

SUPPORTING STATEMENT

**REHABILITATION MAINTENANCE CERTIFICATE
(FORM OWCP-17)
OMB NO. 1240-0012**

This ICR seeks to extend this information collection.

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collections. Attach a copy of the appropriate section of each statute and of each regulation mandating or authorizing the collection of information.

The Office of Workers' Compensation Programs (OWCP) administers the Federal Employees' Compensation Act (FECA), and the Longshore and Harbor Workers' Compensation Act (LHWCA). These acts provide vocational rehabilitation services to eligible workers with disabilities. 5 U.S.C. 8111(b) of the FECA provides that OWCP may pay an individual undergoing vocational rehabilitation a maintenance allowance, not to exceed \$200 a month. 33 U.S.C. 908(g) of the LHWCA provides that person(s) undergoing such vocational rehabilitation shall receive a maintenance allowance as additional compensation when authorized, not to exceed \$100.00 per month. Form OWCP-17 is used to collect information necessary to determine the amount of any maintenance allowance to be paid. For LHWCA, regulations implementing these statutes for the collection of this information are 20 CFR 702.506 and 702.507; and for FECA, 20 CFR 10.518, 10.519. This information collection is currently approved for use through February 28, 2022.

[Division of Federal Employees', Longshore and Harbor Workers' Compensation \(DFELHWC\) | U.S. Department of Labor \(dol.gov\)](#)

[eCFR: 20 CFR 702.506 -- Vocational rehabilitation; training.](#)

<https://www.dol.gov/owcp/dfec/regs/statutes/feca.htm>

[eCFR: 20 CFR Part 10 -- Claims for Compensation Under the Federal Employees' Compensation Act, as Amended](#)

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Form OWCP-17 is submitted to OWCP by contractors it hires to provide vocational rehabilitation services. The contractors submit the form requesting payment of an additional rehabilitation maintenance amount to cover incidental costs incurred by the disabled worker

while obtaining vocational rehabilitation services. For example, when a disabled worker attends a training program, Form OWCP-17 may be used to request reimbursement to the disabled worker for out-of-pocket costs such as travel expenses.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

In accordance with the Government Paperwork Elimination Act, the current Form OWCP-17 is electronically interactive and posted on the Internet.

<http://www.dol.gov/owcp/dfec/regs/compliance/OWCP-17.pdf>

OWCP has developed several alternatives to mailing of documents. These applications, known as The Employee Compensation Operations and Management Portal (ECOMP), the Disability Management Portal (DMP) and the Secure Electronic Access Portal (SeaPortal) are internet based, and allow users the ability to submit a completed form electronically into the claimant's case record. As of June 2020, the respondents are required to electronically submit their response to DMP or SeaPortal. The use of these applications is of no cost to the public.

References: <https://www.ecomp.dol.gov/#/>
<https://www.dmp.dol.gov/>
https://seaportal.dol.gov/portal/?program_name=LS&_ga=2.152916924.405648835.1632750517-2055973116.1606936548

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.

The information requested in this collection is not a duplicate of any information available elsewhere. The respondents are the only sources of the data that are needed to process the request for payment.

5. If the collection information impacts small businesses or other small entities, describe any methods used to minimize burden

This information collection has been streamlined to obtain the minimum information needed for OWCP to evaluate a proposed rehabilitation plan while imposing the minimum burden on respondents, and does not have a significant economic impact on a substantial number of small entities.

6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If this information were not collected, OWCP would be unaware of any variations in a respondent's training schedule and overpayments of maintenance allowances would occur.

7. Explain any special circumstance that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

These forms are submitted as needed for any reimbursable expenses to the claimant related to vocational rehabilitation training or placement.

8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically, address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

No outside consultations have taken place concerning the use of the Form OWCP-17. However, OWCP has been evaluating the rehabilitation maintenance allowances for approximately 30 years and has had sufficient experience with Form OWCP-17 to maximize its utility. OWCP has not received any complaints about the manner in which the form has been used. Should any complaints or suggestions for improvement be received they will be carefully evaluated and appropriate action will be taken.

A Federal Register Notice inviting public comment, 86 FR 55861, was published on October 7, 2021. Comments were/were not received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no gift or payment to respondents other than remuneration to OWCP's contractors for services and expenses.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

The information collected by these forms is maintained in OWCP claim files which are fully protected under the Privacy Act. The applicable Privacy Act System of Records are DOL/GOVT-1 and DOL/OWCP-3 and DOL/OWCP-4 [81 FR 47418 (July 21, 2016)]. See <https://www.dol.gov/agencies/sol/privacy>

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary; the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature contained on the form.

12. Provide estimates of the hour burden of the collection of information.

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Based upon experience with this form, it is estimated that 287 respondents (Rehabilitation Counselors) will file 694 forms annually (on an as needed basis) , and that it will require 10 minutes or (.17 hours) for each respondent (Rehabilitation Counselor) to read instructions, fill in the basic claims information and send the form to OWCP. This estimate is considered to be reasonable since the minimal identifying information requested has been provided to the Rehabilitation Counselor by OWCP and is thus readily available to them from the case materials they have for the claimant in question (.17 X 694 forms =118 hours)

The monetized value of burden costs for completion of the OWCP-17 by Rehabilitation Counselors respondents is calculated using a mean hourly wage of \$20.23 based on the Bureau of Labor Statistics, Occupational Employment and Wages, May 2020. See [Rehabilitation Counselors \(bls.gov\)](https://www.bls.gov)

Estimated Annualized Respondent Cost and Hour Burden

Activity	No. of Respondents	No. of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Monetized Value of the Burden Cost
OWCP-17	287	2.4181184669	694	.17	118 (rounded)	\$20.23	\$2,387 (rounded)

13. Provide an estimate of the total annual cost burden or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).
- The cost estimate should be split into two components: (a) a total capital and startup cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
 - If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
 - Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Because respondents are reimbursed for all services and expenses, there are no operation and maintenance costs connected with this information collection.

14. **Provide estimates of annualized cost to the Federal government.**

The estimated costs to the Federal government of collecting these forms are noted as follows:

There is no mailing cost associated with the sending of the form to the contractor because the contractors are able to access the form on the DOL website, <https://www.dol.gov/general/forms>.

Rehabilitation Maintenance Certificate
1240-0012
January 2022

Federal Processing Cost: Contract Hosting (\$7,714.00)¹ = \$7,714.00

Reimbursement to Rehabilitation Counselors for Labor Costs: \$20.23 per hour x 0.17 x 694 = \$2,387. See [Rehabilitation Counselors \(bls.gov\)](https://www.bls.gov)

Total Federal Costs: Reimbursement to Vocational Rehabilitation Counselors (\$2, 387.00) = \$2, 387.00

15. Explain the reasons for any program changes or adjustments.

As indicated in item 12, since the last clearance, the responses from the respondents decreased from 3,452 to 694, which is an adjustment of 2,758. Accordingly, the burden hours decreased from 575 to 118, an adjustment of 457 hours. While no changes were made to this ICR, the reduction can be attributed to programmatic changes in both the FECA and Longshore programs that impacted the number of rehabilitation referrals.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection information, completion of report, publication dates, and other actions.

This information will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The expiration date will be displayed on the form.

18. Explain each exception to the certification statement identified in ROCIS.

There are no exceptions to the certification.

B. Collections of Information Employing Statistical Methods:

Statistical methods are not used in these collections of information.

¹ The ECOMP cost is \$270,000.00 for FY 2019. There are 35 forms which require OMB approval which can be downloaded through ECOMP. These forms are CA-2a, CA-5, CA-5b, CA-7, CA-12, CA-15, CA-16, CA-17, CA-20, CA-40, CA-41, CA-42, CA-155, CA-278, CA-721, CA-722, CA-1027, CA-1031, CA-1032, CA-1074, CA-1087, CA-1090, CA-1108, CA-1122, CA-1143, CA-1305, CA-1331, CA-2231, OWCP-5a, OWCP-5b, OWCP-5c, OWCP-16, OWCP-17, OWCP-20, and OWCP-44. The ECOMP figure used was based on the average cost for each of those collections, or 1/35 of \$270,000, which is \$7,714.29.00, \$7,714.00, rounded down.