

Supporting Statement for Form SSA-199 and Accompanying Regulations
Vocational Rehabilitation Provider Claim
20 CFR 404.2101(a); 404.2108(b); 404.2117(c)(1)&(2); 404.2121(a); 416.2208(b);
416.2217(c)(1)&(2); 416.2201(a); and 416.2221(a)
OMB No. 0960-0310

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 205(a) of the *Social Security Act (Act)* allows the Commissioner of the Social Security Administration (SSA) to make rules and regulations and to institute procedures to collect information from the public, which establish the right to the following benefits:

- a. Claiming Reimbursement for Vocational Rehabilitation (VR) Services Provided
Sections 222(d)(1), (4)&(5) and 1615(d) of the *Act* authorize the Commissioner to determine the amount SSA reimburses for VR services. SSA's regulations at 20 CFR 404.2108(b) and 416.2208(b) of the *Code of Federal Regulations (Code)* require the state VR agencies to make claims for reimbursement of the cost incurred for providing VR services on Form SSA-199, Vocational Rehabilitation Provider Claim form, provided by SSA.
- b. Certifying Adherence to Cost Containment Policies and Procedures
Section 222(d)(1) and 1615(d) of the *Act* authorize the Commissioner to reimburse state VR Agencies for the reasonable and necessary costs of VR services to disabled beneficiaries. 20 CFR 404.2117(c)(1) and 416.2217(c)(1) of the *Code* require SSA to pay reasonable and necessary costs, complying with the written cost containment policies of the state VR agencies established under 34 CFR 361 of the *Code*. In addition, 20 CFR 404.2117(c)(2) and 416.2217(c)(2) of the *Code* require state VR agencies to submit written certification (before the end of the first calendar quarter of each year) to SSA, explaining their adherence to established cost containment policies when providing goods and services for which they claim payment from SSA. When SSA deems it necessary, the state VR agencies also submit copies of their specific written policies and procedures to carry out SSA programs (e.g., any guidelines and fee schedules for a given year).
- c. Preparing Causality Statements
Sections 222(d)(1) and 1615(d) of the *Act* authorize the Commissioner to reimburse state VR agencies for the reasonable and necessary costs of VR services to disabled beneficiaries. 20 CFR 404.2121(a) and 416.2201(a) of the *Code* require state VR agencies to submit a clear explanation or existing documentation of the causal relationship between each service they provide and its impact upon the attainment of a continuous 9-month period of substantial gainful activity. In addition claims described in 404.2101(a) and

416.2221(a) of the Code require state VR agencies to submit a clear explanation or existing documentation of how they expect the services they provide to motivate or assist the individual to attain substantial gainful activity.

2. **Description of Collection**

SSA requires respondents to complete Form SSA-199 to obtain reimbursement of costs incurred for providing VR services. The respondents mail the paper copy of the SSA-199 to SSA VR staff for consideration and approval of the claim for reimbursement of cost incurred for SSA beneficiaries. SSA requires VR agencies to submit claims for reimbursement for the following categories:

a. Claiming Reimbursement for VR Services Provided:

We require VR agencies to submit each claim for reimbursement in a format SSA prescribes containing: (1) a description of each service provided; (2) the date when the State VR agency provided the service, and (3) the cost of the service they provided. SSA needs this information to determine whether or not, and how much, to pay under our vocational rehabilitation programs.

b. Certifying Adherence to Cost Containment Policies and Procedures:

SSA needs the information each state VR agency provides about their cost containment policies to permit us to make sure the costs we reimburse are in accordance with the cost containment policies described in #1 above.

c. Preparing Causality Statements:

The information the state VR agencies present for validation review enables SSA to assess the appropriateness of its reimbursement policies. The information also helps SSA determine when and where we should consider changes to ensure we secure maximum benefits from VR services at the appropriate level of cost.

State VR agencies submit this information voluntarily to ensure SSA reimburses them for services. SSA collects the information on an on-going basis as VRAs submit claims for reimbursement. The respondents are State VR agencies offering vocational and employment services for SSA disability recipients.

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

SSA established e-mail communication with most states to facilitate state reporting of those disabled individuals accepted for VR services. There is currently no other technology available at this time to collect the remaining information. We did not create an electronic version of this collection under the Government Paperwork Elimination Act (GPEA) because of its low volume (less than half of the GPEA cut-off of 50,000). However, SSA explored ways to automate the information collection. Our ability to make greater use of information technology in this collection depends, in part, on the state VR

agencies' readiness to participate using greater technology. Currently Form SSA-199 is available as a print-only PDF on SSA'S website. In the future, we hope state VR agencies will be more willing and able to use electronic means to submit this information.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it preclude duplication. SSA does not use another collection instrument obtain similar data.

5. Minimizing Burden on Small Respondents

This collection does not affect small business or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

If we collected this information less frequently, it would create insufficient oversight of costs claims; potentially lead to inaccurate payment of claims; and unnecessary delay reimbursement to state VR agencies for reasonable and necessary cost they incurred and for which they paid. We would also be unaware of State VR agency modifications affecting policies that could affect appropriate cost of VR services. Since we only collect this information when 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 Consultations with the Public

The 60-day advance Federal Register Notice published on July 17, 2015, at 80 FR 42600 and we received no public comments. The 30-day FRN published on December 17, 2015, at 80 FR 78811. If we receive any comments in response to this Notice, we will forward them to OMB.

9. Payment or Gifts to Respondents

SSA does not provide payments or gifts to the respondents except as stated in item #13 below for cost reimbursement purposes.

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

The following chart summarizes the public reporting burden for the 80 state VR agencies in regards to the three types of responses SSA requests:

Modality of Completion	Number of Respondents	Frequency of Response	Number of Responses	Average Burden Per Response (minutes)	Estimated Annual Burden (hours)
a. Claiming Reimbursement on SSA-199 – 20 CFR 404.2108(b) & 416.2208(b)	80	160	12,800	23	4,907
b. Certifying Adherence to Cost Containment Policy and Procedures – 20 CFR 404.2117(c) (1)&(2), 416.2217(c)(1)&(2) & 34 CFR 361	80	1	80	60	80
c. Preparing Causality Statements – 20 CFR 404.2121(a), 404.2101(a), 416.2201(a), & 416.2221(a)	80	2.5	200	100	333
Totals	80		13,080		5,320

The total burden for this ICR is **5,320** hours. This figure represents burden hours and SSA calculated no separate cost burden.

13. Annual Cost to the Respondents (Other)

SSA reimburses the respondents for costs incurred to complete this collection.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$45,000. This estimate is a projection of the costs for processing the form and collecting the information.

15. Program Changes or Adjustments to the Information Collection Request

There are no changes to the public reporting burden.

16. Plans for Publication Information Collection Results

SSA does 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.