

Supporting Statement for Form SSA-3373-BK
Function Report – Adult
20 CFR 404.1512 and 20 CFR 416.912
OMB No. 0960-0681

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a), 223(d)(5)(A), 1631(d)(1), and 1631(e)(1) of the *Social Security Act (Act)* require individuals receiving or applying for Social Security disability insurance (SSDI) or Supplemental Security Income (SSI) to provide medical and other evidence of their disability. These sections of the *Act* grant the Social Security Administration (SSA) the authority to establish procedures for collecting and verifying this evidence. 20 CFR 404.1512 and 416.912 of the *Code of Federal Regulations* provide detailed requirements of the types of evidence Social Security disability claimants and beneficiaries must provide showing how their impairment(s) affects their ability to work (e.g., evidence of age; education and training; work experience; daily activities; efforts to work; and any other evidence). SSA uses Form SSA-3373-BK, the Function Report-Adult, to collect the information for adult disability cases.

2. Description of Collection

SSA staff, and, on our behalf, State Disability Determination Services' (DDS) employees, collect the information via paper Form SSA-3373-BK, or through an in-person or telephone interview for cases where we need information about a claimant's activities and abilities to evaluate the claimant's disability. We use the information to document how claimants' disabilities affect their ability to function, and to determine eligibility, or continued eligibility, for SSI and SSDI claims. The respondents are Title II and Title XVI applicants (or current recipients undergoing redeterminations) for disability payments.

3. Use of Information Technology to Collect the Information

This form is available as a fillable PDF on SSA's website, which the respondent completes, prints, and mails to the DDS or brings to an SSA field office.

SSA has not yet created an electronic version of Form SSA-3373 under the agency's Government Paperwork Elimination Act (GPEA) plan due to competing priorities. DDS offices, operating on several variations of five different legacy computer systems, each programmed to support state-designed business processes, conduct 99 percent of these collections. Before SSA can deploy an electronic version of the SSA-3373, the agency must upgrade and standardize the DDS case processing systems. We are currently working on a way to update the DDS case processing systems.

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 SSA did not collect this information, we would be unable to determine a claimant’s disability, or the extent of continuing disability; and we would be unable to fulfill our mandate to make payments to those who are disabled. Since respondents complete the form only once for an initial application, or on an occasional basis if selected for a continuing disability review or for an appeal of our decision, we cannot collect the information 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 May 9, 2018, at 83 FR 21328, and we received no public comments. The 30-day FRN published on July 26, 2018 at 83 FR 35526. If we receive any comments in response to this Notice, we will forward them to OMB.

9. Payment or Gifts to Respondents

SSA provides no payment or gifts to the respondents, except for the actual disability payments (if one qualifies for them).

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

Approximately 1,734,635 respondents take 61 minutes each to complete Form SSA-3373-BK each year. Accordingly, the total burden for this ICR is 1,763,546 hours:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Total Estimated Annual Burden (hours)
SSA-3373-BK	1,734,635	1	61	1,763,546

The total burden for this information collection is **1,763,546 hours**. We based this figure on current management information data, and it represents burden hours. We did not calculate a separate cost burden.

13. Annual Cost to the Respondents (Other)

This collection does not cause a known cost burden on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$3,403,000. This estimate accounts for costs from the following areas: (1) designing, printing, and distributing the form; and (2) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time.

15. Program Changes or Adjustments to the Information Collection Request

The decrease in burden hours from 2,120,483 to 1,763,546 hours stems from a decrease in initial claims of about 300,000 respondents over the last three years. We have not changed the time estimate for this collection, nor have we significantly changed the form; so the average burden per response remains the same. Our current management information data shows a significant decrease in the number of initial claims, as well as a fluctuation and decrease in current continuing disability redeterminations and reconsideration claims which amounts to this reduction in the burden hours. The reduction in burden also explains the reduction in the cost to the Federal government, as we are printing and processing fewer forms now than we did three years ago.

16. Plans for Publication Information Collection Results

SSA will 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.