

**Addendum to the Supporting Statement for Form SSA-3441
Disability Report-Appeal
20 CFR 404.1512, 416.912, 404.916(c), 416.1416(c), 422.140, 404.1713, 416.1513,
404.1740(b)(4), 416.1540(b)(4), and 20 CFR 405, Subpart C
OMB No. 0960-0144**

Background

This is a request for modification of the Form SSA-3441, Disability Report - Appeal, related to new regulation, Removing the Education Category - Inability to Communicate in English - from the Disability Determination Process, RIN 0960-AH86. This new regulation will eliminate one of the five existing education categories, namely the “inability to communicate in English” (20 CFR 404.1564 and 416.964). The new regulation will not affect the other educational categories. We will amend the Medical Vocational Guidelines in 20 CFR Part 404, Subpart P Appendix 2, as appropriate, under the new regulations.

The effect of this regulation is to remove the consideration of English proficiency when determining a claimant’s education category. We will consider the claimant’s actual education attained without regard to the claimant’s proficiency in the use of English and assign the claimant to one of the four remaining education categories, as appropriate: illiteracy; marginal education; limited education; and high school education and above.

Sections 223(d)(2)(A) and 1614(a)(3)(B) of the *Act* require SSA to consider a claimant’s education when determining an adult’s claim of disability. Sections 205(a) and 1631(d)(1) of the *Act* authorize SSA to establish procedures for collecting and verifying relevant evidence. We collect such evidence using Form SSA-454-BK, Continuing Disability Review Report. The information we collect assesses a claimant’s level of education, and assigns the claimant to a specific education category.

Revisions to the Collection Instruments

SSA is making the following revisions to Form SSA-3441 due to the new regulation, RIN 0960-AH86:

Change #1: In 8B, we added “GED classes” and “college classes” to the question.

Justification #1: We are adding this information due to the new regulation to eliminate the “inability to communicate in English” education category. This now requires us to consider a claimant’s formal schooling without regard to the claimant’s proficiency in English. Therefore, additional collection is required.

Change #2: In 8B, under Date(s) attended, we added two new questions to collect Certificates/licenses/degrees attained, if any and Date of attainment.

Justification #2: We are adding this information due to the new regulation to eliminate the “inability to communicate in English” education category. Requesting information on

when education was attained will allow adjudicators to determine how relevant the information is in the disability adjudication process.

SSA is making the following revisions to the i3441 due to the new regulation, RIN 0960-AH86:

Change #1: We changed the question, “Have you completed any type of special job training, trade or vocational school” to, “Since you last told us about your education, have you completed or are you enrolled in any type of GED classes, specialized job training, trade school, vocational school, or college classes?”

Justification #1: We are adding this information due to the new regulation to eliminate the “inability to communicate in English” education category. This now requires us to consider a claimant’s formal schooling without regard to the claimant’s proficiency in English. Therefore, additional collection is required.

Change #2: Under the revised question, we added two new questions to collect Certificates/licenses/degrees attained, if any and Date of attainment.

Justification #2: We are adding this information due to the new regulation to eliminate the “inability to communicate in English” education category. Requesting information on when education was attained will allow adjudicators to determine how relevant the information is in the disability adjudication process.

SSA is making the following revisions to the 3441 EDCS Screens due to the new regulation, RIN 0960-AH86:

Change #1: Under the Education Information section, we changed the question to, “Since you last told us about your education, have you completed or are you enrolled in any type of GED classes, specialized job training, trade school, vocational school, or college classes?”

Justification #1: We are adding this information due to the new regulation to eliminate the “inability to communicate in English” education category. This now requires us to consider a claimant’s formal schooling without regard to the claimant’s proficiency in English. Therefore, additional collection is required.

Change #2: Under the revised question, we added two new questions to collect Certificates/licenses/degrees attained, if any and Date of attainment.

Justification #2: We are adding this information due to the new regulation to eliminate the “inability to communicate in English” education category. Requesting information on when education was attained will allow adjudicators to determine how relevant the information is in the disability adjudication process.

SSA will implement these Changes immediately upon OMB's approval of the Final Rule for RIN 0960-AH86.

These revisions do not affect the public reporting burden.