

**Technical Updates to Applicability of the Supplemental Security Income (SSI) Reduced Benefit Rate for  
Individuals Residing in Medical Treatment Facilities**

**20 CFR 416.708(k)**

**OMB 0960-0758**

**A. Justification**

**1. Introduction/Authorizing Laws and Regulations**

Section 1611(e)(1)(A) of the Social Security Act specifies that no resident of a public institution is eligible for SSI benefits. However, Sections 1611(e)(1)(B) and (G) list certain exceptions to this provision that make it necessary for SSA to collect information about any SSI recipient who enters or leaves a medical treatment facility or other public or private institution in order to determine eligibility for SSI and the benefit amount.

Section 20 CFR 416.708 (k) of the Code of Federal Regulations describes the reporting requirements for SSI recipients. If a medical treatment facility, public institution, or private institution admits or discharges an SSI recipient, the recipient or another person must notify us.

**2. Description of Collection**

SSA uses this information collection to determine SSI eligibility or the benefit amount for SSI recipients who enter or leave institutions.

SSA field offices and teleservice centers collect this information directly from the recipient or someone reporting on behalf of the recipient. A recipient who enters an institution may not be able report, so a family member sometimes makes this report on behalf of the recipient. When contacting SSA the recipient or family member of the recipient will provide the name of the facility, the date of admission and date of discharge. The respondent may submit this information in person, by telephone, by fax, or by mail. The respondents are SSI recipients.

**3. Use of Information Technology to Collect the Information**

SSA employees input all collection information directly into the Supplemental Security Income computer system (SSR). Regardless of how the SSA office gets this information, we enter it into the SSR electronically.

In accordance with the agency's Government Paperwork Elimination Act plan, SSA created an electronic version this information collection. Based on our data, we estimate approximately 100% of respondents under this OMB number use the electronic version.

**4. Why We Cannot Use Duplicate Information**

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. Minimizing Burden on Small Respondents**

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

6. **Consequence of Not Collecting Information or Collecting it Less Frequently**  
If we did not collect this information, we would not be able to make correct determinations of SSI eligibility or SSI benefit amounts. This would result in loss of benefits for individuals who are due benefits, and overpayment of benefits to individuals who are not due benefits. Because we only collect the information on an as needed basis, we cannot collect it less frequently.

There are no technical or legal obstacles to burden reduction

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

8. **Solicitation of Public Comment and Other Consultations with the Public**  
The 60-day advance Federal Register Notice published on May 13, 2010, at 75 FR 27036, and we received no public comments. SSA published the second Notice on August 02, 2010 at 75 FR 45190. If we receive comments in response to the 30-day Notice, we will forward them to OMB.

*Note:* The Federal Register Notice lists this ICR as a revision; however, this is an extension.

We did not consult with the public on the revision of this application.

9. **Payment or Gifts to Respondents**  
SSA does not provide payments or gifts to the respondents.

10. **Assurances of Confidentiality**  
SSA protects and holds confidential the information it collects 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. **Justification for Sensitive Questions**  
The information collection does not contain any questions of a sensitive nature.

12. **Estimates of Public Reporting Burden**  
Approximately 34,200 respondents take 7 minutes each to report under this collection each year. Accordingly, the burden is 3,990 hours, and we did not calculate a separate cost burden.

13. **Annual Cost to the Respondents (Other)**  
This collection does not impose a known cost burden to the respondents.

14. **Annual Cost To Federal Government**  
The annual cost to the Federal Government is approximately \$370,000. This estimate is a projection of the costs for collecting the information.

15. **Program Changes or Adjustments to the Information Collection Request**  
There are no changes in the public reporting burden.
16. **Plans for Publication Information Collection Results**  
SSA will not publish the results of the information collection.
17. **Displaying the OMB Approval Expiration Date**  
SSA is not requesting an exception to the requirement to display the OMB approval expiration date.
18. **Exceptions to Certification Statement**  
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 does not use statistical methods for this information collection.