

**Supporting Statement for  
Authorization to Disclose Information to the  
Social Security Administration  
Form SSA-827  
20 CFR 404.1512 and 416.912, 45 CFR 160 and 164  
OMB No. 0960-0623**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Sections 205(a) and 1631(d)(1) of the *Social Security Act (Act)* provide the Commissioner of Social Security with full power and authority to make rules and regulations; establish procedures; and adopt reasonable rules for the nature and extent of the evidence. These sections of the *Act* also allow the Commissioner to create the methods of taking and furnishing the same to evaluate the alleged disability.

Sections 223(d)(5)(A) and 1614(a)(3)(H)(i) of the *Act* require claimants to furnish such medical and other evidence as the Commissioner of Social Security may require to prove that they are disabled.

Section 223(d)(5)(B) of the *Act* obliges the Commissioner to consider all evidence available in such individual's case record. Implementing disability regulations 20 CFR 404.1512 and 20 CFR 416.912 of the *Code of Federal Regulations* specifically require an individual to furnish medical evidence.

We developed Form SSA-827, Authorization to Disclose Information to the Social Security Administration (SSA) to comply with the provisions regarding disclosure of medical, educational, and other information under *Pub.L. 104-191 Health Insurance Portability and Accountability (HIPAA)*; 45 CFR 160 and 164; 42 USC 290dd-2; 38 USC 7332; 38 CFR 1.475; 20 USC 1232g (FERPA).

In addition, the regulations also require the individual to provide evidence of age, education and training, work experience, daily activities, efforts to work, and any other evidence showing how their impairment(s) affects the ability to work, or for a child, the ability to function.

**2. Description of Collection**

SSA must obtain sufficient evidence to make eligibility determinations for Title II and Title XVI payments. Therefore, the applicant must authorize release of information from various sources to SSA. The applicants use Form SSA-827 to provide consent for the release of medical records, education records, and other information related to their ability to perform tasks. Once the applicant completes

Form SSA-827, SSA or the State Disability Determination Service sends the form to the designated source(s) to obtain pertinent records. The respondents are applicants for Title II benefits and Title XVI payments.

3. **Use of Information Technology to Collect the Information**

In the past, all disability claims must have had at least one original pen-and-ink "wet" signature; however, with the implementation of eAuthorization, SSA has eliminated the need for a paper SSA-827 in many claims.

The SSA-827 is currently available on the Internet in a fillable and printable PDF format, so the claimant can print a filled-in form, sign it, and forward the form back to SSA for processing. eAuthorization allows claimants the option to sign and submit Form SSA-827 electronically (e827), rather than completing a paper form with a pen and ink signature.

In accordance with the agency's Government Paperwork Elimination Act (GPEA) plan, SSA created an Internet version of Form SSA-827. Based on our data, we estimate approximately 57% of respondents under this OMB number use the electronic version. the wet signed form through the mail.

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 significantly 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-827, SSA would not be able to receive claim-related information from third parties, because we would not have proper authorization as required by HIPPA. Because we only collect the information on an as needed basis, we cannot collect the information 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 May 29, 2014 at 79 FR 30922, and we received no public comments. The 30-day FRN published on July 31, 2014 at 79 FR 44483. 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

maintenance of this form. When we need to obtain advice from outside the agency SSA consults with the Department of Health and Human Services, the Department of Education, the Department of Veterans Affairs, the American Health Information Management Association, and our State DDSs.

**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**

<b>Modality of Completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Average Burden Per Response (minutes)</b>	<b>Estimated Total Annual Burden (hours)</b>
SSA-827 with electronic signature (eAuthorization)	1,922,938	1	9	288,441
SSA-827 with wet signature (paper version)	1,441,052	1	10	240,175
<b>Totals</b>	<b>3,363,990</b>			<b>528,616</b>

The total burden for this ICR is 528,616 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 \$8,209,189. 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**

There has been a decrease in burden hours. The burden reduction stems from SSA implementing eAuthorization.

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.