

Supporting Statement for Form SSA-787
Physician's/Medical Officer's Statement of Patient's Capability to Manage Benefits
20 CFR 404.2015 and 416.615
OMB No. 0960-0024

A. Justification

1. Introduction/Authoring Laws and Regulations

The Social Security Administration (SSA) appoints representative payees on behalf of beneficiaries if we determine the beneficiaries should not receive their own benefits because they are incapable of managing those benefits. *20 CFR 404.2015* and *416.615* of the *Code of Federal Regulations* require medical evidence to determine if a beneficiary is capable of managing or directing the management of benefits payments. Sections *205(j)*, *807*, and *1631(a)(2)* of the *Social Security Act* specifically state the Commissioner of the SSA has the authority to appoint a representative payee on behalf of a beneficiary. SSA is responsible for finding and appointing the best-qualified payee who is available and willing to serve.

2. Description of Collection

SSA uses Form SSA-787 to determine beneficiaries' capability or inability to handle their own benefits. In addition, we use this information to assist in determining the beneficiaries' need for a representative payee. We collect this information from the medical professionals (e.g., physicians, psychologists, etc.) based on their examination of the beneficiary. Since this is a mandatory collection, SSA generates and sends the medical professionals a copy of the SSA-787 containing pre-filled information about the beneficiary. The medical professionals then complete the rest of the form and send it back to SSA. The respondents are the beneficiary's physicians or medical officers of the institution in which the beneficiary resides.

3. Use of Information Technology to Collect the Information

This is a paper information collection available as PDF print-only form on the SSA Intranet. We do not have the resources to make this form available electronically at this time, as we pre-fill the form with information specific to the beneficiary before sending it to the respondents. Since SSA needs to generate these forms with beneficiary-specific information each time we use it, we cannot make it available electronically for the medical professionals. Therefore, we currently have no plans to make this form available electronically under the Government Paperwork Elimination Act.

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 significantly affect small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently:

If we did not use Form SSA-787, the agency could not collect the necessary medical evidence for use in determining if beneficiaries are capable of managing their funds with or without a representative payee. As we only generate and use this form on an as-needed basis, SSA 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

The 60-day advance Federal Register Notice published on October 15, 2012, at 77 FR 62592, and we received no public comments. SSA published the second Notice on December 26, 2012, at 77 FR 76160. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the revision of this form.

9. Payment or Gifts to Respondents

SSA does not provide payments 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 contains some questions that may lead to the disclosure of sensitive information since the beneficiary's medical history may be included in the collection. However, this information is necessary to determine if a beneficiary can receive benefits directly.

12. Estimates of Public Reporting Burden

Approximately 120,000 respondents use this form annually. We estimate it takes 10 minutes for the medical providers to complete the form, for 20,000 burden hours annually. The total burden represents burden hours, and SSA did not calculate a separate cost burden.

13. Annual Cost to the Respondents (Other)

This collection does not impose a known cost burden on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$184,800. This estimate is a projection of the costs for printing and distributing the collection instrument, for collecting the information.

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 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.