

Supporting Statement for Form SSA-454-BK & SSA-454-ICR
Continuing Disability Review Report
20 CFR 404.1589 & 416.989
OMB No. 0960-0072

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 1631(e)(1)(A) of the Social Security Act (Act) provide the Commissioner of Social Security with full power and authority to make rules and regulations, establish procedures and adopt reasonable and proper procedures governing the nature and extent of the evidence to determine whether an individual continues to be disabled. Sections 223(d)(5)(A) and 1614(a)(3)(H)(i) of the Act, as amended, request claimants to furnish such medical and other evidence required by the Commissioner to prove that they continue to be disabled. Sections 221(i), 1614(a)(3)(H)(ii)(I) and 1633(c)(1) of the Act require us to periodically review the cases of individuals who receive benefits under Title II and or Title XVI of the Act, based on disability, to determine if disability continues. As provided in 20 CFR 404.1589 and 20 CFR 416.989 of the Code of Federal Regulations, we may conduct a review to determine whether benefit entitlement or eligibility continues for individuals receiving disability benefits. SSA uses the SSA-454, Continuing Disability Review Report, to collect the information needed to complete the review for continued disability.

2. Description of Collection

We use Form SSA-454 to collect information about individuals receiving disability benefits. We evaluate the information to determine whether the individuals remain eligible for benefit payments. SSA performs the evaluations on a periodic basis depending on the individual's disability. The reviews vary between one and seven years. SSA also conducts unscheduled continuing disability reviews (CDRs) when a field office determines one is necessary. A field office may determine a CDR is necessary if a beneficiary returns to work or alleges medical improvement. We estimate SSA field offices will initiate approximately 3,000 additional cases. Cases initiated by the field office are exclusions for the SSA-454-ICR process described below, so SSA uses the SSA-454-BK, or stand-alone Electronic Disability Collect System (EDCS) interview to process these. Unless there is an unforeseen issue, we do not expect to use the SSA-454-BK for any other type of CDR (see item #12).

We consider adults eligible for payment if they continue to be unable to do substantial gainful activity because of their impairments. We consider Title XVI children eligible for payment if they have marked and severe functional limitations because of their impairments. We obtain information concerning sources of medical treatment, participation in vocational rehabilitation programs (if any), attempts to work (if any), and the opinions of individuals regarding whether their conditions have improved.

The SSA-454-ICR, Continuing Disability Review Report, is an application for continued benefits, and is a shorter version of the SSA-454-BK. We require respondents to

complete the form in order to continue their benefits. Use of the ICR form allows individuals to write minimal information to begin the CDR process. An image of the SSA-454-ICR will be stored in the electronic folder and the information provided by the beneficiary will automatically propagate to EDCS. Claims Representatives (CRs) will review the information in EDCS and, if necessary, use it to tailor the CDR interview when they contact beneficiaries to obtain more information. The respondents are disabled individuals, or their representatives, that are currently entitled to and receiving disability benefits under Title II, Title XVI, or both of the Social Security Act, and are due for a medical review of their case.

3. Use of Information Technology to Collect the Information

In FY 11, we plan nationwide implementation of the EDCS screens. Claims representatives (CR) complete the EDCS screens in the field office through a personal interview with the claimant. If the claimant uses the abridged SSA-454-ICR form, the CR conducts a shorter version of the EDCS interview as the claimants' answers already propagate into EDCS when we scan the form into the system.

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner 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 affect small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

The use of the SSA-454-ICR is to collect current medical data from individuals receiving disability benefits. If we did not collect the information, it would not be possible to complete the eligibility review required by the Act. If the data were collected less frequently, we would be unable to make a timely determination regarding if and when recipients should stop receiving disability payments (either because adults are able to work or Title XVI children no longer have marked and severe functional limitations). 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 November 24, 2010 at 75 FR 71785, and SSA received no public comments. The second Notice published on January 25, 2011 at 76 FR 4407. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. SSA did not consult members of the public in the development or maintenance of this form.

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

The number of continuing disability reviews (CDRs) that are processed each year depends on the number of maturing diaries, reports of medical improvement, and SSA’s budget.

In fiscal year FY10, 322,400 respondents used the form. The expected number of respondents for FY11 is 359,800 and in FY12, we are projecting 541,000 CDRs. For the purposes of this document, we will use 541,000 as the number of respondents who annually use this form.

Claimants have three options to choose from to provide the information:

- An individual may complete the paper SSA-454-BK;
- A Claims Representative may collect the information from the claimant during an EDCS interview;
- A two-fold process where the individual completes the abbreviated SSA-454-ICR and a CR follows up with an abbreviated EDCS interview.

The estimated response time using the SSA-454-ICR plus the abbreviated EDCS interview is 55 minutes. Using the SSA-454-BK takes approximately 60 minutes, and the stand-alone EDCS interview takes an estimated 59 minutes per case. By using the SSA-454-ICR and the abbreviated interview, we are reducing the public burden.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Total Annual Burden (hours)
SSA-454- BK (Paper version)	1,500	1	60	1,500
EDCS SSA-454 interview*	1,500	1	59	1,475
SSA-454-ICR	541,000	1	30	270,500
Abbreviated EDCS interview to supplement SSA-454-ICR**	541,000		25	225,417
Totals	544,000			498,892

* Claims representatives may choose to complete the EDCS interview rather than the SSA-454-BK.

**We combined the burden for the SSA-454-ICR and the abbreviated EDCS interview into one IC on ROCIS so that we do not double count the number of respondents.

The total burden for this ICR is 498,892 hours. This figure represents burden hours, and SSA 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 \$14,465,629.00. This estimate is a projection of the costs for printing and distributing the collection instrument (SSA 454-ICR and SSA-454-BK) and collecting the information, (WBDOC costs). It also includes keying costs for the Electronic Disability Collect System.

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this information collection in 2009, the burden was 259,000 hours. We are currently reporting a burden of 498,892 hours. This change stems from the increase in the number of CDRs the agency plans to process in FY11. In addition, we intend to use the SSA-454-ICR and abbreviated EDCS interview in place of the SSA-454-BK for the majority of CDR cases. Using the SSA-454-ICR and abbreviated EDCS interview instead of the SSA-454-BK or the EDCS stand-alone interview decreases the total burden by 5 minutes; thereby reducing the public reporting burden significantly.

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.