

**Justification for the Non-Substantive Changes to the Supporting Statement for
Form HA-504, Acknowledgement of Receipt (Notice of Hearing)
Form HA-L83, Acknowledgement of Receipt (Notice of Hearing) Cover Letter
Form HA-55, Objection to Appearing by Video Teleconferencing
Form HA-510, Waiver of Written Notice of Hearing
20 CFR 404.936, 404.938, 416.1436, 416.1438
OMB No. 0960-0671**

Revision to OMB No. 0960-0671:

Based on experience and feedback, we plan to change the manner we conduct this activity with representatives due to the current COVID-related crisis. The process will remain the same for unrepresented claimants, as per our current COVID-19 Enhanced Outreach (CEO) for 0960-0671 which OMB approved on 4/21/20.

Our COVID-19 Enhanced Outreach (CEO) with representatives will include:

- Obtaining accurate appointed representative information (a valid SSA-1696, OMB No. 0960-0527); attempting to identify outstanding medical evidence; and resolving any development issues. **We are making no changes to this process.**
- Rather than calling all appointed representatives with cases pending in ready to schedule (RTS) or currently scheduled (SCHD) to determine if their claimants will accept a telephone hearing, **we plan to update this process as follows:**
 - Send a letter (attached) for all cases where the claimant or representative has not responded regarding acceptance of telephone hearing
 - Include the attached new form for the representative to complete
 - Request that representative upload this form through the Automated Records System (ARS) if they have access, or fax to the appropriate Hearing Office. All HOs now have desktop faxing and this document will be digital for staff to timely add to the file.
- For cases in SCHD status, if the representatives agree to a telephone hearing, and if applicable, obtain agreement to a waiver of the 75-day Notice or 20-day Notice for amended or supplemental hearings required.
 - **We plan to update the process as follows:** In the letter (attached), we will remind representatives that they can complete a waiver form and submit it through Electronic Records Express (ERE), OMB No. 0960-0753/ARS.
- For cases where representatives who do not have access to ERE and did not receive a CD, **we will update our process** to provide an encrypted, password protected PDF via email of the electronic folder. The representative will be able to view the file on any device.

Revision to Collection Instruments/ Revision to OMB No. 0960-0671

- **Change #1:** We will not contact representatives via telephone to explain the current situation. Instead, we will send the attached letter and form to all representatives for their pending claims that they have not responded to regarding a telephone hearing. We will also send a courtesy copy of the letter (no form) to the claimant per our standard communication practices.

Justification #1: Based on experience and feedback, we have found that initial telephone contacts with representatives are not effective. Privacy protections and representative responsibilities reside with the duly appointed representative on the Form SSA-1696 (0960-0527), and it is difficult to complete telephone calls with the appointed representative, who is often appearing in administrative hearings when we conduct CEO. From both Agency and representative perspectives, telephone calls are not allowing for timely completion of this necessary activity. The attached letter and form will provide information to the representatives that they can complete quickly and return electronically to the Hearing Office. We believe this process change will enable us to process these hearing requests faster and more efficiently during the current COVID-related crisis.

- **Change #2:** We will conduct a follow-up phone call for cases where we do not receive a completed form.

Justification #2: For those cases where we do not receive an electronic copy of the form, we will conduct a follow-up call to ensure the respondents received the letter and form, and to see if we can aid in the timely completion of the form.

Note: We plan to use this new CEO process with representatives only during the COVID-related crisis. We expect to discontinue this new process once the crisis is over and we can return to normal business processes.

Public Reporting Burdens for the COVID-19 Enhanced Outreach

We estimate a total universe of approximately 560,000 respondents for this COVID-related outreach project. This number represents 280,000 cases in “Ready to Schedule” (RTS) and “Scheduled” (SCHD) statuses with attorney or non-attorney representatives, plus a courtesy copy to the claimant. We will also conduct a follow-up call for cases without a returned form. We expect 25% or less will be non-responsive. The numbers on this chart reflect our estimates for this outreach project:

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) **
CEO Letter and Form Mailed to Representative	280,000	1	10	46,667	\$25.72*	\$1,200,275**
Courtesy Copy of CEO Letter to Claimant	280,000	No response required	2	9,333	\$25.72*	\$240,045**
CEO Follow up Call with Representative – no form returned (non-	70,000	1	5	5,833	\$25.72*	\$150,025**

responsive)						
Totals	630,000			61,833		\$1,590,345**

* We based this figure on average DI payments from SSA’s records (for claimants), and the average U.S. worker’s salary as reported by the Bureau of Labor Statistics (for representative payees), https://www.bls.gov/oes/current/oes_nat.htm.

** 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 the COVID-19 Enhanced Outreach is **61,833** hours, which will temporarily increase the total burden for this ICR to **1,186,965** burden hours (reflecting current SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden increase of **\$1,590,345**. SSA does not charge respondents to complete our applications.

We will implement this revision to COVID-19 Enhanced Outreach upon OMB’s approval.