

**Supporting Statement for Form SSA-3373-BK
Function Report – Adult**

20 CFR 404.1512 and 20 CFR 416.912

OMB No. 0960-0681

A. Justification

- 1. Introduction/Authoring Laws and Regulations** - Sections 205(a), 223(d)(5)(A), 1631(d)(1), and 1631(e)(1) of the *Social Security Act (Act)* require claimants for Social Security disability benefits to provide medical and other evidence of their disability. These sections of the *Act* grant the Social Security Administration (SSA) the authority to establish procedures for collecting and verifying this evidence. 20 CFR 404.1512 and 416.912 of the Code of Federal Regulations provide detailed requirements of the types of evidence Social Security disability claimants and beneficiaries must provide showing how their impairment(s) affects their ability to work (e.g., evidence of age, education and training, work experience, daily activities, efforts to work, and any other evidence). SSA uses Form SSA-3373-BK, the Function Report-Adult, to collect the information for adult disability cases.
- 2. Description of Collection** - SSA and State Disability Determination Services' (DDS) employees collect the information via paper form (Form SSA-3373-BK), telephone, or interview. In some cases, we need information about a claimant's activities and abilities to evaluate the claimant's disability. We use this information, together with medical evidence, as the basis to determine eligibility or continued eligibility for disability benefits or payments. The respondents are individuals applying for disability.
- 3. Use of Information Technology to Collect the Information** - SSA has not yet created an electronic version of Form SSA-3373 under the agency's Government Paperwork Elimination Act (GPEA) plan because electronic submission of this information is not yet practicable. DDS offices, operating on several variations of five different legacy computer systems, each programmed to support state-designed business processes, conduct 99 percent of these collections. Before SSA can deploy an electronic version of the SSA-3373, the agency must upgrade and standardize the DDS case processing systems.

This form is available as a print-only PDF on SSA's website, which the respondents print, complete, and mail to the DDS or bring to an SSA field office.
- 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 SSA did not collect this information, we would be unable to determine a claimant's disability, or the extent of continuing disability. We would be unable to fulfill our mandate to make payments to those who are disabled. Since respondents complete the form only once for an initial application, on an occasional basis if selected for a continuing disability review, or appeals our decision, we cannot collect the information less frequently. There are no technical or legal obstacles to 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 the 60-day advance Federal Register Notice on July 9, 2012 at 77 FR 40401, and we received no public comments. We published the 30-day Federal Register Notice on September 24, 2012 at 77 FR 58903. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. There have been no outside consultations with members of the public.

Comments from the Public:

Comment: We received two comments from respondents stating that it took 8 to 14 hours to complete the form.

SSA Response: SSA decided not to adopt these suggestions because of the rare occurrence of the circumstances.

9. **Payment or Gifts to Respondents**
SSA provides no payment or gifts to the respondents, except for the actual disability payments (if one qualifies for them).
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 4,221,656 respondents take 61 minutes each to complete Form SSA-3373-BK each year. Accordingly, the burden is 4,292,017 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 Federal Government

The annual cost to the Federal Government is approximately \$39,003,879. 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 Request

When we last cleared this information collection in 2009, the burden was 4,072,123 hours. However, we are currently reporting a burden of 4,292,017 hours. This change stems from an increase in the number of respondents. The increase in the number of respondents reflects an increase in claims for disability benefits.

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 exempted SSA from publishing the expiration date for OMB approval on its forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. 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 discontinue using otherwise usable editions of forms with outdated expiration dates. In addition, SSA avoids Government waste, because we will not have to destroy and reprint

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.