

**Supporting Statement for Form SSA-9584-BK
State Mental Institution Policy Review Booklet
20 CFR 404.2035, 404.2065, 416.635 and 416.665
OMB No. 0960-0110**

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(j)(3)(B) and 1631(a)(2)(C) of the Social Security Act (Act) require the Commissioner of Social Security to establish a system of accountability monitoring for institutions in United States. Regulations at 20 CFR 404 Subpart U, Representative Payment (Title II), and 20 CFR 416 Subpart F, Representative Payment (Title XVI), of the Code of Federal Regulations, provide the principles and procedures that the Social Security Administration (SSA) follows when determining whether to make representative payment and in selecting a representative payee. These regulations also explain the responsibilities of the representative payee. Specifically, regulations at 20 CFR 404.2035 and 404.2065 (Title II) and 20 CFR 416.635 and 416.665 (Title XVI) explain the representative payee reporting responsibilities. The respondents are state mental institutions serving as representative payees for Social Security beneficiaries and Supplemental Security Income (SSI) recipients. We use the information from the SSA-9584-BK, State Mental Institution Policy Review Booklet, to determine whether the institutions' policies and practices conform to the regulations in the use of benefits/payments and whether the institution is performing other duties and responsibilities required of a representative payee.

2. Description of Collection

SSA sends the SSA-9584-BK to state mental institutions that participate in SSA's representative payee onsite review program. The state mental institutions have the responsibility to receive and administer payments to beneficiaries and SSI recipients whom SSA has determined incapable of managing benefits. The law and regulations (as noted above) require SSA to monitor representative payees' use of benefits. Under the onsite review program, SSA conducts a triennial review of state mental institutions to determine whether the institutions' policies and practices comply with SSA's regulations in the use of benefits/payments and other duties and responsibilities required of representative payees. The completed SSA-9584-BK supplies the information we need for conducting onsite reviews of institutions. In addition, we use the information to prepare the subsequent reports of findings and recommendations, which SSA issues to the institutions. The purpose of the information collection is for program evaluation and regulatory compliance.

Although this collection is voluntary for respondents, failure to provide the information could result in their dismissal as a representative payee. The respondents, state agencies, complete the paper form themselves on a triennial basis. SSA reviews facilities triennially, reviewing one-third (88) of the 266 participating institutions each year. Respondents do not have help and will not need information from someone else.

3. Use of Information Technology to Collect the Information

SSA forwards the paper form to state mental institutions for their completion and return to SSA prior to the onsite review. An electronic, non-fillable PDF version of the form is also available on SSA's website for respondents to print and mail to SSA.

SSA did not create an electronic version of form SSA-9584-BK under the agency's Government Paperwork Elimination Act (GPEA) plan because only 88 respondents complete the form each year. This is less than the GPEA cut-off of 50,000.

4. Why We Cannot Use Duplication 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 use form SSA-9584-BK, SSA would be unable to determine whether the institutional payee needs guidance or if a change in representative payee is required. SSA would not have vital data needed to conduct the onsite review without the information we collect on this form. Therefore, 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

SSA published the 60-day advance Federal Register Notice on September 27, 2010 at 75 FR 59318 and we received no public comments. We published the 30-day Notice on December 22, 2010 at 75 FR 80563. If we receive any comments, we will forward them to OMB. We did not consult with the public in the maintenance of this form.

9. Payment or Gifts to Respondents

SSA provides no 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 of Sensitive Questions

The information collection does not contain any questions of a sensitive nature.

- 12. Estimates of Public Reporting Burden**
Approximately 88 respondents take 1 hour to complete form SSA-9584-BK each year. Accordingly, the burden is 88 hours. This figure represents burden hours and we did not calculate a separate cost burden.
- 13. Annual Cost to the Respondents (Other)**
The collection does not impose a known cost burden to the respondents.
- 14. Annual Cost to the Federal Government**
The annual cost to the Federal Government is approximately \$5,872. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
- 15. Program Changes or Adjustments to the Information Collection Request**
There have been no program changes in this form. When we last cleared this information collection in 2007, the burden was 95 hours. However, we are currently reporting a burden of 88 hours. The number of state institutions participating in the onsite review program continues to decline. At this time, there are approximately 266 state institutions participating in the onsite review program. SSA reviews facilities triennially, reviewing one-third (88) of the 266 participating institutions each year.
- 16. Plans for Publication Information Collection Results**
SSA will not publish the results of the information collection.
- 17. Displaying the OMB Approval Expiration Date**
OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms, with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms, (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.
- 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.