

Justification
Continuing Disability Report
RRB Forms G-254, G-254a, and RL-8A

1. Circumstances of information collection - Under section 2 of the Railroad Retirement Act (RRA), an annuity is not payable or is reduced for any months in which the annuitant works for a railroad or earns more than prescribed dollar amounts from either non-railroad employment or self-employment. Certain types of work may indicate an annuitant's recovery from disability. The provisions relating to the reduction or nonpayment of annuities by reason of work and an annuitant's recovery from disability for work are prescribed in 20 CFR 220.17-220.20.

The Railroad Retirement Board (RRB) conducts continuing disability reviews (CDR) to determine whether annuitants continue to meet the disability requirements of the law. Payment of disability benefits and/or a beneficiary's period of disability ends if medical evidence or other information shows that an annuitant is not disabled under the standards prescribed in section 2 of the RRA. A CDR is generally conducted if (1) the annuitant is scheduled for a routine periodic review, (2) the annuitant returns to work and successfully completes a trial work period, (3) substantial earnings are posted to the annuitant's wage record, or (4) information is received from the annuitant or a reliable source that the annuitant has recovered or returned to work. Provisions relating to when and how often the RRB conducts disability reviews are prescribed in 20 CFR 220.186.

2. Purposes of collecting, consequences of not collecting the information - Form G-254, Continuing Disability Report, is used by the RRB to develop information for a CDR determination, including a determination prompted by a report of work, return to railroad service, allegations of medical improvement, or a routine disability review call-up. The form obtains information about a disabled annuitant's work activity and any medical treatment received by the annuitant during the report period shown in Section 1 of the form.

Completion of Form G-254 is necessary when information about work activity or a change in the physical or mental condition of a disability annuitant is received at RRB headquarters. This type of information is received from various sources, including telephone calls or letters from the annuitants themselves or from other individuals, or from earnings information received from the Social Security Administration, State Employment Service(s), and other outside sources. Whenever such information is received, an RRB office is requested to secure a completed Form G-254 from the disability annuitant. This is usually accomplished by an in-person interview or over the telephone. In some cases, the RRB office mails Form G-254, which is designed for self-completion, to the annuitant. The identifying information requested in Section 2 of the G-254 is entered by the RRB office from information already available on RRB records prior to completion of the form whether by interview or by mail. When mailed, the form is transmitted by Form RL-254 and a self-addressed envelope is enclosed for returning the completed G-254 to the RRB office.

Items 7(a), (b) and (c) of Form G-254 request the name, address, and telephone number of the annuitant's employer(s). In about 10 percent of the cases, RRB headquarters requests an RRB office contact the employer(s) listed in these items to verify the

annuitant's period of employment and wages earned. Likewise, the RRB will request that an RRB office contact a doctor, hospital, or clinic identified in items 27, 29 and 30, or a vocational rehabilitation agency or counselor identified in item 32 to verify information provided by an annuitant. The RRB office then forwards the information to RRB Headquarters.

The RRB proposes the following changes to Form G-254.

- Last sentence in Section 1 - Remove dollar amount and revise language to state that the annuitant must report any work and earnings, regardless of the amount of earnings;
- Item 8 - Revise language to instruct annuitant to list any month in which he or she worked and earned money, regardless of the amount earned in that month;
- Current Section 4 Heading - Number to Item 15a and reword into question format requiring a Yes/No response;
- Current Items 15a-d - Renumber to 15b-15e;
- Current Item 15e - Renumber to Item 15f and add "Other" to the list of options;
- Current Items 15f-k - Renumber to Items 15g-15l;
- Current Items 29c and 30c - Delete the space for entering a doctor's name;
- Create **new Items** 29d and 30d to enter a doctor's name, address, and telephone number. This is to allow the RRB to contact the doctor directly, if necessary;
- Current Item 31a - Revise to allow the annuitant to more accurately describe any activity restrictions resulting from the disability:
 - ◆ Replace "Yes," "No," and "Hard" choices, which indicate the difficulty of performing an activity with and without help, to the following five choices: EASY – I can easily do the activity; DIFFICULT – I can do the activity with difficulty; HARD – I can only do the activity with assistance; NOT AT ALL – I cannot do the activity even with assistance.
 - ◆ N.A. – NOT APPLICABLE.
- Add the following five **new items** to the list of activities: Sitting; Standing; Conducting Personal Business (Talking to and Dealing with Other People); Reading (For example, newspapers and magazines); and Writing (For example, notes and letters)
- Add **new Item** 31b to obtain additional information about the annuitant's activities during a normal day (including hobbies).
- Renumber current Item 31b to Item 31c.
- Renumber current Item 31c to Item 31d and revise text to request an explanation of when the equipment or devices are used.
- Other minor editorial changes.

Form G-254a, Continuing Disability Update Report, is used to help identify annuitants whose work activity and/or recent medical history warrant completion of Form G-254, Continuing Disability Report, for a more extensive review. The questionnaire is mailed to a disability annuitant or representative payee scheduled for routine periodic review. Based on the annuitant's or representative payee's responses to Form G-254a, the RRB makes a determination whether to reclassify the case for review at a later date, or to request completion of the more comprehensive Form G-254. The primary purpose and focus of the G-254a is to provide a means to screen cases scheduled for review and then focus the available resources on cases with the greatest potential for significant findings. **Use of Form G-254a reduces the number of annuitants asked to complete the**

comprehensive G-254. Form G-254a is transmitted by Form RL-254a, which includes the Paperwork Reduction Act and Privacy Act Notices for Form G-254a.

The RRB proposes no changes to Form G-254a.

The RRB proposes to implement new Form RL-8A, Occupational Disability Certification.

Form RL-8A will be used to annually monitor disability annuitants who meet the following criteria:

- Receives an occupational disability annuity
- In current payment status or payment is suspended to collect an overpayment
- Under age 55
- A Disability Freeze decision was completed more than 12 months earlier
- The Disability Freeze was denied or is terminated
- Has a mental or orthopedic impairment

Form RL-8A will be completed by annuitants to certify that they are still occupationally disabled in order to continue receiving their occupational disability annuity. Based on the annuitant's responses on the questionnaire, a CDR may be conducted. A CDR will be conducted in any case in which the annuitant does not return a completed and signed Form RL-8A within 30 days of the release date shown on the form.

Form RL-8A will be transmitted by the **new Form RL-8, Transmittal Letter for Form RL-8A**, cover letter. Form RL-8 includes a reminder to the annuitant that it is his or her responsibility to report to RRB any improvement in impairment(s), work, earnings, and/or other events that may affect his or her right to receive occupational disability benefits. It also highlights that the signed form must be returned within 30 days of the notice date or RRB will automatically conduct a CDR.

The Paperwork Reduction Act and Privacy Act Notices are on the front of the G-254, G-254a, and proposed Form RL-8A.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – No Internet processing is planned at this time because both **forms are initiated by the RRB**, utilizing prefills from information resident in RRB automated systems. Future development will be subject to technology and budgetary constraints.
4. Efforts to identify duplication - This information collection does not duplicate any other RRB information collection.
5. Small business respondents - N.A.
6. Consequences of less frequent collection - Obtaining the employment, earnings, and medical information less frequently would affect the accurate payment of disability annuities under the Railroad Retirement Act.
7. Special circumstances - N.A.

8. Public comments/consultations outside the agency - In accordance with 5 CFR 1320.8 (d), comments were invited from the public regarding the information collection. The notice to the public was published on page 8961 of the February 1, 2017, Federal Register. No comments or requests for additional information were received from the public.
9. Payments or Gifts to Respondents - N.A.
10. Confidentiality - Privacy Act System of Records, RRB-22, Railroad Retirement Survivor and Pension Benefit System. In accordance with OMB Circular M-03-22, a Privacy Impact Assessment for this information collection was completed and can be found at <http://www.rrb.gov/pdf/PIA/PIA-BPO.pdf>.
11. Sensitive questions - N.A.
12. Estimate of respondent burden - The current and proposed burden estimates for the information collection are shown below.

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-254 Annuitant	1,000	35	583
Employer verification	100	5	8
Doctor, hospital, or clinic verification	100	5	8
Vocational, Rehabilitation	100	5	8
Other governmental agency verification	100	5	8
School verification	100	5	8
G-254a	1,500	5	125
Total	3,000		748

Proposed Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-254 Annuitant	1,000	35	583
Employer verification	100	5	8
Doctor, hospital, or clinic verification	100	5	8
Vocational, Rehabilitation	100	5	8

Other governmental agency verification	100	5	8
School verification	100	5	8
G-254a	1,500	5	125
RL-8A	400	15	100
Total	3,400		848

	Responses	Hours
Total burden change	+400	+100
Program Change	+400	+100

13. Estimate of annual cost to respondents or record keepers - N.A.
14. Estimate of cost to Federal Government - N.A.
15. Explanation for change in burden – The total estimated burden has increased by 400, from 3,000 to 3,400 and the total burden hours have increased by 100, from 748 to 848. This increase is due to the implementation of new Form RL-8A. We show the increase as a program change.
16. Time schedule for data collections and publications - The results of this collection will not be published.
17. Request not to Display OMB expiration date - The G-254/G-254a and proposed RL-8A are/will be seldom revised. Given the costs associated with redrafting, reprinting, and distributing the form in order to keep the appropriate OMB expiration date in place, the RRB requests the authority to not display the expiration date on the form.
18. Exceptions to Certification Statement - None