

**Justification for Non-Substantive Changes to  
Form HA-85: Request to Withdraw a Hearing Request  
20 CFR 404.971 and 416.972  
OMB No. 0960-0710**

**Background**

If a claimant wishes to withdraw a request for hearing before the hearing is held or before a judge mails the hearing decision, the judge may dismiss the hearing. The claimant can make the request to withdraw the hearing in writing, orally at the hearing, or in a hearing office. The agency created Form HA-85 for claimants and representatives to use as written notice of the withdrawal of a hearing request. While use of Form HA-85 is voluntary (as the claimant or representative may request the dismissal orally or in writing separately from the use of the form), the form captures the key information required to process the request.

On June 25, 2021, OMB approved our request to implement an online fillable and submittable version of the HA-85, the e85, which utilizes *Adobe Sign* technology to accept and process an electronic signature (eSignature). The e85 online version mirrors the paper version and provides respondents with an online service option as an alternative to mailing or faxing the form to the servicing office. Respondents initiate the online version from our website and electronically complete, sign, and submit it using the *Adobe Sign* web application. Use of the *Adobe Sign* web application does not present any added burden on respondents. Respondents are not be required to download and install the application locally on their device, nor will they have to pay any subscription or licensing fees.

The e85 modality for allows respondents to enter their responses into structured data fields on the online e85 screens within the *Adobe* platform by following a secure link that *Adobe Sign* sends to the email address the respondent (i.e., claimant or appointed representative) provides. The respondent receives an email from *Adobe Sign* with instructions for how to access, complete, eSign, and submit the form using this online service. Upon submission, the online e85 electronically transmits an image of the completed form to the Electronic Viewing System (eVIEW) for processing by the servicing hearing office. Once received, the hearing office processes the request for withdrawal of a hearing using current business processes and policies.

Previously, we required respondents to create a password to use the submittable modality due to a security issue in the *Adobe* software we used to create the submittable forms. We added the password feature for the forms to mitigate the risk of loss of PII. Since *Adobe* resolved that issue, eliminating the risk, we are removing the password feature entirely for our single-signer forms. Removing the password provides a better customer experience for our users by eliminating the creation of a temporary credential with no password support (i.e., the customer creates a password that cannot be reset if lost or forgotten). We have concerns that asking respondents to create a temporary password for each single-signer form will create confusion with our agency's enterprise credentials. In

addition, we are removing the language related to password creation from the landing page and the Adobe emails the customer receives, as the respondent will no longer need to create a password. We are making no changes to the form itself; however, the respondent will no longer receive prompts to enter a password. Instead, the respondent will complete the form in a single session and have the opportunity to save a copy for their records once they sign and submit the form.

We are submitting this IT Modification as a non-substantive change request to remove the password requirement from the submittable Portable Document Format (PDF) for Form e85, Request to Withdraw a Hearing Request. We intend to implement this change on **August 14, 2021**.

### **Revisions to the Collection Instrument for the Online Modality**

- **Change #1:** We are removing the password requirement from the submittable PDF version of this form.

**Justification #1:** Since Adobe resolved the issues with their format eliminating the risk of PII loss which caused us to require a password to protect PII, we are removing the password feature entirely for our single-signer forms.

- **Change #2:** We are removing the language related to password creation from the landing page and the Adobe emails the customer receives.

**Justification #2:** Since the respondent will no longer need to create a password to use this form, we are removing this language.

- **Change #3:** We are removing the prompts for the respondent to create a password.

**Justification #3:** Since the respondent will no longer need to create a password to use this form, we are removing these prompts.

SSA intends to implement these minor revisions to remove the password requirement on **August 14, 2021**, or upon OMB's approval.