

Supporting Statement for Medicaid Use Report
20 CFR 416.268
OMB 0960-0267

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 1619(b) of the *Social Security Act (Act)* and 20 CFR 416.268 of the *Code of Federal Regulations* require the Social Security Administration (SSA) to determine eligibility for: (1) special Supplemental Security Income (SSI) payments and (2) special SSI eligibility status for a person who works despite a disabling condition. It also provides that to qualify for special SSI eligibility status, individuals must establish that termination of eligibility for SSI payments would seriously inhibit their ability to continue employment. This information collection request (ICR) is for the public reporting burdens contained in 20 CFR 416.268.

2. Description of Collection

During a personal or telephone interview with the SSI recipient, an SSA employee asks the following questions:

- Have you used any medical care or services in the past 12 months that were paid for by Medicaid (or Medi-Cal, etc.)?
- Do you expect to receive any medical care or services in the next 12 months that will be paid for by Medicaid (or Medi-Cal, etc.)?
- Without Medicaid (Medi-Cal, etc.), would you be unable to pay your medical bills if you become ill or injured in the next 12 months?

We use this information to determine if an SSI recipient whose payments have stopped based on earnings, is entitled to special SSI payments and, consequently, to Medicaid benefits under section 1619 (b) of the *Act*. The respondents are SSI recipients for whom SSA has stopped payments based on earnings.

3. Use of Information Technology to Collect the Information

The information is collected electronically during a personal or telephone interview using SSA's Modernized SSI Claims System (MSSICS) for 98 percent of the claims. For the remainder, we use Form SSA-795, Statement of Claimant or Other Person (OMB No. 0960-0795). In this ICR, we account for the burden for the MSSICS respondents only, as we account for those who use the SSA-795 under OMB No. 0960-0795.

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 collect similar data.

- 5. Minimizing Burden on Small Respondents**
This collection does not affect small businesses or other small entities.
- 6. Consequences of Not Collecting Information or Collecting it Less Frequently**
If SSA did not collect this information, we would be unable to determine an individual's coverage under section 1619(b) of the Act, which could result in termination of their Medicaid assistance. We collect this information on an as needed basis; therefore, we cannot collect it less frequently. There are no technical or legal obstacles that would prevent burden reduction.
- 7. Special Circumstances**
There are no special circumstances that would cause us 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 13, 2017 at 82 FR 32431, and we received no public comments. SSA published the second Notice on September 19, 2017 at 82 FR 43804. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the revision of this form.
- 9. Payment or Gifts to Respondents**
We provide no payment or gifts to the respondents.
- 10. Assurances of Confidentiality**
We protect and hold confidential the information we request 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**
Per our current management information data, we collect information from approximately 60,000 respondents annually. We estimate the average response time is 3 minutes, resulting in 3,000 burden hours. The total burden represents burden hours, and we did not calculate a separate cost burden.
- 13. Cost to Respondents**
There is no known cost burden to the respondents.
- 14. Annual Cost to the Federal Government**
The annual cost to the Federal Government is approximately \$92,400. This estimate accounts for costs from the following areas: (1) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time; and (2) systems development, updating, and maintenance costs.

15. Program Changes or Adjustments to the Information Collection

There are no changes in the public reporting burden.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Expiration Date

SSA is not requesting an exception to the requirement to display an expiration date.

18. Exception 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.