.

Form G-254a, Continuing Disability Update Report is used to help identify annuitants whose work activity and/or recent medical history warrant a more extensive review and thus, completion of Form G-254, Continuing Disability Report. The questionnaire is mailed to disability annuitants (or their representative payee) scheduled for routine periodic review. Based on the annuitant's (or representative payee's) responses to Form G-254a, the RRB makes a determination whether to rediary the case for review at a later date, or to request completion of the more comprehensive Form G-254. The primary purpose and focus of the G-254a is to provide a means to screen cases scheduled for review and then focus the available resources on cases with the greatest potential for significant findings. **Use of Form G-254a reduces the number of annuitants asked to complete the comprehensive G-254.** Form G-254a is transmitted by Form RL-254a. Form RL-254a **currently** includes the Paperwork Reduction Act/Privacy Act Notice for Form G-254a.

The RRB proposes no changes to Form G-254a.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction - No Internet processing is planned at this time because both **forms are initiated by the RRB**, utilizing prefills from information resident in RRB automated systems. Future development will be subject to technology and budgetary constraints.
4. Efforts to identify duplication - This information collection does not duplicate any other RRB information collection.
5. Small business respondents - N.A.
6. Consequences of less frequent collection - Obtaining the employment, earnings and medical information less frequently would affect the accurate payment of disability annuities under the Railroad Retirement Act.
7. Special circumstances - N.A.
8. Public comments/consultations outside the agency - In accordance with 5 CFR 1320.8 (d), comments were invited from the public regarding the information collection. The notice to the public was published on page 53909 of the September 17, 2008, Federal Register. No comments or requests for additional information were received from the public.
9. Payments or Gifts to Respondents - N.A.
10. Confidentiality - Privacy Act System of Records, RB-22, Railroad Retirement Survivor and Pension Benefit System.
11. Sensitive questions - N.A.
12. Estimate of respondent burden - The current burden estimate for the information collection is unchanged as follows:

Current Burden

Form #	Annual Responses	Minutes	Burden Hrs
G-254			
(Annuitant)	1,000	35.0	583
(Employer verification)	100	5.0	8
(Doctor, hospital, or clinic verification)	100	5.0	8
(Vocational, Rehabilitation Counselor verification)	100	5.0	8
(Other governmental agency verification)	100	5.0	8
(School verification)	100	5.0	8
G-254a	1,500	5.0	125
Total	3,000		748

13. Estimate of annual cost to respondents or record keepers - N.A.

14. Estimate of cost to Federal Government - N.A.
15. Explanation for change in burden - N.A
16. Time schedule for data collections and publications - The results of this collection will not be published.
17. Request not to Display OMB expiration date - The G-254 and G-254 are seldom revised. Given the costs associated with redrafting, reprinting and distributing the form in order to keep the appropriate OMB expiration date in place, the RRB requests the authority to not display the expiration date on the form.
18. Exceptions to Certification Statement
- None