

Justification
Continuing Disability Report
 RRB Forms G-254, G-254a, and RL-8A

1. Circumstances of information collection - Under Section 2 of the Railroad Retirement Act (RRA) (45 USC 231a), an annuity is not payable or is reduced for any months in which the annuitant works for a railroad or earns more than prescribed dollar amounts from either non-railroad employment or self-employment. Certain types of work may indicate an annuitant's recovery from disability. The provisions relating to the reduction or nonpayment of annuities by reason of work and an annuitant's recovery from disability for work are prescribed in 20 CFR 220.17-220.20.

The Railroad Retirement Board (RRB) conducts continuing disability reviews (CDR) to determine whether annuitants continue to meet the disability requirements of the law. Payment of disability benefits and/or a beneficiary's period of disability ends if medical evidence or other information shows that an annuitant is not disabled under the standards prescribed in section 2 of the RRA. A CDR is generally conducted if (1) the annuitant is scheduled for a routine periodic review, (2) the annuitant returns to work and successfully completes a trial work period, (3) substantial earnings are posted to the annuitant's wage record, or (4) information is received from the annuitant or a reliable source that the annuitant has recovered or returned to work. Provisions relating to when and how often the RRB conducts disability reviews are prescribed in 20 CFR 220.186.

2. Purposes of collecting, consequences of not collecting the information - **Form G-254, Continuing Disability Report**, is used by the RRB to develop information for a CDR determination, including a determination prompted by a report of work, return to railroad service, allegations of medical improvement, or a routine disability review call-up. The form obtains information about a disabled annuitant's work activity and any medical treatment received by the annuitant during the report period shown in Section 1 of the form.

Completion of Form G-254 is necessary when information about work activity or a change in the physical or mental condition of a disability annuitant is received at RRB headquarters. This type of information is received from various sources, including telephone calls or letters from the annuitants themselves or from other individuals, or from earnings information received from the Social Security Administration, State Employment Service(s), and other outside sources. Whenever such information is received, an RRB office is requested to secure a completed Form G-254 from the disability annuitant. This is usually accomplished by an in-person interview or over the telephone. In some cases, the RRB office mails Form G-254, which is designed for self-completion, to the annuitant. The identifying information requested in Section 2 of the G-254 is entered by the RRB office from information already available on RRB records prior to completion of the form whether by interview or by mail. When mailed, the form is transmitted by Form RL-254 and a self-addressed envelope is enclosed for returning the completed G-254 to the RRB office.

Items 7(a), (b) and (c) of Form G-254 request the name, address, and telephone number of the annuitant's employer(s). In about 10 percent of the cases, RRB headquarters requests an RRB office contact the employer(s) listed in these items to verify the annuitant's period of employment and wages earned. Likewise, the RRB will request that an RRB office contact a doctor, hospital, or clinic identified in items 27, 29 and 30, or a vocational rehabilitation agency or counselor identified in item 32 to verify information

provided by an annuitant. The RRB office then forwards the information to RRB Headquarters.

The RRB proposes no changes to Form G-254.

Form G-254a, Continuing Disability Update Report, is used to help identify annuitants whose work activity and/or recent medical history warrant completion of Form G-254, Continuing Disability Report, for a more extensive review. The questionnaire is mailed to a disability annuitant or representative payee scheduled for routine periodic review. Based on the annuitant's or representative payee's responses to Form G-254a, the RRB makes a determination whether to rediary the case for review at a later date, or to request completion of the more comprehensive Form G-254. The primary purpose and focus of the G-254a is to provide a means to screen cases scheduled for review and then focus the available resources on cases with the greatest potential for significant findings. **Use of Form G-254a reduces the number of annuitants asked to complete the comprehensive G-254.** Form G-254a is transmitted by Form RL-254a, which includes the Paperwork Reduction Act and Privacy Act Notices for Form G-254a.

The RRB proposes no changes to Form G-254a.

Form RL-8A, Occupational Disability Certification, was used to annually monitor disability annuitants who meet the following criteria:

- Receives an occupational disability annuity
- In current payment status or payment is suspended to collect an overpayment
- Under age 55
- A Disability Freeze decision was completed more than 12 months earlier
- The Disability Freeze was denied or is terminated
- Has a mental or orthopedic impairment

Form RL-8A was completed by annuitants to certify that they are still occupationally disabled in order to continue receiving their occupational disability annuity. Based on the annuitant's responses on the questionnaire, a CDR may be conducted in any case in which the annuitant does not return a completed and signed Form RL-8A within 30 days of the release date shown on the form. Form RL-8 was used as a cover letter to transmit Form RL-8A.

The RRB proposes to remove Form RL-8A from the information collection at the request of the 3-member Board as our resources no longer allows us to perform CDRs (Continuing Disability Reviews) for high risk cases that meet the above criteria.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – No Internet processing is planned at this time because both **forms are initiated by the RRB**, utilizing prefills from information resident in RRB automated systems. We will reevaluate technological capabilities to automate after the completion of the RRB IT Modernization project.
4. Efforts to identify duplication – To our knowledge, this information collection does not duplicate any other RRB information collection or another agency uses similar to Forms G-254 and G-254a.

5. Small business respondents - N.A.
6. Consequences of less frequent collection - Obtaining the employment, earnings, and medical information less frequently would affect the accurate payment of disability annuities under the Railroad Retirement Act.
7. Special circumstances - N.A.
8. Public comments/consultations outside the agency - In accordance with 5 CFR 1320.8 (d), comments were invited from the public regarding the information collection. The notice to the public was published on page 39225 of the June 30, 2020, Federal Register. No comments or requests for additional information were received from the public.
9. Payments or Gifts to Respondents - N.A.
10. Confidentiality - Privacy Act System of Records, RRB-22, Railroad Retirement Survivor and Pension Benefit System. In accordance with OMB Circular M-03-22, a Privacy Impact Assessment for this information collection was completed and can be found at <https://www.rrb.gov/sites/default/files/2017-06/PIA-BPO.pdf>.
11. Sensitive questions - N.A.
12. Estimate of respondent burden - The current and proposed burden estimates for the information collection are shown below.

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-254			
Annuitant	1,000	35	583
Employer verification	100	5	8
Doctor, hospital, or clinic verification	100	5	8
Vocational, Rehabilitation	100	5	8
Other governmental agency verification	100	5	8
School verification	100	5	8
G-254a	1,500	5	125
RL-8A	400	15	100
Total	3,400		848

Proposed Burden

Form Number	Annual Responses	Time (Minutes) ^{1/}	Burden (Hours)
G-254 Annuitant	1,000	35	583
Employer verification	100	5	8
Doctor, hospital, or clinic verification	100	5	8
Vocational, Rehabilitation Counselor verification)	100	5	8
Other governmental agency verification	100	5	8
School verification	100	5	8
G-254a	1,500	5	125
Total	3,000		748

^{1/}The RRB has been collecting the information on these forms since OMB approved the information collection. Based on a sampling done when the form was originally created, the office calculated the estimated time, which includes time for getting the needed data and reviewing the completed form.

	Responses	Hours
Total burden change	<u>-400</u>	<u>-100</u>
Program Change	-400	-100

13. Estimate of annual cost to respondents or record keepers - N.A.
14. Estimate of cost to Federal Government - N.A.
15. Explanation for change in burden – The total estimated burden has decreased by 400, from 3,400 to 3,000 and the total burden hours have decreased by 100, from 848 to 748. This decrease is due to the removal of Form RL-8A. We show the decrease as a program change.
16. Time schedule for data collections and publications - The results of this collection will not be published.
17. Request not to Display OMB expiration date - The RRB started an extensive multi-year IT Modernization Initiative at the beginning of Fiscal Year 2019 to transform our operations into the 21st Century using multiple contractor services to improve mission performance, expand service capabilities, and strengthen cybersecurity. In addition, we received a new Chief Information Officer (CIO) on September 2, 2019 who is reviewing our estimated project timeline milestone dates. We provided OMB with a consolidated project timeline.

Given that the forms in this collection are seldom revised; the costs associated with redrafting, reprinting, and distributing forms in order to keep the appropriate OMB expiration date in place; and our desire to reevaluate after the completion of the modernization project, **the RRB requests the authority to not display the expiration date on the forms.**

18. Exceptions to Certification Statement - None