

Justification for Non-Substantive Changes for Form SSA-455
Disability Update Report
20 CFR 404.1589-404.1595 and 416.988-416.996
OMB No. 0960-0511

Background

The Social Security Administration (SSA) uses form SSA-455, the Disability Update Report, to evaluate current disability beneficiary's continued eligibility for Social Security benefits. Form SSA-455 is not used by the general public; rather, we only send it to specific disability beneficiaries whom we select as possibly qualifying for the continuing disability review process.

In 2009, the United States District Court for the Northern District of California ruled in favor of the plaintiff's class action *American Council of the Blind v. Astrue*. The class action was brought under Section 504 of the Rehabilitation Act, a civil right statute that protects people with disabilities. The class action challenged the adequacy of alternative modes of communication by the SSA in its notices and other communications to the blind or visually impaired.

Per the court's order, SSA must make reasonable accommodations for blind and visually impaired individuals by providing communications via methods other than first-class mail. In abiding by that ruling, SSA is converting this form into an accessible and fillable format.

To ensure compliance with the court ruling, we must implement these changes now, and cannot wait until 2014 when we renew OMB's approval for this form.

Revisions to the Information Collection

Presently, SSA requires the respondent to respond manually using the paper form. However, to comply with the court ruling, we are modifying this form to a fillable format. In addition, we are replacing the current lines for yes and no answers to check boxes to make it easier for visually impaired respondents to use software to answer these questions more easily in the new fillable format.

As we are making no substantive revisions to this form, we are implementing these changes immediately.