

**Supporting Statement for the SSA-827
Authorization to Disclose Information to the
Social Security Administration
20 CFR 404.1512 and 416.912, 45 CFR 160 and 164
OMB No. 0960-0623**

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 1631(d)(1) of the *Social Security Act (Act)* provide the Commissioner of Social Security with full power and authority to make rules and regulations; establish procedures; and adopt reasonable rules for the nature and extent of the evidence. These sections of the *Act* also allow the Commissioner to create the methods of taking and furnishing the same to evaluate the alleged disability. Sections 223(d)(5)(A) and 1614(a)(3)(H)(i) of the *Act* require claimants to furnish such medical and other evidence as the Commissioner of Social Security may require to prove that they are disabled. Section 223(d)(5)(B) of the *Act* obliges the Commissioner to consider all evidence available in such individual's case record. Implementing disability regulations 20 CFR 404.1512 and 20 CFR 416.912 of the *Code of Federal Regulations* specifically require an individual to furnish medical evidence. We developed Form SSA-827, Authorization to Disclose Information to the Social Security Administration (SSA), to comply with the provisions regarding disclosure of medical, educational, and other information under *Public Law 104-191*, the *Health Insurance Portability and Accountability Act (HIPAA)*; 45 CFR 160 and 164; 42 USC 290dd-2; 38 USC 7332; 38 CFR 1.475; and 20 USC 1232g of the *United States Code*. In addition, the regulations at 20 CFR 404.1512 and 20 CFR 416.912 also require the individual to provide evidence of age, education and training, work experience, daily activities, efforts to work, and any other evidence showing how their impairment(s) affects the ability to work, or for a child, the ability to function.

2. Description of Collection

SSA must obtain sufficient evidence to make eligibility determinations for Title II and Title XVI payments. Therefore, the applicant must authorize release of information from various sources to SSA. The applicants can use Form SSA-827, the Internet version, eAuthorization (e827), or during a personal interview with an SSA technician, the EDCS screens, to provide consent for the release of medical records; education records; and other information related to their ability to perform tasks. Once the applicant completes one of the modalities of Form SSA-827, SSA or the State Disability Determination Service sends the form to the designated source(s) to obtain pertinent records. The respondents are applicants for Title II benefits and Title XVI payments.

3. Use of Information Technology to Collect the Information

In accordance with the agency's Government Paperwork Elimination Act (GPEA)

plan, SSA created an Internet version of Form SSA-827, the e827. In the past, we required all disability claims to have at least one original pen-and-ink "wet" signature; however, with the implementation of eAuthorization, SSA eliminated the need for a paper SSA-827 in many claims. eAuthorization allows claimants the option to sign and submit Form SSA-827 electronically using the e827, rather than completing a paper form with a pen and ink signature. Based on our data, we estimate approximately 80% of respondents under this OMB number use the electronic version. In addition, the SSA-827 is also currently available on the Internet in a fillable and printable PDF format, so the claimant can complete, print the completed form, sign it, and drop the form off back to SSA, or the respondents may complete the form through a personal interview with an SSA employee using EDCS screens to input information collected.

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 significantly affect small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

If we did not use Form SSA-827, SSA would not be able to receive claim-related information from third parties, because we would not have the proper authorization required by HIPPA. Because we only collect the information on an as-needed basis, we cannot collect the information 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 Consultations with the Public.

The 60-day advance Federal Register Notice published on December 30, 2020 at 85 FR 86638, and we received no public comments. The 30-day FRN published on March 1, 2021 at 86 FR 12068. If we receive any comments in response to this Notice, we will forward them to OMB.

9. Payment or Gifts to Respondents

SSA does not provide 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 questions of a sensitive nature.

12. Estimates of Public Reporting Burden

Please see the burden chart below:

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)***
e827 with electronic signature (eAuthorization Internet version)	4,189,270	1	9	628,391	\$10.95*		\$6,880,881***
SSA-827 with wet signature (paper version & EDCS Intranet version)	1,055,807	1	10	175,968	\$10.95*	24**	\$6,551,285***
Totals	5,245,077			804,359			\$13,432,166***

* We based this figure on average DI payments based on SSA’s current FY 2021 data (<https://www.ssa.gov/legislation/2021FactSheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA’s current management information data.

*** 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.**

In addition, OMB’s Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of

the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA’s current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

Total Number of Respondents Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
1,055,807	1	30	527,904	\$5,780,549

**** We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a) (4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, nor do we have any data, which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total opportunity cost estimates in the paragraph below.

The total burden for this ICR is **804,359** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$19,212,715**. SSA does not charge respondents to complete our applications. We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that the 9 and 10 minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate.

13. Annual Cost to the Respondents (Other)

This collection does not impose a known cost burden on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$1,651,179. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing and Printing the Form	Design Cost + Printing Cost	\$4,681
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$32,000
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$1,608,718
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	\$0
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$5,780
Quantifiable IT Costs	Any additional IT costs	\$0
Total		\$1,651,179

* We have inserted a \$0 amount for cost factors that do not apply to this collection.

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. In addition, it is difficult for us to break down the cost for processing a single form, as field office 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. However, we have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining these information collections.

15. Program Changes or Adjustments to the Information Collection Request

There are no changes to the public reporting burden.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

For the paper Form SSA-827, 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 (for example, 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.

For the Internet version of Form SSA-827, SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

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 does not use statistical methods for this information collection.