

**Supporting Statement for Form HA-504,  
Acknowledgement of Receipt (Notice of Hearing)  
20 CFR 404.396; 404.938; 404.950; 405.315; 416.1436; 416.1438; and 416.1450  
OMB No. 0960-0671**

**A. Justification**

**1. Introduction/Authoring Law and Regulations**

*Sections 205(b)(1) and 1631(c)(1)(A) and (B) of the Social Security Act (Act) and 20 CFR 404.938 and 416.1438 of the Code of Federal Regulations (Code) authorize the Social Security Administration (SSA) to collect the information on Form HA-504. The Act and the Code require claimants to acknowledge receipt of the Notice of Hearing and indicate whether they will attend the hearing as shown on the notice. Sections 205(d) and 1631(c) of the Act, as well as 20 CFR 404.936(d), (e), (f), 404.950(a), 405.315(c)(1), 416.1436(d), (e), and (f); and 416.1450(a) of the Code authorize SSA to 1) establish the time and place of the hearing and 2) request claimants to present evidence during the hearing. We are submitting this information collection request due to regulatory changes we are making to the laws mentioned above (see Addendum for more information).*

**2. Description of Collection**

SSA uses Form HA-504 as the claimants' acknowledgement of receipt for the Notice of Hearing issued by an administrative law judge (ALJ). The HA-504 establishes the time and place of the hearing, and reminds claimants to gather evidence in support of their claim. We are adding a new version of this form to adhere to our regulatory revisions adding a phone teleconferencing option (see Addendum for more information). Therefore, SSA has three versions of this form, the HA-504 (with video teleconferencing), the HA-504-OP1 (without any teleconferencing), and the new HA-504-OP2 (with phone teleconferencing). The difference between the forms relates to the claimant's appearance for the hearing (in-person, video teleconference, or phone teleconference). SSA determines which version of the form to use based on where the claimant lives, and the location of the ALJ and experts involved in the case. If SSA can conduct the hearing via teleconferencing, we send the HA-504 and attempt to schedule a teleconference. We estimate we conduct approximately 20 percent of all hearings via teleconferencing (we estimate we will conduct less than 1 percent of these hearings by phone while we will conduct the remaining 19 percent via video teleconferencing). Depending on the claimant's response, the ALJ will: 1) prepare for the hearing as scheduled; or 2) reschedule the hearing for a different date or location. In situations where claimants do not want a video hearing, the ALJ may reschedule the hearing as a face-to-face hearing. The respondents are applicants for Social Security benefits who request a hearing to appeal an unfavorable entitlement or eligibility determination.

**3. Use of Information Technology to Collect the Information**

SSA did not make the HA-504 available electronically under the Government Paperwork Elimination Act. SSA prioritizes collections that will become electronic; higher volume collections, as well as those that are legally mandated, take precedence to this one. However, representatives who have applied for the Appointed Representative Services

(ARS) suite may submit electronic responses through SSA's web-based application, Electronic Records Express Third-Party (0960-0767), or facsimile.

**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 collect the information, it would disrupt the hearing process for both the claimant and the agency, and could violate statutory and regulatory requirements relating to fair hearings and due process. Therefore, we cannot collect this 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**

SSA published a notice of proposed rulemaking (NPRM) in the Federal Register on October 29, 2007, at 72 FR 61218. We published a series of final rules on December 18, 2008 at 73 FR 76940, and again on July 8, 2010 at 75 FR 39154. We published the amended final rules on May 21, 2013 at 78 FR 29624. If we receive any comments in response to these final rules, we will forward them to OMB.

**9. Payment or Gifts to Respondents**

SSA provides no payment 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**

Approximately 900,000 respondents use the three versions of Form HA-504 annually. The estimated average response time is 30 minutes to complete the form and gather evidence for the hearing, for 450,000 burden hours as reflected in the chart below:

<b>Modality of Completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Average Burden Per Response (minutes)</b>	<b>Total Annual Burden (hours)</b>
HA-504 (with Video Teleconferencing )	181,000	1	30	90,500
HA-504-OP1 (without Video or Phone Teleconferencing )	718,000	1	30	359,000
HA-504-OP2 (with Phone Teleconferencing )	1,000	1	30	500
<b>Totals</b>	<b>900,000</b>			<b>450,000</b>

The total burden for this ICR is **450,000** hours. This figure represents burden hours, and we did not calculate a separate cost burden.

**13. Annual Cost to the 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 \$264,786 as 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 Request**

We increased the burden for the HA-504 due to an increase in the number of annual respondents. In addition, to accommodate our new regulations, we are adding telephone hearings as a new modality. Respondents will be able to choose telephone hearings in place of in-person hearings (see Addendum for details).

**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.