

Supporting Statement for Form SSA-4290-F5
Development of Participation in a
Vocational Rehabilitation or Similar Program
20 CFR 404.316(c), 404.337(c), 404.352(d), 404.1586(g), 404.1596, 404.1597(a), 404.327,
404.328, 416.1321(d), 416.1331(a)-(b), and 416.1338, 416.1402
OMB No. 0960-0282

A. Justification

1. Introduction/Authoring Laws and Regulations

The Ticket to Work and Self-Sufficiency Program allows recipients of Title II benefits and Title XVI Social Security Administration (SSA) disability payments to continue receiving payments while enrolled in a vocational rehabilitation or other job-training program. Regulations in sections 404.316(c), 404.327, 404.328, 404.337(c), 404.352(d), 404.1586(g), 404.1596, 404.1597(a), 416.1321(d), 416.1331(a)-(b), and 416.1338 of the *Code of Federal Regulations* implement the provision that, provided they are still enrolled in a vocational rehabilitation or other job-training program, disability recipients may continue to receive benefits even if their disability ceases. These sections require proof of the disability recipient's enrollment in a vocational rehabilitation or job-training program. We use Form SSA-4290-F5, the Development of Participation in a Vocational Rehabilitation or Similar Program, for that purpose. Sections 225(b)(2) and 1631(a)(6) of the *Social Security Act (Act)* provide the statutory authority for use of this form. Regulatory authority for use of this form stems from 20 CFR 404.316, 404.337, and 404.352; 404.1586, 404.1596, and 404.1597; 416.1321, 416.1331, and 416.1338; and 416.1402 of the *Code of Federal Regulations*.

2. Description of Collection

As mandated by the regulations cited above, SSA State Disability Determination Services (DDS) determine whether Social Security disability recipients who are no longer disabled, but who are enrollees in vocational rehabilitation programs can continue to receive disability payments. To determine this, the DDS needs information about the recipients; their enrollment status in these programs; and the types of services they receive under the auspices of such programs. The form is completed by State employment networks (EN); vocational rehabilitation (VR) agencies; educational institutions; or other providers of education and job-training services. Form SSA-4290-F5 is a paper form; however, we may collect the information from respondents via telephone. The DDSs use this form, in conjunction with evidence from the disability recipient's file, to determine their continued eligibility for payments. The respondents are providers and coordinators of vocational rehabilitation services; employer services; other support services; or educational institutions under the Individuals with Disabilities Education Act.

3. Use of Information Technology to Collect the Information

SSA did not create an electronic version of Form SSA-4290-F5 under the agency's Government Paperwork Reduction Elimination Act (GPEA) plan due to the low number of respondents (3,000), which is less than the GPEA cut-off of 50,000.

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 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 Collecting Information or Collecting it Less Frequently

If we did not collect the information on Form SSA-4290-F5, State DDSs would be unable to determine if disability recipients whose disability ceased but who wanted to continue participating in an EN or VR program should still receive Title II benefits or Title XVI payments. There would be no way of collecting the information mandated by the *Code of Federal Regulations*; moreover, this would be a violation of the provisions of the Ticket to Work and Rehabilitation Services programs. Since we only collect the information when a DDS is trying to determine if we should continue payments, 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 November 15, 2016, at 81 FR 80159, and we received no public comments. The 30-day FRN published on February 14, 2017 at 82 FR 10623. 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 payment or gifts to the respondents.

10. Assurance 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

Approximately 3,000 respondents take 15 minutes each to complete Form SSA-4290-F5 each year. Accordingly, the burden is 750 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

13. Annual Cost to the Respondents

This collection does not impose a known cost burden to the respondents.

14. Annual Cost to Federal Government

The total annual cost to the Federal Government is approximately \$18,480. This estimate is a projection of the costs for printing and distributing the collection instrument 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 will not publish 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.