

Supporting Statement for Form SSA-455
Disability Update Report
20 CFR 404.1589-404.1595 and 416.988-416.996
OMB No. 0960-0511

A. **Justification**

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 1631(e)(1)(A) of the *Social Security Act* empower the Social Security Administration (SSA) to establish and uphold reasonable procedures for evaluating an alleged disability. Section 221(i) of the *Act* requires SSA to assess current disability recipients periodically to determine if their eligibility for benefits should continue. Sections 1614(a)(4) and 1633(a)&(c) authorize SSA to review the disability status of Supplemental Security Income recipients. Sections 223(d)(5)(A) and 1631(e)(1) of the *Act* require claimants to furnish medical and other evidence SSA asks for to prove the continued existence of their disability. Sections 20 CFR 404.1589-404.1595 and 416.988-416.996 of the *Code of Federal Regulations* detail the rules for implementing the requirements of the above *Act* sections. To complete required continuing disability entitlement evaluations, SSA must have an assessment instrument. The agency uses form SSA-455, the Disability Update Report, for this purpose.

2. Description of Collection

As part of our statutory requirements, SSA periodically uses Form SSA-455, the Disability Update Report, to evaluate current Title II disability beneficiaries and Title XVI disability payment recipients' continued eligibility for Social Security disability payments. Specifically, SSA uses the form to determine if: (1) there is enough evidence to warrant referring the respondent for a full medical Continuing Disability Review (CDR); (2) the respondent's impairment(s) is still present and is indicative of no medical improvement, precluding the need for a CDR; or (3) there are unresolved work-related issues for the respondent. SSA mails Form SSA-455 to specific disability recipients, whom we select as possibly qualifying for the continuing disability review process. SSA pre-fills the form with data specific to the disability recipient, except for the sections we ask the beneficiary to complete. When SSA receives the completed form, we optically scan it into SSA's system. This allows us to gather the information electronically to enable SSA to process the returned forms through automated decision logic to decide the proper course of action we will take. The respondents are recipients of Title II and Title XVI Social Security disability payments.

3. Use of Information Technology to Collect the Information

SSA did not create an electronic version of this form under the agency's Government Paperwork Elimination Act plan, because it is not an on-demand form and is not available to the public. SSA only sends this form to specific disabled beneficiaries identified by SSA. Further, because of the existing automated elements of form processing and data gathering currently used for this form, we ruled out an internet application. Rather we scan and

optically read this form, which is claimant-specific. At the time of initiation, we prefill the form with claimant-specific information, and a bar code, which contains claimant-specific information.

SSA believes our current process is effective and relatively quick. When we receive the completed form, we scan it, allowing our computers to extract the information and store it in the beneficiary's electronic folder. This allows for rapid processing of the form, quickly enabling us to make the next step in the decision process. To date, we only needed to refer approximately 2.5% of respondents for a full medical review. For these reasons, we believe our current modality of collecting this information is the preferred method.

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 Collection Information or Collecting it Less Frequently

If SSA did not use this information collection, we would have no means of documenting the recovery of current beneficiaries. This could lead to an indefinite payment of benefits to people who should not be receiving them. Because we only collect this information periodically when we deem it necessary, 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 Consultation with the Public

The 60-day advance Federal Register Notice published on March 3, 2014, at 79 FR 11852, and we received no public comments. SSA published the second Notice on May 23, 2014, at 79 FR 29834. 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. Payments 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 question of a sensitive nature.

12. Estimate of Public Reporting Burden

Approximately 1,500,000 beneficiaries spend 15 minutes each to complete this form annually, resulting in an annual burden of 375,000 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 \$33,000,000. This estimate is a projection of the costs for printing, mailing, processing, and analyzing the form.

15. Program Changes or Adjustments to the Information Collection Request

We increased the burden to meet the statutory requirement for this collection. Previously we needed to reduce the number of reviews due to funding issues; however, since we now have additional funding for this collection, we are increasing the number of mailers we release to meet the statutory requirement. While we realize this increases the burden on the public, SSA believes the individuals who use the SSA-455 to report they have no changes to their medical conditions will not need to go through a full CDR process.

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.