**Supporting Statement for Form SSA-3820-BK**

**Disability Report-Child**

**20 CFR 416.912**

**OMB No. 0960-0577**

1. **Justification**
2. **Introduction/Authorizing Laws and Regulations**

Sections *205(a)* and *1631(d)(1) of* the *Social Security Act (Act),* provide the Commissioner of the Social Security Administration (SSA) full power and authority to make rules and regulations, establish procedures, and to adopt reasonable and proper rules for the nature and extent of the evidence needed, as well as the methods of taking and furnishing the same, to evaluate an alleged disability. Sections *223(d)(5)(A)* and *1631(e)(1)* ofthe *Act* require that claimants for SSA benefits furnish such medical and other evidence of disability as the Commissioner may require to prove they are disabled. *20 CFR 416.912* of the *Code of Federal Regulations,* specifically states, among other things, that individuals will furnish medical evidence and, if asked, evidence of age; education and training; work experience; efforts to work; and any other evidence showing how their impairment(s) affects the ability to work, or in the case of a child, the ability to function.

1. **Description of Collection**

SSA uses Form SSA-3820-BK to collect information about a child’s condition from treating sources or other medical sources of evidence. The State Disability Determination Services (DDS) evaluators use the information from Form

SSA-3820-BK to develop medical and school evidence, and to assess the alleged disability. The information, together with medical evidence, forms the evidentiary basis upon which SSA makes its initial disability evaluation. The respondents are claimants seeking SSI childhood disability payments.

Applicants can complete and print Form SSA-3820-BK, and mail it to SSA, or take the notification page (generated after completing the i3820) to their local Social Security field office (FO). The notification page serves as a back-up alert to the FOs that an applicant transmitted an Internet disability report. When claimants do not complete an i3820, FO employees use the Electronic Disability Collect System (EDCS) internal collection process to key information the claimants provide onto EDCS screens to establish a database for the DDS adjudicators. The respondents are applicants, claimants, beneficiaries, or recipients filing for reconsideration of an initial determination.

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

In accordance with the agency’s Government Paperwork Elimination Act plan, SSA created an Internet version of Form SSA-3820-BK (i3380). Based on our data, we estimate approximately 50% of respondents under this OMB number use the electronic version. In addition, we also collect information electronically through our EDCS version of the form during in-person or telephone interviews.

1. **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*.*

1. **Minimizing Burden on Small Respondents**

 This collection does not affect small businesses or other small entities.

1. **Consequence of Not Collecting Information or Collecting it Less Frequently**

If we did not use Form SSA-3820-BK, the public would have no way to apply for disability benefits for children. Because we only collect the information once, we cannot collect it less frequently. There are no technical or legal obstacles to burden reduction.

1. **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*.

1. **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 no public comments. 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.

1. **Payment or Gifts to Respondents**

SSA does not provide payments or gifts to the respondents.

1. **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.

1. **Justification for Sensitive Questions**

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

1. **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)\*\*** |
| SSA-3820 | 177,572 | 1 | 90 | 266,358 | $10.22 | $1,814,786\*\* |
| EDCS | 1,000 | 1 | 120 | 2,000 | $10.22 | $10,220\*\* |
| i3820 | 176,572 | 1 | 120 | 353,144 | $10.22 | $1,804,566\*\* |
| **Totals** | **355,144** |  |  | **621,502** |  | **$3,629,572\*\*** |

\* 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 total burden for this ICR is **621,502** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **$3,629,572**. SSA does not charge respondents to complete our applications.

1. **Annual Cost to the Respondents**

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

1. **Annual Cost to Federal Government**

The estimated annual cost to the Federal government is approximately $751,220.

This estimate accounts for costs from the following areas: (1) designing, printing, and distributing the form; (2) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time; and (3) systems development, updating, and maintenance costs.

1. **Program Changes or Adjustments to the Information Collection Request**

When we last cleared this IC in 2016, the burden was 659,431 hours. However, we are currently reporting a burden of 621,502 hours. This change stems a decrease in the number of responses from 659,431 to 621,502. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change*.*

1. **Plan for Publication Information Collection Results**

SSA will not publish the results of the information collection.

1. **Displaying the OMB Approval Expiration Date**

For the paper Form SSA-3820-BK, 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 (for example, 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.

For the Internet version of form SSA-3820-BK (i3820), SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

1. **Exemptions 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).*

1. **Collection of Information Employing Statistical Methods**

SSA will not use statistical methods for this information collection.