

Certificate Requirement to Receive Service Dog Benefits Under 38 CFR 17.148

RIN 2900-AN51 Service Dogs

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

Pursuant to 38 U.S.C. 1714(b) and (c), VA may provide to Veterans enrolled under 38 U.S.C. 1705 guide dogs trained for the aid of people who are blind and service dogs trained for the aid of the hearing impaired or persons with a spinal cord injury or dysfunction or other chronic impairment that substantially limits mobility. VA interprets “provide” in section 1714 to mean that VA not actually purchase or acquire dogs for eligible Veterans, who obtain animals through organizations dedicated to training guide dogs at little or no cost to the Veteran. However, VA would provide benefits to sustain the service dogs (such as veterinary benefits and the furnishing of special hardware or equipment), if the service dogs meet the conditions set forth in proposed § 17.148. One of the conditions is that the service dogs meet the training requirements in proposed § 17.148(c). To receive benefits under proposed § 17.148(d), Veterans must present VA with a certificate as issued by a service dog organization to verify that the service dog has been properly trained in accordance with proposed § 17.148(c).

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

VA expects that Veterans will provide a certificate to VA as issued by the service dog organization that will indicate that the service dog has been properly trained as a service dog as required and recognized under proposed § 17.148(c)(1). VA must be presented this certificate to ensure that service dogs meet the proper training requirements under the rule, and therefore that the Veteran may receive service dog benefits under proposed § 17.148(d). VA does not prescribe that certificates presented to VA must be in any standard form, and there is no standard VA form that would be associated with this information collection.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

This collection does not involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Improved information technology will not decrease the burden on the public, as the current request of submitting a certificate that is already in the Veteran’s possession is the least burdensome means of collecting this information.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

VA does not have a similar collection of information because the requirement to provide this information is created by the proposed rulemaking. This information is only requested the first time the Veteran seeks to receive service dog benefits under proposed §17.148(d). Once the Veteran presents the certificate, the

Veteran should not need to be asked for this information again to verify proper training and recognition of a service dog to receive service dog benefits.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

VA does not expect this collection to impact small businesses or other small entities, because we are not requiring that the service dog organizations alter their current training certificates or use a VA form instead. Any service dog organization's current training certificate, as permitted and described under proposed § 17.148(c)(1), will be accepted as valid under proposed § 17.148(c)(1).

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

VA believes this collection of information is required to ensure the service dog is adequately trained and that it can safely complete required tasks for the Veteran. Without this information, VA would not be able to administer service dog benefits under proposed § 17.148(d).

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

There are no such special circumstances.

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

The notice of Proposed Information Collection Activity was published in the Federal Register on June 16, 2011 (Volume 76, Number 116, page 35165). We received multiple comments in response to this notice. Some commenters stated that the number of respondents was underreported, because more than 100 Veterans need service dogs each year. The response was that the estimated burden of 100 is not an estimate of the number of Veterans who may need a service dog, but rather is an estimate of the number of new Veterans each year that VA expects to present a certificate showing successful completion of training to obtain benefits. Other commenters asserted that the expected burden time was underreported. The response was to clarify that the burden time of less than 5 minutes as stated in the proposed rule only contemplates the submission by the Veteran of the certificate from the service dog organization, as required by proposed § 17.148(c)(2). The burden time does not reflect any of the time required for VA to conduct its clinical evaluation to determine if a service dog would optimally benefit a Veteran, nor the independent assessments that a service dog organization conducts thereafter to place the service dog with the Veteran. The following link captures the Public Comments received.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

Outside consultation is conducted with the public through the 60-day Federal Register notices.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gift is provided to respondents.

10. Describe any assurance of privacy, to the extent permitted by law, provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

This information will not include Protected Health Information (PHI) or Individually Identifiable Health Information (IIHI).

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

12. Estimate of the hour burden of the collection of information:

a. The number of respondents, frequency of responses, annual hour burden, and explanation for each form is reported as follows:

RIN 2900-AN51	No. of respondents	x No. of responses (1)	x No. of minutes (5)	÷ by 60=	Number of Hours
	100	100	500		8.33

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-I.

This request covers only one information collection.

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

VA does not require any additional recordkeeping. There is no cost to the respondents for completing the information collection.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

There is no anticipated recordkeeping burden.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

There is no anticipated recordkeeping burden.

15. Explain the reason for any burden hour changes or adjustments reported in items 13 or 14 of the OMB form 83-1.

This is a new collection and all burden hours are considered a program increase.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

VA does not intend to publish this data.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

VA is not seeking approval to omit the expiration. There is no applicable VA form from which to omit the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are used in this data collection.