

**Justification for Non-Substantive Changes for the SSA-9000
Request for Accommodation in Communication Method
45 CFR 85.51
OMB No. 0960-0777**

Background

In *American Council of the Blind, et al v. Michael Astrue and Social Security Administration*, the U.S. District Court for the Northern District of California ordered the Social Security Administration (SSA) to give blind or visually impaired Social Security applicants, beneficiaries, recipients, and representative payees the opportunity to elect one of five alternative formats to receive notices about program benefits. Those five alternative formats are as follows: (1) a standard print notice by first-class mail; (2) a standard print notice by first-class mail with a follow-up telephone call; (3) certified mail; (4) Braille; and (5) Microsoft Word files (on data compact discs). In addition, the Court ordered SSA to consider requests from blind or visually impaired individuals for notices in other formats if none of the alternative formats SSA offered provided effective communication. SSA began processing accommodation requests on April 15, 2010. SSA also offers two additional alternative formats to receive notices: (1) large print (18-point font); and (2) audio CD.

To meet the Court's mandates, SSA developed Form SSA-9000, Request for Accommodation, in agreement with 45 CFR 85.51 of the *Code of Federal Regulations*, to gather information from blind or visually impaired individuals about why they require a particular accommodation other than the accommodations already offered to have effective communication with SSA.

SSA submitted the OMB Clearance Package on Friday September 13, 2013 to renew the SSA-9000 (0960-0777). OMB approved the information collection request for 0960-0777 on November 6, 2013. Although SSA intended to include the following revisions to the collection at that time, SSA encountered unanticipated scheduling delays resulting in this subsequent submission.

Revisions to the Information Collection

Section 504 of the *Rehabilitation Act of 1973* prohibits discrimination against individuals with disabilities and requires Federal agencies and recipients of Federal financial assistance to provide meaningful access to their programs and activities to individuals with disabilities. Any individual with a disability may request an accommodation facilitating meaningful access to agency programs and activities under Section 504. SSA intends to provide accommodations based on five broad categories of impairments: (1) blind or visual; (2) cognitive or learning; (3) deaf or hard of hearing; (4) mobility or physical; and (5) psychological or emotional. However, individuals who have other types of disabilities preventing them from having meaningful access to SSA's programs may request an accommodation that facilitates meaningful access to our programs and activities under Section 504.

Under Section 504, individuals with disabilities have the right to request an accommodation of their choice. Section 504 requires SSA to take appropriate steps to ensure effective communication with these individuals, and to furnish appropriate auxiliary aids or services

where necessary to afford individuals with disabilities equal opportunities to participate in and enjoy the benefits of a program or activity conducted by the agency. When an individual with a disability requests an accommodation to communicate effectively with the agency, SSA must give primary consideration to the individual's request unless another effective means of communication exists.

As described earlier, SSA developed the current SSA-9000 process for blind or visually impaired Social Security applicants, beneficiaries, recipients, and representative payees. However, to more effectively manage requests for accommodation from individuals with any disability, not just blind and visually impaired individuals, SSA is expanding the scope of the information collection to capture all accommodation requests received from SSA applicants, beneficiaries, recipients and representative payees.

SSA will continue using the current SSA-9000 for members of the public who request a Special Notice Option as an accommodation for blind or visually impaired individuals. However, for members of the public who request an accommodation other than a Special Notice Option, SSA will use the new Section 504 SharePoint Tracker automated process. SSA will ask fewer questions to these individuals, since we will not need to ask about the seven alternate notice formats currently offered as part of the Special Notice Option.

The Section 504 SharePoint Tracker is SSA's interim step to centralize the disability accommodations request process. In the future, SSA plans to develop an integrated automated application, iAccommodate, which will interface with other SSA systems, including the current SSA-9000 Intranet screens, allowing SSA to accept all accommodation requests (including Special Notice Option requests) through one electronic application.

SSA is submitting this Change Request to meet our January 2014 implementation date for the Section 504 SharePoint Tracker automated process. SSA's new Section 504 SharePoint Tracker will allow SSA to use an automated system to record a request for an accommodation when a member of the public indicates a need for an accommodation to conduct business with SSA. Many of the disability advocacy groups are awaiting the implementation of SSA's new Section 504 initiatives. This new automated process is a critical component in enabling SSA to capture all accommodation requests agency-wide and to ensure consistency in the way that requests are processed and provided.

We intend to make the following changes to this information collection:

- **Change #1:** SSA is expanding the scope for this information collection to include accommodations based on five broad categories of impairments: (1) blind or visual; (2) cognitive or learning; (3) deaf or hard of hearing; (4) mobility or physical; and (5) psychological or emotional.

Justification #1: Currently, this collection only records accommodation requests from blind or visually impaired individuals. Allowing accommodation requests from individuals with all disabilities ensures SSA's compliance with Section 504 of the *Rehabilitation Act of 1973*. In

this way, SSA will meet the requirement to provide meaningful access to our programs and activities for all individuals with disabilities.

- **Change #2:** SSA is adding new SharePoint screens, the Section 504 SharePoint Tracker, to collect and track all disability accommodation requests we receive from the public.

Justification #2: Currently SSA uses the SSA-9000 process to determine, based on applicable law and regulation whether to grant an individual's request for an accommodation based on their blindness or other visual impairment, and employees key in the information on SSA Intranet screens. As mentioned above, the current respondents are Social Security applicants, beneficiaries, recipients, and representative payees who are blind or visually impaired and who ask SSA to send notices and other communications in an alternative method by choosing one of the modalities we currently offer (as mentioned above) or requesting an "other" method of communication which they specify under the Special Notice Option request (SSA-9000).

SSA employees will continue using the SSA-9000 Intranet process to document when Social Security applicants, beneficiaries, recipients, and representative payees request an alternative method of receiving benefit notices or other related communications as a Special Notice Option. However, employees will also use the new Section 504 SharePoint Tracker automated system to track accommodation requests for individuals who request accommodations outside of the Special Notice Option arena, regardless of the disability category. Implementing this system will allow SSA to effectively receive, review, decide, track, and monitor requests for the consistent administration of disability accommodations beyond the current notice options.

Furthermore, adding the Section 504 SharePoint Tracker into SSA's business process will allow the agency to monitor disability accommodation requests received, manage referrals and approvals, review for consistent administration of accommodations agency-wide, and provide pertinent management information data.

Description of the Section 504 SharePoint Tracker Automated System

Section 504 SharePoint Tracker Home Page screen:

- First paragraph states that Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities and requires Federal agencies and recipients of Federal financial assistance to provide meaningful access to their programs and activities to individuals with disabilities.
- Second paragraph explains the difference between a standard and non-standard accommodation:
 - A standard accommodation is one SSA routinely provides upon request. Standard accommodations do not require special handling or approval by a manager. SSA employees will find the standard accommodations the agency provides listed on the *Section 504 Report Accommodations Provided* screen.
 - A non-standard accommodation is one that SSA does not routinely provide. SSA's

Center for Section 504 Compliance will consider non-standard accommodation requests.

- Third paragraph explains the following two links:
 - *Section 504 Report Accommodations Provided*
 - *Section 504 Referral To The Center For Section 504 Compliance*
- The Home Page provides links to the guides for assistance with completing the two screens, as well as a link to retrieve the Privacy Act and Paperwork Reduction Act statements. We read or print the Privacy Act and Paperwork Reduction Act statements for the respondent as necessary.
- The Home Page also provides an email address and phone number to contact SSA's Center for Section 504 Compliance with questions, comments and suggestions.

Section 504 Report Accommodations Provided screen:

- The first portion of the screen lists the following fields SSA employees should complete, as appropriate:
 - Report Date
 - SSA Office Code
- The second portion of the screen contains a list of disability/impairment categories. (The categories include blind or visually impaired, cognitive or learning, deaf or hard of hearing, mobility or physical, and psychological or emotional.) SSA employees will choose the appropriate selection based upon the requestor's input, or choose "Other" to annotate the requestor's condition.
 - The third portion contains a list of SSA's standard accommodations. SSA employees will do one of the following:
 - Select from the list based upon the accommodation provided to the requestor. (The standard accommodations listed include Certified and Qualified Sign Language Interpreter, Certified and Qualified Video Remote Sign Language Interpreter (VRI), Social Security employee who is a Qualified Sign Language Interpreter, Handwritten notes, Lip reading or speech reading, Social Security employee who know American Sign Language (ASL), and UbiDuo face-to-face communicator.)
 - Select from a list of accommodations available in their particular SSA office (i.e., Bariatric Chair, CapTel service, Hearing Loop and Real-time Court Reporting.)
 - Select "Other" to describe another accommodation provided.
- The option to "Submit" or "Cancel" the information entered on the screen.

Section 504 Referral To The Center For Section 504 Compliance screen:

- The first portion of the screen lists the following fields SSA employees should complete, as appropriate:
 - Report Date
 - SSA Office Code
- The second portion of the screen lists the following fields SSA employees should complete about the requestor:

- o Name (First, Middle, Last, Suffix)
 - o Social Security Number
 - o Phone Number
 - o Address (Street, City/Town, State/Province, Zip Code)
- The third portion of the screen contains a list of disability/impairment categories. (The categories include blind or visually impaired, cognitive or learning, deaf or hard of hearing, mobility or physical, and psychological or emotional.) SSA employees will choose the appropriate selection based upon the requestor's input, or choose "Other" to annotate the requestor's condition.
 - The last portion of the screen contains a list of entry fields for SSA employees to complete regarding the requestor's accommodation request.
 - o Description of the disability/impairment that causes the individual to request a non-standard accommodation.
 - o Explanation as to why SSA cannot communicate with the requestor with one of the standard accommodations
 - o The non-standard accommodation the requestor prefers
 - o Any alternative accommodations that will work for the requestor
 - o An optional "Remarks" field
 - o The option to "Submit" or "Cancel" the information entered on the screen

Submission Screen

- After either screen is "submitted," SSA employees will receive the screen with the message "Your form was successfully submitted."
- Employees will have the option of returning to the *Section 504 SharePoint Tracker* homepage.

Description of Section 504 SharePoint Tracker Usage:

- If a member of the public indicates a need for assistance or requests an accommodation to conduct business with SSA, SSA employees in Field Offices, Hearing Offices, and National 800 Number Call Centers will use the Section 504 SharePoint Tracker to record the accommodation request. The SSA employee will refer to a list of standard accommodations shown in the Section 504 SharePoint Tracker, and will route any non-standard accommodation requests to the Center for Section 504 Compliance for further processing.
- If a member of the public requests and receives an accommodation, an SSA employee will complete the Section 504 Report Accommodations Provided screen by annotating the type of accommodation(s) SSA provided for the individual. SSA employees will not ask individuals for any personally identifiable information, but will document the transaction for management information purposes.
- If a member of the public requests an accommodation SSA cannot provide, the SSA employee will ask the requestor for the following information and annotate the answers on the Section 504 Referral To The Center For Section 504 Compliance screen:

- o Name (First, Middle, Last, Suffix)
- o Social Security Number, if available
- o Phone Number
- o Address (Street, City/Town, State/Province, Zip Code)
- o Disability or impairment category indicated by the requestor. (Blind or Visually impaired, Cognitive or Learning, Deaf or Hard of Hearing, Mobility or Physical, Psychological or Emotional and Other disability or impairment)
- o Description of the requestor's condition (disability or impairment)
- o Explanation why we cannot communicate with the requestor with one of our standard accommodations
- o Accommodation the requestor prefers
- o Any alternative accommodations that will work for the requestor

Burden Information:

Due to the two additional screens and the new disability categories, SSA will increase the public reporting burden as indicated below.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-9000 (paper form and screen shots)	1,417	1	20	472
Section 504 SharePoint Tracker automated system (screen shots)	528,362	1	10	88,060
Totals*	529,779			88,532

*The totals are based upon an individual requesting a Special Notice Option **and** another disability-related accommodation.

Plans for Implementation

Upon OMB's approval, SSA plans to implement this change in **January 2014**.

Future Plans

As mentioned earlier, the Section 504 SharePoint Tracker is SSA's interim step to centralize the disability accommodations request process. In the future, SSA will implement the iAccommodate Internet application, which will ultimately replace the Section 504 SharePoint

Tracker and interface with the SSA-9000 Special Notice Option Intranet screens. SSA will submit a Change Request to OMB when we are ready to implement the iAccommodate application.