

Supporting Statement for Travel Expense Reimbursement
20 CFR 404.999 d and 416.1499
OMB No. 0960-0434

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 201(j), 1631(h) and 1817(i) of the *Social Security Act (Act)*, establish travel reimbursement by Federal and State agencies for claimant travel incidental to medical examinations, and to parties; their representatives; and all reasonably necessary witnesses, for travel exceeding 75 miles to attend medical examinations, reconsideration interviews, and proceedings before an administrative law judge. 20 CFR 404.999 d (2) states SSA or the State agency will reimburse you, your representative, or an un subpoenaed witness only if the distance from the person's residence or office to the hearing site exceeds 75 miles. 20 CFR 404.999(d) and 416.1499 of the *Code of Federal Regulations* require claimants to submit proof of travel costs for the Social Security Administration (SSA) to reimburse them.

2. Description of Collection

Reimbursement procedures are managed by the state-level Disability Determination Services. Broadly speaking, 20 CFR 404.999d establishes that claimants must provide: (1) a list of expenses incurred, and (2) receipts of such expenses. Because of the decentralized nature of this collection, specific requirements related to the provision of receipts, including the acceptability of copies of receipts (as opposed to original) and the means of transmission (for instance, electronic receipts as opposed to physical copies) vary by state. SSA holds the physical policy for state DDSs as we provide the funding; however, the DDSs have their own process, and have the autonomy to operate as they see fit.

SSA does not provide guidance on how recipients itemize their reimbursement claims, and there is no official form that is in use. Reimbursement, and submission of documentation, is done on a state-by-state basis and can vary according to State law and regulation requiring:

- Only an informal statement which itemizes the actual travel costs;
- a formal document (invoice, voucher, etc.); and
- a formal document (invoice, voucher, etc.) only after advance authorization has been given (for those cases where a state DDS decides to give advance authorization).

In some state DDS systems the respondent can provide the DDS an informal statement which itemizes travel costs, whereas in other DDS systems, a formal document (such as an invoice) must be completed.

Federal and State personnel review the listings and receipts to verify the

reimbursable amount to the requestor. The respondents are claimants for Title II benefits and Title XVI payments, their representatives, and witnesses.

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

As discussed above, implementation of this information collection occurs at the state level. Because of this, the means of acceptable transmission and storage is not decided by SSA beyond what is established in 20 CFR 404.999d. SSA does not provide guidance on how recipients itemize their reimbursement claims, including whether and how electronic systems can be used to improve the facilitation of this information collection. The agency does not have a comprehensive assessment of whether or how state DDS's allow for receipt submission via electronic submission as described under GPEA. Each DDS is responsible for its own business process for submitting receipts for travel. SSA does not monitor these transactions.

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 we did not collect this information, it could delay reimbursement and result in financial hardship to the claimant. In advance payment cases, it would prevent the claimant from appearing at a medical examination or disability hearing, thus preventing adjudication of the claim. Since we collect the information on an as needed basis, we cannot collect it 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 July 3, 2019, at 84 FR 31972, and we received the following public comments:

- *Comment:* The commenter stated that travel expense reimbursement from Federal and State agencies for claimant travel incidental to a medical examination (to go to a doctor for a Consultative Examination, or hearing) exceeding 75 miles or more should be lowered to 25 miles. The travel reimbursement is unrealistic, because it does not reflect actual travel expense.

- o *SSA Response:* SSA would need to examine the expected budgetary impacts of the suggested change to determine whether, or not, the agency could sustain support for such a change.

20 CFR 404.999 (d) and 416.1499 (https://www.ecfr.gov/cgi-bin/text-idx?SID=aa1d4b80a670138b2bc2579fe1a5c805&mc=true&node=se20.2.416_11498&rgn=div8) establishes the 75-mile rule. SSA would need to examine the expected policy and budgetary impacts of the suggested change to determine whether, or not the agency can sustain support for such a change. If any commenters wish to request a budget analysis, they may do so using the FOIAOnline application: <https://www.foiaonline.gov/foiaonline/action/public/home>

The 30-day FRN published on September 16, 2019 at 84 FR 48694. If we receive any comments in response to this Notice, we will forward them to OMB.

Note: *The first Federal Register Notice shows incorrect burden information for Travel Expense Reimbursement. We have corrected for this in the second Notice, in #12 below, and on ROCIS.*

- 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**

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
404.99(d) & 416.1499	60,000	1	10	10,000	\$10.22*	\$102,200**

* We based this figure on average DI payments, as reported in SSA’s disability insurance payment data.

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are

theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

The agency believes that most respondents submit this collection without traveling to a field office. As such, no burden was calculated related to physical transmission of the information.

The total burden for this ICR is **10,000** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$102,200**. SSA does not charge respondents to complete our applications.

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

This collection does not impose a known cost burden to the respondents. SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately)

14. **Annual Cost To Federal Government**

The annual cost to the Federal Government is approximately \$335,230. This estimate accounts for costs from the following area: (1) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time.

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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 requirements to display the OMB approval 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.