

Supporting Statement for Form SSA-454-BK
Continuing Disability Review Report
20 CFR 404.1589 & 416.989
OMB No. 0960-0072

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 1631(e) (1) (A) of the *Social Security Act* (the *Act*) provide the Commissioner of Social Security with full power and authority to make rules and regulations, establish procedures and adopt reasonable and proper procedures governing the nature and extent of the evidence (as well as the methods of taking and furnishing the same) to determine whether an individual continues to be disabled. Sections 223(d)(5)(A) and 1614(a)(3)(H)(i) of the *Act*, as amended, provide that claimants furnish such medical and other evidence required by the Commissioner to prove that they continue to be disabled. Sections 221(i), 1614(a)(3)(H)(ii)(I) and 1633 (c)(1) of the *Act* require us to periodically review the cases of individuals who receive benefits under Title II and/or Title XVI of the *Act*, based on disability, to determine if disability continues. As provided in 20 CFR 404.1589 and 20 CFR 416.989 of the *Code of Federal Regulations*, we may conduct a review to determine whether benefit entitlement or eligibility continues for individuals receiving disability benefits.

2. Description of Collection

SSA uses Form SSA-454, Continuing Disability Review Report, to complete the review for continuing disability. SSA considers adults eligible for payment if they continue to be unable to do substantial gainful activity because of their impairments, and we consider title XVI children eligible for payment if they have marked and severe functional limitations because of their impairments. SSA also uses Form SSA-454 to obtain information on sources of medical treatment; participation in vocational rehabilitation programs (if any); attempts to work (if any); and if individuals believe their conditions are improved. The respondents are title II or title XVI disability recipients or their representatives.

The claims representative (CR) mails Form SSA-454 for the respondent to complete and send back to SSA, or the CR interviews the respondent and enters the information in the electronic disability collection system (EDCS). The EDCS captures the information the paper version of SSA-454-BK collects.

3. Use of Information Technology to Collect the Information

In accordance with the agency's Government Paperwork Elimination Act plan, SSA created an Intranet version of form SSA-454-BK. Based on our data, we estimate approximately 50% of respondents under this OMB number use the electronic version.

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner 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 use Form SSA-454-BK, we would be unable to make a timely determination regarding if and when recipients should stop receiving disability payments (either because adults are able to work or Title XVI children no longer have marked and severe functional limitations). Because we collect the information on an as needed basis, 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. Solicitation of Public Comment and Other Consultations with the Public

The 60-day advance Federal Register Notice published on September 3, 2013, at 78 FR 54363, and we received no public comments. The 30-day FRN published on X at X. If we receive any comments in response to this 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 does not contain any questions of a sensitive nature.

12. Estimates of Public Reporting Burden

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-454- BK (Paper version)	270,500	1	60	270,500

EDCS	270,500	1	60	270,500
Totals	541,000			541,000

The total burden for this ICR is 541,000 hours. This figure represents burden hours, and we 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 \$14,465,629.00. This estimate is a projection of the costs for printing and distributing the collection instrument and collecting the information. It includes keying costs for the Electronic Disability Collect System.

15. Program Changes or Adjustments to the Information Collection Request

We based the projected annual response and burden hours on completing 541,000 CDRs in FY 2014. Based on the actual budget received for this workload, the response could be lower.

When we last cleared this IC in 2011, the burden was 498621 hours. We are currently reporting a burden of 541,000 hours. This change stems from the increase in the number of CDRs the agency plans to process in FY14.

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.