

Supporting Statement for Form SSA-3373
Function Report – Adult
20 CFR 404.1512 and 20 CFR 416.912
OMB No. 0960-0681

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a), 223(d)(5)(A), 1631(d)(1), and 1631(e)(1) of the *Social Security Act (Act)* require individuals receiving or applying for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) to provide medical and other evidence of their disability. These sections of the *Act* grant the Social Security Administration (SSA) the authority to establish procedures for collecting and verifying this evidence. 20 CFR 404.1512 and 416.912 of the *Code of Federal Regulations* provide detailed requirements for the types of evidence Social Security disability claimants and beneficiaries must provide showing how their impairments affect their ability to work (e.g., evidence of age; education and training; work experience; daily activities; efforts to work). SSA uses Form SSA-3373, Function Report-Adult, to collect the information for adult disability cases.

2. Description of Collection

As background to this information collection, individuals receiving or applying for SSDI or SSI must provide medical evidence and other proof SSA requires to prove their disability. After completion of the initial application form, which is covered under 0960-0618 (iClaim or the SSA-16) for SSDI applicants and 0960-0229 (SSA-8000) or 0960-0444 (SSA-8001, an abbreviated version of the SSA-8000), the SSA will typically have respondents complete a series of additional forms that support beginning to develop the necessary evidence. One of these forms is the disability report (SSA-3368 or SSA-3367 for adults or the SSA-3820 for children), which are covered under OMB Controls 0960-0579 and 0960-0577, respectively. The disability report helps SSA understand the claimant's medical conditions, medical treatments (including sources of potential medical evidence), and other information (including work activity, job history, education and training, and vocational rehabilitation). When applying in person, the disability report is typically collected by the Field Office (FO) technician during the claimant's initial visit; when applying online, the disability report is completed online.

This information collection, the Function Report for adults (SSA-3373), is designed specifically to develop evidence related to the claimant's self-reported ability to function and perform the activities of daily living. It is not a required form in all instances, although in roughly 40% of applications, the form is completed. The form cannot be completed online, and in most circumstances, the form is not completed during the initial visit to a field office. Rather, after a field office forwards the initial application and disability report to the State Disability

Determination Services' (DDS) for development and adjudication, the DDS will mail this form for the claimant to complete. If, however, the claimant requires assistance to complete the form, the DDS may collect the information by phone.

If the claimant does not complete and return the form, the DDS will determine whether this information is necessary to make a disability determination for the claim. In some cases, the DDS is able to determine the claimant is disabled based on medical and non-medical evidence already obtained. In such cases, a determination is made without a Function Report.

However, more often, the DDS will determine that this information is necessary to adjudicate the claim and will attempt to collect the information by phone if the claimant has not returned a completed form. During this phone interview, the claimant may, submit the responses to this form as well as other information collections the DDS may have identified as required, such as a Work History Report. During this time, the DDS may also provide additional forms to identify impairment-specific information. In certain circumstances, however, the SSA field office does collect the information during the initial application. If, in the interviewer's judgment, it is probable that FO or DDS recontact with the applicant will be difficult (i.e., is homeless, will be difficult to contact by telephone, or will be unavailable for contact), or if the claimant asks to have the forms completed by an interviewer or demonstrates concern or apprehension about the ability to complete the forms, or the FO interviewer suspects the claimant will be unable to complete the forms properly, then the FO will complete the form during the initial application.

In addition to initial applications, SSA follows these processes to collect this information, if necessary, when determining whether an individual's disability continues in redeterminations at age 18, and in continuing disability reviews (CDR).

This information collection covers instances when a claimant is completing the Function Report on behalf of themselves. In certain circumstances, the DDS determines that additional information is necessary to fully evaluate a claimant's limitations in the ability to function and will ask a third-party to complete a Function Report about a claimant (SSA-3380). This information is sometimes sought from sources who have observed the claimant on a long-term basis, are knowledgeable about the claimant's current day-to-day functioning, and can contrast this to the claimant's "premorbid" functioning, if relevant. Examples include educational personnel, public and private social welfare agency personnel, family members, caregivers, friends, neighbors, employers, and clergy. People either living with the claimant or those in close contact with the claimant are preferred.

3. Use of Information Technology to Collect the Information

Form SSA-3373 is available as a fillable PDF on SSA's website, which the respondent completes, prints, and mails to SSA. The DDS also mails the form to the respondent to complete and return. This collection does not currently have a fully public-facing Internet version, as we prioritized other information collections for full electronic conversions. Given that IT Mod programming is an ongoing, dynamic project, we cannot provide specific timelines for when we will be able to make any particular ICR available via Internet web-based application. We will ultimately convert most existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this may be unconnected to the PRA approval lifecycle.

In the interim, we evaluated this collection for conversion to a submittable PDF. Given the high volume of conversions we are coordinating and the more urgent nature of some of the other conversions, we ultimately decided not to prioritize this ICR for conversion to fully submittable PDF at this time. When we are able to schedule this form for conversion to a submittable PDF, we will submit a Change Request to OMB to request prior approval.

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.

In other collection instruments we ask general questions related to information in this collection, such as our asking for the medical conditions limiting your ability to work (SSA-3368, OMB Control No. 0960-0579). However, due to its greater specificity in how a claimant's medical conditions affect individual activities and functional abilities, the information sought in this collection is not duplicative.

5. Minimizing Burden on Small Respondents

This collection does not affect small businesses or other small entities.

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

If we did not collect this information, we would be unable to adjudicate many new claims for disability benefits or make determinations on continuing eligibility for benefits, leaving us unable to fulfill our mandate to make payments to those who are disabled. Because we ask the respondents to complete the form only once for an initial adult claim for benefits, and occasionally again in the case of a continuing disability review or appeal, 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 June 1, 2021 at 86 FR 29348, and we received no public comments. The 30-day FRN published on September 2, 2021 at 86 FR 49403. 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 or for Teleservice Centers (minutes) **	Total Annual Opportunity Cost (dollars)***
SSA-3373	1,734,635	1	61	1,763,546	\$10.95*	21**	\$25,958,815***

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

** We based this figure on averaging both the average FY 2021 wait times for field offices and teleservice centers, 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)****
1,734,635	1	30	867,318	\$9,497,132

**** 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.

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 **61** minutes shown in our chart above 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. The total burden for this ICR is **3,237,986** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$35,455,947**. SSA does not charge respondents to complete our applications.

13. Annual Cost to the Respondents (Other)

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

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately **\$16,006,420**. 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	\$3,000
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0*
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$16,000,000
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	\$3,420
Quantifiable IT Costs	Any additional IT costs	\$0*
Total		\$16,006,420

* 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. It is difficult for us to break down the cost for processing a single form, as field office and State DDS 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.

Note: The total burden reflected in ROCIS is **3,237,986**, while the burden cited in #12 of the Supporting Statement is **1,763,546**. This discrepancy is because the ROCIS burden reflects the following components: field office waiting time + a rough estimate of a 30-minute, one-way, drive burden. In contrast, the chart in #12 of the Supporting Statement reflects actual 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

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 does not use statistical methods for this information collection.