

Supporting Statement for Form SSA-546
Workers' Compensation/Public Disability Benefit Questionnaire
20 CFR 404.408
OMB No. 0960-0247

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 224 of the Social Security Act (the *Act*) provides for the reduction of disability insurance benefits (DIB) if the combination of DIB and any workers' compensation (WC) or certain federal, state, or local public disability benefits (PDB) exceeds 80 percent of the worker's average current earnings. *Section 20 CFR 404.408* of the *Code of Federal Regulations* authorizes SSA to reduce an individual's Social Security claim when they are potentially eligible for WC and PDB.

2. Description of Collection

SSA completes Form SSA-546 whenever DIB applicants indicate they filed or intend to file for WC and PDB. SSA uses Form SSA-546 to collect the data necessary to determine if the worker's receipt of WC and PDB payments will cause a reduction of DIB. The respondents are applicants for title II DIB.

3. Use of Information Technology to Collect the Information

SSA field office employees enter information from Form SSA-546 in SSA's Intranet system, Modernized Claims System (MCS). SSA uses the paper form of the SSA-546 when the MCS is unavailable due to systems problems. When the systems problem is resolved, the claims representative enters the information from the paper form into MCS.

In accordance with the agency's Government Paperwork Elimination Act plan, SSA created an electronic version of Form SSA-546. SSA field office employees enter the into SSA's Intranet system, MCS. Based on our data, we estimate approximately 95% 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 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-546, it could result in an inaccurate computation of Social Security disability insurance benefits. Because we collect the information on an as needed basis, we cannot collect it less frequently.

There are no technical or legal obstacles that prevent 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 28, 2011, at 76 FR 72994, and we received no public comments. The 30-day FRN published on February 09, 2012 at 77 FR 6853. If we receive any comments in response to this Notice, we will forward them to OMB.

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 for Sensitive Questions

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

12. Estimates of Public Reporting Burden

Collection Instrument	Number of Responses	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-546 (Paper form)	2,000	1	15 minutes	500
MCS	248,000	1	15 minutes	62,000
Total	250,000			62,500

The total burden for this ICR is 62,500. This figure represents burden 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 on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$1,350,260. This estimate is a projection of the costs for printing and distributing the collection instrument and collecting the information

15. Program Changes or Adjustments to the Information Collection Request

There are no program changes to 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

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 requirement to display the OMB approval expiration date.

B. Collection of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.