

**Justification for Non-Substantive Changes for Form HA-4608  
Waiver of Your Right to Personal Appearance Before an Administrative Law Judge  
20 CFR 404.956 and 416.1456  
OMB No. 0960-0284**

**Background**

On November 16, 2020, SSA published the Final Rule, Hearings Held by Administrative Appeals Judges of the Appeals Council, (RIN 0960-AI25; <https://www.govinfo.gov/content/pkg/FR-2020-11-16/pdf/2020-23856.pdf>). This Final Rule clarifies when and how administrative appeals judges (AAJ) on our Appeals Council may hold hearings and issue decisions. Because this Final Rule allows for both Administrative Appeals Judges and Administrative Law Judges to hold hearings and issue decisions, we are updating the content of this form to reflect the new language stating that “Judges” will review the cases, hold hearings, and issue decisions; however, we will not change the title of this form.

Therefore, SSA is updating its procedures for processing requests for hearing by an administrative law judge (ALJ). The Appeals Council may assume responsibility for holding a hearing by providing notice to parties at their last known address notifying them that the Appeals Council has assumed responsibility for the case(s). Since the Appeals Council may exercise this authority in certain cases, we are updating the language on the HA-4608.

SSA will implement the following changes to the HA-4608 upon OMB approval:

**Revisions to the Information Collection**

- **Change #1:** Change “administrative law judge” and “ALJ” to “judge”; and “hearing office” to “office conducting the hearing” throughout the form.

**Justification #1:** Because our regulations authorize the Appeals Council to assume responsibility for holding a hearing, we are changing “administrative law judge” and “ALJ” to the more general “judge” to include both administrative law judges and the administrative appeals judges of the Appeals Council. We are also changing “hearing office” to “office conducting the hearing” to include both hearing offices and the Appeals Council.

This action does not affect the public reporting burden.