

**Supporting Statement for Form SSA-199**  
**Vocational Rehabilitation Provider Claim**  
**20 CFR 404.2108(b), 404.2117(c)(1)&(2), 404.2101(a)&(b), 404.2121(a),**  
**416.2208(b), 416.2217(c)(1)&(2), 416.2201(a)&(b), 416.2221(a), 34 CFR 361**  
**OMB No. 0960-0310**

**A. Justification**

**1. Introduction/Authorizing Laws and Regulations**

Section 205(a) of the *Social Security Act (Act)* allows the Commissioner of the Social Security Administration (SSA) to make rules and regulations and to establish procedures to collect information from the public, which establish the right to the following benefits:

a. Claiming Reimbursement for Vocational Rehabilitation (VR) Services Provided

Sections 222(d)(1), (4) & (5) and 1615(d) of the *Act* authorize the Commissioner to determine the amount SSA reimburses for VR services. SSA'S regulations at 20 *CFR* 404.2108(b) and 416.2208(b) of the *Code of Federal Regulations (Code)* require the state VR agencies to make claims for reimbursement of the cost incurred for providing VR services on Form SSA-199, Vocational Rehabilitation Provider Claim form, provided by SSA.

b. Certifying Adherence to Cost Containment Policies and Procedures

Section 222(d)(1) and 1615(d) of the *Act* authorize the Commissioner to reimburse state VR Agencies for the reasonable and necessary costs of VR services to disabled beneficiaries. 20 *CFR* 404.2117(c)(1) and 416.2217(c)(1) of the *Code* require SSA to pay reasonable and necessary costs, complying with the written cost containment policies of the state VR agencies established under 34 *CFR* 361 of the *Code*. In addition, 20 *CFR* 404.2117(c)(2) and 416.2217(c)(2) of the *Code* require state VR agencies submit to written certification (before the end of the first calendar quarter of each year) to SSA, explaining their adherence to established cost containment policies when providing goods and services for which they claim payment from SSA. When SSA deems it necessary, the state VR agencies shall also submit copies of their specific written policies and procedures to carry out SSA programs (e.g., any guidelines and fee schedules for a given year).

c. Preparing Causality Statements

Sections 222(d)(1) and 1615(d) of the *Act* authorize the Commissioner to reimburse state VR agencies for the reasonable and necessary costs of VR services to disabled beneficiaries. 20 *CFR* 404.2121(a) and 416.2201(a) of the *Code* require state VR agencies to submit a clear explanation or existing documentation of the causal relationship between each service provided and its impact upon the attainment of a continuous 9-month period of substantial gainful activity. In addition claims described in 404.2101(a) and 416.2221(a) of the *Code* require state VR agencies to

submit a clear explanation or existing documentation of how the services provided are expected to motivate or assist the individual to attain substantial gainful activity.

## **2. Description of Collection**

Respondents are required to complete Form SSA-199 to obtain reimbursement of costs incurred for providing VR services. The respondents mail the paper copy of the SSA-199 to SSA VR staff for consideration and approval of the claim for reimbursement of cost incurred for SSA beneficiaries. SSA requires VR agencies to submit claims for reimbursement for the following categories:

### **a. Claiming Reimbursement for VR Services Provided:**

We require VR agencies to submit each claim for reimbursement in a format SSA prescribed containing (1) a description of each service provided; (2) when the State VR agency provided the service, and (3) the cost of the service provided. SSA needs this information to determine whether or not, and how much, to pay under our vocational rehabilitation programs.

### **b. Certifying Adherence to Cost Containment Policies and Procedures:**

SSA needs the information each state VR agency provides about their cost containment policies to permit us to make sure the costs we reimburse are in accordance with the cost containment policies described in #1 above.

### **c. Preparing Causality Statements:**

The information presented by each state VR agency for validation review enables SSA to assess the appropriateness of its reimbursement policies. The information also helps SSA determine when and where we should consider changes to ensure we secure maximum benefits from VR services at the appropriate level of cost.

The respondents are State VR agencies offering vocational and employment services for SSA disability recipients.

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

SSA established e-mail communication with most states to facilitate state reporting of those disabled individuals accepted for VR services. There is currently no other technology available at this time to collect the remaining information. We did not create an electronic version of this collection under the Government Paperwork Elimination Act (GPEA) because of its low volume (less than half of the GPEA cut-off of 50,000). However, SSA explored ways to automate the information collection. Our ability to make greater use of information technology in this collection depends, in part, on the state VR agencies' readiness to participate using greater technology. Currently Form SSA-199 is available as a print-only PDF on SSA'S website. In the future, we hope state VR agencies will be more willing and able to use electronic means to submit this information.

**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 obtain similar data.

**5. Minimizing Burden on Small Respondents**

This collection does not affect small business or other small entities.

**6. Consequences of Not Collecting Information or Collecting it Less Frequently**

If we collected this information less frequently, it would create insufficient oversight of costs claims, potentially lead to inaccurate payment of claims, and unnecessary delay reimbursement to state VR agencies for reasonable and necessary cost they have already incurred and for which they have paid. We also would be unaware of State VR agency modifications affecting policies that could affect appropriate cost of VR services. Since we only collect this information when necessary, we cannot collect it 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. Comments from the Public**

The 60-day advance Federal Register Notice published on August 20, 2012, at 77 FR 50204, and we received no public comments. SSA published the second Notice on November 9, 2012, at 77 FR 67435. If we receive comments in response to the 30-day Notice, we will forward them to OMB.

**9. Payment or Gifts to Respondents**

SSA does not provide payments or gifts to the respondents except as stated in item # 13 below for cost reimbursement purposes.

**10. Assurance 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**

The following chart summarizes the public reporting burden for the 80 state VR agencies in regards to the three types of responses SSA requests:

<b>Information Collection</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Number of Responses</b>	<b>Average Burden Per Response (minutes)</b>	<b>Estimated Annual Burden (hours)</b>
a. Claiming Reimbursement on SSA-199 – 20 CFR 404.2108(b) & 416.2208(b)	80	160	12,800	23	4,907
b. Certifying Adherence to Cost Containment Policy and Procedures – 20 CFR 404.2117(c) (1)&(2), 416.2217(c)(1)&(2) & 34 CFR 361	80	1	80	60	80
c. Preparing Causality Statements – 20 CFR 404.2121(a), 404.2101(a), 416.2201(a), & 416.2221(a)	80	2.5	200	100	333
<b>Totals</b>	<b>80</b>		<b>13,080</b>		<b>5,320</b>

The total burden for this ICR is **5,320** hours. This figure represents burden hours and SSA calculated no separate cost burden.

**13. Annual Cost to the Respondents (Others )**

SSA reimburses the respondents for costs incurred to complete this collection.

**14. Annual Cost To Federal Government**

The annual cost to the Federal Government is approximately \$108,000. The cost to the Federal government includes the cost of the state VR agencies' administrative overhead, which they incur in serving clients who are also disability beneficiaries. SSA based the cost upon the 5,320 hours of annual burden described in item 12 above, at an average salary of \$45,000 for a similar level of work performed within the State government. In addition, we include \$45,000 as our cost to pay SSA employees to process this collection. SSA then adds the overhead rate of 20 percent (approximately \$18,000) to the providers' cost to obtain the total estimated cost of \$108,000.

**15. Program Changes or Adjustments to the Information Collection Request**

There are no changes to the public reporting burden.

**16. Plans for Publication Information Collection Results**

SSA does 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 Employments Statistical Methods**

SSA does not use statistical methods for this information collection.