

**Supporting Statement for Form SSA-455
Disability Update Report
20 CFR 404.1589-404.1595 and 416.988-416.996
OMB No. 0960-0511**

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 1631(e)(1)(A) of the *Social Security Act (Act)* empower the Social Security Administration (SSA) to establish and uphold reasonable procedures for evaluating an alleged disability. Section 221(i) of the *Act* requires SSA to periodically assess current disability beneficiaries to determine if their eligibility for benefits should continue. Sections 1614(a)(4) and 1633(a)&(c) authorize SSA to review the disability status of Supplemental Security Income (SSI) recipients. Sections 223(d)(5)(A) and 1631(e)(1) of the *Act* require claimants to furnish medical and other evidence SSA asks for to prove the continued existence of their disability. Sections 20 CFR 404.1589-404.1595 and 416.988-416.996 of the *Code of Federal Regulations* detail the rules for implementing the requirements of the above *Act* sections. To complete required continuing disability entitlement evaluations, SSA must have an assessment instrument. The agency uses Form SSA-455, the Disability Update Report, for this purpose.

2. Description of Collection

SSA uses Form SSA-455, the Disability Report Update, to periodically evaluate current disability beneficiaries and recipients' continued eligibility for Social Security benefits. Specifically, SSA uses the form to determine if: (1) there is enough evidence to warrant referring the respondent for a full medical Continuing Disability Review (CDR); (2) the respondent's impairment(s) is still present and is indicative of no medical improvement, precluding the need for a CDR; or (3) there are unresolved work-related issues for the respondent.

Under normal conditions, SSA uses a private contractor who prints and releases the pre-filled and barcoded SSA-455 mailers according to a schedule prepared by the Division of Continuing Disability Reviews Support (DCDRS). Respondents complete and return the CDR Mailers to the Wilkes-Barre Direct Operations Center (WBDOC) by USPS mail, as we include a pre-paid envelope along with the SSA-455 for the respondents to use when returning the forms to SSA.

When completed, respondents use the pre-paid envelope to submit the SSA-455s to the WBDOC, where SSA requires technicians to complete an intensive clerical review of the physical SSA-455 forms prior to scanning.

Due to the COVID-19 emergency, we do not have adequate staffing levels at WBDOC to conduct the above-described physical clerical review of the SSA-455

forms prior to scanning. For mailed-in forms, SSA continues to scan the forms prior to conducting the clerical review electronically. Additionally, as described below, SSA developed two new processes for collecting this information: a telephone interview process, and an online, submittable method for collecting the information on the SSA-455. Both of these processes help reduce paper SSA-455 submissions.

The telephone interview process allows respondents to call field offices to complete the SSA-455, and field office staff use the current fillable version of the form to record responses, then use verbal attestation in lieu of a wet signature. Once they complete the verbal attestation, the field office staff submit the form to SSA's system for processing.

The online fillable form utilizes Adobe eSign technology, and is similar to the current, fillable Form SSA-455; however, respondents access it from our website, complete it online, and submit it online using the Adobe eSign web application. Under this modality, respondents are able to enter their responses into structured data fields on www.ssa.gov. After completing the form, the respondent receives an email with instructions for completing the digital signature and submitting the form.

No matter which modality the respondents use to submit the SSA-455s, SSA's systems convert the data fields on the form into a static PDF which we electronically transmit to SSA's internal eClerical system. This is the same system to which WBD0C scans the mailed in SSA-455s. From that point forward we process electronically-submitted and paper-scanned SSA-455s identically. The respondents are recipients of Social Security disability benefits.

3. Use of Information Technology to Collect the Information

Due to the COVID-19 emergency, SSA created a fillable and signable SSA-455 on our website. Respondents either call into a field office where SSA staff complete the fillable form through a personal interview, and request verbal attestation in lieu of a wet signature, or respondents complete the online form themselves and sign the SSA-455 electronically using Adobe eSign technology. SSA will only use these new submittable PDF processes during the current COVID-19 situation. Once the current emergency ends, we will reevaluate the submittable PDF process and determine whether we continue to use it or discontinue it. At this time, 100% of respondents under this OMB number use the electronic version either through a personal interview, or on their own from SSA's website.

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 Collection Information or Collecting it Less Frequently

If SSA did not use this information collection, we would have no means of documenting the recovery of current beneficiaries. This could lead to an indefinite payment of benefits to people who should not be receiving them. Because we only collect this information periodically, 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 Consultation with the Public

The 60-day advance Federal Register Notice published on May 5, 2020, at 85 FR 26776, and we received no public comments. The 30-day FRN published on September 15, 2020 at 85 FR 57286. If we receive any comments in response to this Notice, we will forward them to OMB.

9. Payments or Gifts to Respondents

SSA provides no 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 question of a sensitive nature.

12. Estimate 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)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-455 (mail-in or submittable online process)	1,299,900	1	15	324,975	\$10.73		\$3,486,982***
Telephone	100	1	15	25	\$10.73	24**	\$697

Interview Process							
Totals	1,300,000			325,000			\$3,487,679***

Please see the burden chart below:

* We based this figure on average DI payments based on SSA's current FY 2020 data (<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data. Please note: while our field offices are closed, these wait times are based on telephone queues to speak with field office staff.

*** 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 **325,000** burden hours, which results in an associated theoretical (not actual) opportunity cost financial burden of **\$3,487,679**. SSA does not charge respondents to complete our applications.

13. Annual Cost to the Respondents (Other)

There is no known cost burden to the respondents.

14. Annual Cost to Federal Government

The annual cost to the Federal Government is approximately \$8,707,285. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$350,000
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$8,125,000
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$3,420
One-time development cost to create the submittable SSA-455 PDF		\$228,865
Total		\$8,707,285

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).

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this IC in 2017, the burden was 375,000 hours. However, we are currently reporting a burden of 325,000 hours. This change stems from a decrease in the number of responses from 1,500,000 to 1,300,000. 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. These figures represent current Management Information data.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

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 (e.g., 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.

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 will not use statistical methods for this information collection.