

**Justification for Non-Substantive Changes for Form HA-4608**  
**Waiver of Your Right to Personal Appearance Before an Administrative Law Judge**  
**20 CFR 404.956 and 416.1456**  
**OMB No. 0960-0284**

**Background**

While the regulations of the Social Security Administration (SSA) guarantee every claimant for benefits the right to appear in person at a hearing, a claimant may waive his or her right to a personal appearance. Form HA-4608 is the instrument that allows a claimant to waive that right.

SSA is updating its procedures for processing requests for hearing by an administrative law judge (ALJ). Consistent with previous practice, the form currently refers to the adjudicator as “administrative law judge” and “ALJ.” However, under *20 CFR 404.956* and *416.1456* of the *Code of Federal Regulations*, the Appeals Council may assume responsibility for holding a hearing by requesting that the administrative law judge send the hearing request to it. The Appeals Council may exercise this authority in certain cases, which requires a change to the language in the HA-4608.

SSA will implement the following changes to the HA-4608 upon OMB approval:

**Revisions to the Information Collection**

- **Change #1:** Change “administrative law judge” and “ALJ” to “judge,” and “hearing office” to “office conducting the hearing” throughout the form.

**Justification #1:** Because our regulations authorize the Appeals Council to assume responsibility for holding a hearing, we are changing “administrative law judge” and “ALJ” to the more general “judge” to include both administrative law judges and the administrative appeals judges of the Appeals Council. We are also changing “hearing office” to “office conducting the hearing” to include both hearing offices and the Appeals Council.

- **Change #2:** In the Note at the top of the form, change “states” to “statements.”

**Justification #2:** In the sentence, “Then, print, write, or type your response to the states in the space provided below,” we are changing “states” to “statements” to correct a typographical error.

This action does not affect the public reporting burden.