**Addendum to the Supporting Statement for the HA-85, HA-86, and Regulations Request to Withdraw a Hearing Request; Request to Withdraw an Appeals Council Request for Review; and Administrative Review Process for Adjudicating Initial Disability Claims
20 CFR Parts 404, 405, and 416
OMB No. 0960-0710**

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-85.

SSA will implement the following changes to the HA-85 upon OMB approval:

Revisions to the Information Collection

- **Change #1:** Change "administrative law judge" and "ALJ" to "judge" 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" to the more general "judge" to include both administrative law judges and the administrative appeals judges of the Appeals Council.

This action does not affect the public reporting burden.