

Supporting Statement for Form HA-4631
Claimant's Recent Medical Treatment
20 CFR 404.1512 and 416.912

OMB No. 0960-0292

A. Justification

- 1. Introduction /Authoring Laws and Regulations** - Sections 205(a), 223(d), 1614(a), and 1631(e) of the *Social Security Act (Act)* require claimants filing for Social Security benefits or Supplemental Security Income (SSI) payments based on disability, provide medical and other evidence concerning their impairment(s) to the Social Security Administration (SSA). Sections 20 CFR 404.1512 and 416.912 of the *Code of Federal Regulations* set forth the procedures and policies for implementing the *Act*.
- 2. Description of Collection** - When Disability Determination Services deny a claim at the reconsideration level, the claimant has a right to request a hearing before an administrative law judge (ALJ). For the hearing, SSA asks the claimant to complete and return the HA-4631 if the claimant's file does not reflect a current, complete medical history as the claimant proceeds through the appeals process. ALJs must obtain the information to update and complete the claimant's record, and to verify the accuracy of the information. Through this process, ALJs can ascertain whether the claimant's situation has changed. The ALJs and hearing office (HO) staff use the response to make arrangements for consultative examination(s) and the attendance of an expert witness(es), if appropriate. During the hearing, the ALJ offers any completed questionnaires as exhibits, and may use them to refresh the claimant's memory and to help shape their questions. The respondents are claimants requesting hearings on entitlement to Old Age, Survivors, and Disability Insurance benefits or SSI payments.
- 3. Use of Information Technology to Collect the Information** – Only a select population of claimants, determined solely at the discretion of the ALJ based on the conditions of each individual claimant's hearing, completes the HA-4631. Given the individualized nature of the evidence respondents submit and the intermittent request for this information, SSA does not deem it appropriate to develop an electronic form under the aegis of the Government Paperwork Elimination Act plan.
- 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 collect similar data.
- 5. Minimizing Burden on Small Respondents** - This collection does not affect small businesses or other small entities.

6. **Consequences of Not Collecting Information or Collecting it Less Frequently** - In order to comply with Federal law, SSA must collect the information on the HA-4631. If the HO staff does not collect the information when necessary, a violation of statutory requirements may occur. Therefore, we cannot collect the information 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 December 15, 2012, at 76 FR 78068, and SSA received no public comments. The second Notice published on January 29, 2012, at 77 FR 12350. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with members of the public. The first Federal Register Notice lists this ICR as an extension; however, as we are revising the Privacy Act Statement, SSA is now listing this ICR as a revision.
9. **Payments of Gifts to Respondents** - SSA does not provide payment or gifts to the respondents.
10. **Assurances of Confidentiality** - SSA protects and holds confidential the information we are requesting 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 200,000 respondents will use Form HA-4631 annually. The estimated average response time is 10 minutes, for a total of 33,333 burden hours. The total burden represents burden hours, and SSA did not calculate a separate cost burden.
13. **Cost to Respondents** - There is no known cost burden to the respondents.
14. **Annual Cost to the Federal Government** - The annual cost to the Federal Government is approximately \$539,000. 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** - The total burden decreased from 53,333 to 33,333 hours. This decrease occurred because the number of respondents decreased from 350,000 to 200,000 due to SSA's shorter case processing time prior to the hearing. This allowed the ALJ to have the most current claimant information at the time of the hearing, and thus the ALJ requested fewer

updates (i.e, completed HA-4631s) to the claimant's file.

16. **Plans for Publication Information Collection Results** - SSA will not publish the results of the information collection.
17. **Displaying the OMB 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. **Exception 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 is not using statistical methods for this collection.