

**Addendum to Supporting Statement**  
**Request for Hearing By Administrative Law Judge SSA-HA-501-U5**  
**20 CFR 404.929, 404.933, 416.1429, 416.1433, 42 CFR 405.722, 20 CFR 418.1350**  
**OMB No. 0960-0269**

**Terms of Clearance**

06/10/2010

*OMB is approving this collection for one year with the following terms of clearance. Upon next submission, SSA should provide a written explanation of the reasons for the wide discrepancy between the average burden associated with the electronic form and the paper version. The explanation should include steps that SSA is taking to reduce this discrepancy. SSA should also provide OMB with up-to-date data on the percentage of Medicare Part B affected beneficiaries who request an appeals hearing.*

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Claimants who wish to request a hearing may submit a paper or an internet HA-501-Request for Hearing By Administrative Law Judge. We have estimated that it takes claimants 10 minutes to complete the paper form and 19 minutes to complete the internet appeal request. OMB has questioned the discrepancy in the time that it takes to complete the paper form versus the internet appeal request. The paper form is a one-page document on which there are minimal instructions.

Claimants can also complete the form via an in-office interview where an SSA field office employee enters the information into SSA's Modernized Claims Systems (MCS/MSSICS).

The internet appeal request is included in the Internet Appeals (iAppeals) application. iAppeals provides several pages of information before claimants proceed to completing the appeal request questions. The information provides a description of, explains who may use, and the information needed in order to complete internet appeal requests. Claimants read, or read and complete the following pages (hearing request path) when completing an appeal request through iAppeals:

- Welcome! (read only)
- About this Internet Appeal Process – (read only)
- Should you use this Internet Appeal Process? - (complete)
- About your appeal – (read only)
- About the Request for Hearing by Administrative Law Judge - (read only)
- How this Internet appeal request works - (read only)
- Request for Hearing by Administrative Law Judge (complete)
- Representative's information - (complete)
- Submit your Request for Hearing (Filed by representative) - (read only)
- Receipt of Request for Hearing (Filed by representative) - (read only)

The time claimants take to read the iAppeals information accounts for the discrepancy in the time claimants take to complete the paper form versus the internet appeal request. Although claimants take more time to complete the internet appeal request, internet

appeal requests are convenient because these appeal requests eliminate the need for claimants to either print an HA-501 from Social Security's Website or request one from the local Social Security (SSA) field office, and then complete and hand carry or mail the form to the local SSA field office. iAppeals also eliminates the need to schedule an appointment or walk-in the local SSA field to complete appeal requests.

The agency has multiple online services available for use by the public. To ensure the public understands when and how to use these online services, we provide detailed explanations and instructions for using them. Because iAppeals is an online service, more information is provided to claimants when they file an internet appeal request and, thereby, justifies the discrepancy. Any action taken to shorten the discrepancy may interfere with the understanding and use of iAppeals.

OMB has requested that SSA provide the percentage of Part B beneficiaries who file hearing requests. The *BRIEF SUMMARIES of MEDICARE & MEDICAID Title XVIII and Title XIX of the Social Security Act* report dated November 1, 2010 states that "about 43 million people" were covered under Medicare Part B as of July 1, 2009. Data available at SSA indicates that in 2009, 356 beneficiaries filed hearing appeal requests due to Medicare Part B - Income Related Monthly Adjustment Amounts (IRMAA) that resulted in an increase in the monthly premium/subsidy reduction amount. Currently, less than 1 percent of Medicare beneficiaries covered under Part B file hearing appeal requests due to premium increases/subsidy reductions related to IRMAA.

We are replacing the PRA Act Statement with a new time estimate.

### **Minor Revisions to the Collection Instrument**

**Change 1:** We are deleting the word "signed" from the Request For Hearing By Administrative Law Judge section, and adding the word "completed."

**Justification 1:** The regulations (20 CFR 404.903 and 416.1433) require a written request for a hearing from the person requesting the hearing; the regulations do not require a signature on the written request for hearing. However, Social Security's long-standing practice supported by its Program Operations Manual System, Hearings, Appeals, and Litigation Law manual, forms and other instructions required a signature on hearing requests. The instructions and forms are being updated to eliminate the signature requirement on hearing requests. As a result, the below changes are being made to the HA-501.

**Change 2:** We are deleting the penalty clause above number 8 and 9.

**Justification 2:** We no longer require signatures on the appeals requests.

**Change 3:** We are adding the word optional to number 8 of form HA-501-U5 after the words "Claimant's Signature"

**Justification 3:**

The regulations (20 CFR 404.903 and 416.1433) require a written request for a hearing from the person requesting the hearing; the regulations do not require a signature on the written request for hearing. However, Social Security’s long-standing practice supported by its Program Operations Manual System, Hearings, Appeals, and Litigation Law manual, forms and other instructions required a signature on hearing requests. We are updating the instructions and forms to eliminate the signature requirement on hearing requests. As a result, the below changes are being made to the HA-501.

**Change 4:** We are adding the word optional to number 9 of form HA-501-U5 after the words “Representative’s Signature”

**Justification 4:** The regulations (20 CFR 404.903 and 416.1433) require a written request for a hearing from the person requesting the hearing; the regulations do not require a signature on the written request for hearing. However, Social Security’s long-standing practice supported by its Program Operations Manual System, Hearings, Appeals, and Litigation Law manual, forms and other instructions required a signature on hearing requests. We are updating the instructions and forms to eliminate the signature requirement on hearing requests. As a result, the below changes are being made to the HA-501.

We are revising the PRA statement to reflect our current boilerplate language. The current language, which dates back to the last reprint of the form, is now outdated.