

Supporting Statement for Form SSA-1021
Appeal of Determination for Extra Help with Medicare Prescription
Drug Plan Costs
OMB No. 0960-0695

A. Justification

1. Introduction/Authoring Laws and Regulations

The *Medicare Prescription Drug Improvement and Modernization Act* of 2003 (MMA) established a Medicare Part D program for voluntary Medicare prescription drug coverage of premiums, deductibles, and co-payment costs for certain low-income individuals. The MMA mandates provision of subsidies for those individuals who meet eligibility criteria for help with premium, deductible, and/or co-payment costs.

The Social Security Administration (SSA) uses Form SSA-1020 (OMB No. 0960-0696) to collect information and to make a subsidy eligibility determination. Section 1631(c)(1)(A) of the *Social Security Act*, as codified by 20 *CFR 418.3110* of the *Code of Federal Regulations*, describes the right of beneficiaries to appeal SSA's eligibility determination. The latter section describes the appeal/administrative review process, in which individuals may request a reconsideration hearing via phone, mail, or email.

SSA conducts the reconsideration hearing by telephone or, if the individual waives this option, SSA conducts a case review. If the individual does not agree with the outcome of the reconsideration hearing/case review, the individual may appeal to a Federal district court. The Appeal of Determination for Extra Help with Medicare Prescription Drug Plan Costs (Form SSA-1021) is used to request an appeal of the initial Extra Help determination.

2. Description of Collection

SSA requires an instrument individuals can use to request an appeal of the initial Extra Help determination. We use Form SSA-1021, the Appeal of Determination for Extra Help with Medicare Prescription Drug Plan Costs, for this purpose. Individuals use the form to request an appeal of SSA's determination about their eligibility for a Medicare Part D subsidy. The respondents to this information collection are Medicare beneficiaries for whom SSA has denied the Medicare Part D subsidy.

3. Use of Information Technology to Collect the Information

Respondents can print a PDF version of Form SSA-1021 from SSA's website and mail it to the agency. Field office employees also have the ability to input the information into the Medicare application processing system (MAPS), an SSA intranet system, during an interview. We estimate approximately 86 percent of the appeals are filed using MAPS.

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 we did not collect this information, individuals wishing to appeal SSA's Medicare Part D subsidy eligibility determinations would be unable to do so, which would be a violation of the MMA. Because we only collect the information once, 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

SSA published the 60-day advance Federal Register Notice on January 7, 2014, at 79 FR 889, and there were no public comments. We published the 30-day Federal Register Notice on March 21, 2014, at 79 FR 15782. If we receive any public comments, we will forward them to OMB. There have been no consultations with members of the public.

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 we collect 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

This information collection does not contain any questions of a sensitive nature.

12. Estimates of Public Reporting Burden

The total burden for this information collection request is 2,722 hours. The chart below represents the estimated total burden hours, and we did not calculate a separate cost burden.

Modality of Completion	Number of Respondents Using each Version	Frequency of Response	Response Time (minutes)	Estimated Total Annual Burden (hours)
SSA-1021 (Paper version)	2,330	1	10	388
SSA-1021 (Intranet-MAPS)	14,008	1	10	2,334
Totals	16,338			2,723

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 for the SSA-1021 is approximately \$62,454. 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 2011, the burden was 12,500 hours. However, we are currently reporting a burden of 2,723 hours. This change stems from a decrease in the number of respondents from 75,000 to 16,338. Because of the provisions of Public Law 110-275, we removed questions from the information collection Form SSA-1020 (OMB No. 0960-0696) pertaining to life insurance as a resource and in-kind support and maintenance as income from the Extra Help application. This action caused a decrease in the number of denied Extra Help applicants and, consequently, a reduction in the number of respondents using form SSA-1021 to appeal.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

For the paper form SSA-1021, 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.