

**Supporting Statement for  
State Supplementation Provisions: Agreement; Payments  
20 CFR 416.2095-416.2098, 20 CFR 416.2099  
OMB No. 0960-0240**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Section 1618 of the *Social Security Act (Act)* and 20 CFR 416.2095-416.2098 of the *Code of Federal Regulations (Code)* require states that administer their own supplementary income payment program(s) to demonstrate compliance with the *Act* by passing Federal cost-of-living increases on to individuals who are eligible for state supplementary payments. States are required to report to SSA their compliance of the passing-along of such increases under 20 CFR 416.2099 of the *Code*.

**2. Description of Collection**

The Social Security Administration (SSA) collects the pass-along increase information from each state agency that: (1) administers a state supplementary program; and (2) has agreed to comply with the provisions of the *Act*. The information we request allows SSA to determine each state's compliance or noncompliance with the pass-along requirements of the *Act*. Federal participation in the state's Medicaid program, under Title XIX of the *Act*, is dependent upon SSA's determination of a state's compliance. States report supplementary payment information annually (for states complying by the maintenance-of-payment levels method). SSA may ask them to report up to four times per year (for states complying by the total-expenditures method). This collection asks respondents (i.e., states) to confirm their compliance with the pass-along requirements, and to provide any changes to their optional supplementary payment rates. The respondents are state agencies administering supplementary income payment programs.

**3. Use of Information Technology to Collect the Information**

SSA did not create an electronic option under the agency's Government Paperwork Elimination Act (GPEA) plan because only 32 states and the District of Columbia respond annually. This is less than the GPEA cut-off of 50,000. In addition, we do not have a standardized form to collect this information. However, SSA encourages states to report the information via electronic mail.

**4. Why We Cannot Use Duplicate Information**

The nature of the information we collect and the manner in which we collect it precludes 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 this information, the state's failure to report the required payment information is loss of Federal financial participation in the state's Medicaid program under Title XIX of the Act. Legally mandated, the agencies only report the information up to four times per year; therefore, 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 June 8, 2018, at 83 FR 26732, and we received no public comments. The 30-day FRN published on October 3, 2018 at 83 FR 49965. 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 payments or gifts to the respondents.

**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**

This information collection does not contain any questions of a sensitive nature.

**12. Estimates of Public Reporting Burden**

<b>Modality of Completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Number of Responses</b>	<b>Average Burden Per Response (minutes)</b>	<b>Estimated Total Annual Burden (hours)</b>
Total Expenditures	7	4	28	60	28
Maintenance of Payment Levels	26	1	26	60	26
<b>Totals</b>	<b>33</b>		<b>54</b>		<b>54</b>

The total burden for this ICR is **54** hours. We based these figures on current management information data. This figure represents burden hours, and we did not calculate a separate cost burden.

**13. Annual Cost to the Respondents (Other)**

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

**14. Annual Cost to the Federal Government**

The annual cost to the Federal Government is approximately \$7,000. This estimate accounts for costs from the following areas: 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**

There are no changes to 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 Approval Expiration Date**

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

**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