

**Supporting Statement for Form SSA-769  
Request for Change in Time/Place of Disability Hearing  
20 CFR 404.914 (c)(2) and 416.1414 (c)(2)  
OMB No. 0960-0348**

**A. Justification**

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

Section 205(b) of the *Social Security Act (Act)* requires the Social Security Administration (SSA) to provide an evidentiary hearing at the reconsideration level of appeal for claimants who receive an initial or revised determination that a disability did not exist or has ceased. In addition, sections 20 CFR 404.914 (c)(2) and 416.1414 (c)(2) of the *Code of Federal Regulations* call for the claimant to request at the earliest possible date that the time or place of the hearing be changed, if the scheduled date or location poses difficulties.

**2. Description of the Collection**

Claimants use Form SSA-769 to request a change in the time or place of a scheduled disability hearing. Disability hearing officers (DHO) use the form to determine whether to grant the requested change. When DHOs grant the request, they also use the form to reschedule and document the hearing. Respondents are claimants who wish to request a change in time or place of their disability hearing.

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

SSA did not create an electronic version of the form under the agency's Government Paperwork Elimination Act (GPEA) plan because less than 10,000 respondents complete the form annually. This 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 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, we would deprive claimants of their right to request and have a disability hearing at a time and place they can attend. Because we collect the information on an as needed basis, we cannot collect it less frequently. There are no technical or legal obstacles to prevent 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 9, 2018, at 83 FR 56133, and we received no public comments. The 30-day FRN published on January 25, 2019 at 84 FR 371. If we receive any comments in response to this Notice, we will forward them to OMB.

**9. Payment of Gifts to Respondents**

SSA does not provide payments or gifts to 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>Collection Instrument</b> | <b>Number of Respondents</b> | <b>Frequency of Response</b> | <b>Average Burden Per Response (minutes)</b> | <b>Estimated Total Annual Burden (hours)</b> |
|------------------------------|------------------------------|------------------------------|--|--|
| SSA-769                      | 7,483                        | 1                            | 8  | 998  |

The total annual burden for this ICR is **998** hours. We based these figures on current management information data. 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 \$46,095. 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 Adjustment 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**  
OMB granted SSA an exemption from the requirement to print the OMB expiration date for OMB on its program forms. SSA produces millions of public-use forms with a life cycle exceeding those of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), so OMB granted this exemption so SSA would not have to destroy stocks of otherwise usable forms with expired OMB approval dates, avoiding Government waste.

**18. Exemption 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.

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