

**Supporting Statement for The Strengthening Protections for Social Security Beneficiaries
Act of 2018, Section 103(b) Questionnaire
OMB No. 0960-NEW**

A. Justification

1. Introduction/Authoring Laws and Regulations

The Social Security Administration (SSA) pays monthly disability payments to people who qualify under the Old Age, Survivors, and Disability Insurance (OASDI) program, or who meet eligibility requirements for the Supplemental Security Income (SSI) program. Some people who qualify for monthly payments under these programs are unable to manage their benefit payments. When SSA deems a program participant incapable of managing, or directing the management of, his or her own monthly benefit, SSA sends the payment to a representative payee – a person or organization designated by SSA. A representative payee is a third party who manages the OASDI or SSI payments of an individual to meet the individual’s basic needs, such as food, clothing, and shelter. A representative payee can be an individual or organization.

On April 13, 2018, the President signed *Pub.L. 115-165*, the *Strengthening Protections for Social Security Beneficiaries Act (SPSSBA)*. This law made a number of changes to the *Social Security Act* to improve and strengthen the representative payee program for OASDI; SSI; and Special Benefits for Certain World War II Veterans beneficiaries (per *Pub.L. 115-165*). To help ensure that appointed representatives are acting in the best interests of the claimants whom they represent, Section 103(b) of the *Strengthening Protections for Social Security Beneficiaries Act (SPSSBA)*, *Pub. L. 115-165*, requires SSA to assess the administrative feasibility of improving information sharing about claimants with representative payees, with State agencies that provide Adult Protective Services. Specifically, Section 103(b) of the SPSSBA asks us to evaluate the following:

- The assessment of an individual’s need for a representative payee in connection with benefits to which the individual is entitled under title II or title XVI of the Social Security Act; and
- Oversight of individuals and organizations serving as representative payees.

No later than June 30, 2022, SSA shall conclude the study, and submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

2. Description of Collection

To conduct this evaluation, SSA created the *Strengthening Protections for Social Security Beneficiaries Act of 2018*, Section 103(b) Questionnaire. The Questionnaire will assess the representative payee data available from each State and determine if the State is willing to share the data it collects. We will email this one-time questionnaire to State agencies or non-governmental entities that provide Adult

Protective Services, and let them know that participation in the questionnaire is voluntary. We estimate we will receive one response per respondent, and one respondent per agency. We expect to complete this study by June 30, 2022, so we can submit the required report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate in accordance with the SPSSBA. The Respondents are State agencies and non-governmental entities that provide Adult Protective Services to disability claimants under our OASDI and SSI programs.

3. Use of Information Technology to Collect the Information

SSA will use a designated email box to distribute the questionnaire and receive responses from the respondents. SSA will distribute the questionnaire to state agencies, or non-governmental entities, that provide Adult Protective Services. SSA did not create an automated, electronic version the questionnaire in accordance with the agency's Government Paperwork Elimination Act (GPEA) plan, as we will only collect this information one per respondent. In addition, due the low number of respondents, it is not cost effective for the agency to create an electronic version of this questionnaire. However, because we will conduct the questionnaire via email only, we will not require the respondents to fill out any paper forms.

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 data, SSA would be in violation of the mandates set forth by *Section 103(b) of Pub. L. 115-165*. SSA intends to collect the information once per respondent; therefore, 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 September 12, 2019 at 84 FR 48203, and we received no public comments. SSA published the second Notice on November 20, 2019, at 84 FR 64177. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public on the creation of this questionnaire.

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

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

12. Estimates of Public Reporting Burden

Approximately, 57 respondents take 12 minutes each to complete the questionnaire one time only:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)	Average Hourly Wage (dollars)*	Total Annual Opportunity Cost (dollars)**
Emailed Questionnaire	57	1	12	11	\$12.15*	\$134**

* We based this figure on average State Governmental Information Clerks hourly salary.

** 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 **11** burden hours (based on usability testing and our current estimates for the respondents), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$134**. 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 on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$4,267. This estimate accounts for costs from the following areas: (1) designing and distributing the form via email; (2) SSA employee information collection and processing time (including the consolidation and analysis of questionnaire results, and the drafting of the final report); and (3) email upkeep and maintenance costs.

15. Program Changes or Adjustments to the Information Collection Request

This new information collection increases the public reporting burden. See #12 for the burden figures.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection. However, SSA will draft and submit a report the results of the study regarding improving data sharing with State Adult Protective Services agencies to Congress by June 30, 2022.

17. Displaying the OMB Approval Expiration Date

SSA is not requesting an exception to the requirement 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 is not using statistical methods for this information collection.