

**Justification for Non-Substantive Changes for Form SSA-632-BK
Request for Waiver of Overpayment Recovery
OMB No. 0960-0037**

Background

On August 28, 2020, SSA published the Interim Final Rule, Waiver of Recovery of Certain Overpayment Debts Accruing During the COVID–19 Pandemic Period, (RIN 0960-AI51; <https://www.federalregister.gov/documents/2020/08/27/2020-18834/waiver-of-recovery-of-certain-overpayment-debts-accruing-during-the-covid-19-pandemic-period>),). This Interim Final Rule prescribes that SSA will special-waive upon request recovery of certain overpayment debts incurred during what we define as the “COVID-19 period” (March 1 – September 20, 2020).

We will agree to special waivers of qualifying debts if the debts accrued because we did not process them during the COVID-19 period due to our focus on other items during this national public health emergency. Qualifying overpayment debts are those that accrued unpaid during the COVID-19 period because we did not take the manual actions necessary to fully process them and inform the affected beneficiaries. We anticipate that we will have identified all such qualifying debts by December 31, 2020.

Modifications to the Collection Instrument

To facilitate this special waiver, SSA will use our existing OMB-approved waiver request form (Form SSA-632-BK, OMB No. 0960-0037). The process is streamlined in the sense that as soon as the respondents (beneficiaries) provide enough information from the early part of the collection for us to identify their debt as qualifying for this special waiver, we will immediately grant their request for a waiver. Accordingly, we consider the process to be streamlined.

Under this new streamlined process, we will not require respondents to complete all of the questions on the form. Specifically, respondents will not need to answer the questions regarding income, assets, expenses, or information about receiving the overpayment that are normally pertinent for adjudicating a waiver request. We will not be physically revising the form to reflect this removal of questions. Rather, we are instructing out employees to first ask the relevant upfront questions, and to then stop completing the form during phone interviews with the respondents when it becomes clear the respondents’ debts qualify for this special waiver.

Effects on Burden

As our current approved public reporting burden for this information collection is so wide (it ranges from 5 to 120 minutes), the temporary streamlined waiver process used to support the interim final rule will not require any burden changes.