

Supporting Statement for Form SSA-8202-BK
Statement for Determining Continuing Eligibility for
Supplemental Security Income Payment
20 CFR 416.204
OMB No. 0960-0145

A. Justification

1. Introduction/Authoring Laws and Regulations

Title XVI, part A, Section 1611(c)(1) of the Social Security Act (Act) requires that the Commissioner of the Social Security Administration (SSA) shall redetermine eligibility for, and the amount of, Supplemental Security Income (SSI) payments. 20 CFR 416.204 of the Code of Federal Regulations provides that the SSA conduct redeterminations (RZ) periodically on a scheduled basis, or when we receive notification of a change that would affect an SSI recipient's continued eligibility or payment amount.

2. Description of Collection

SSA uses Form SSA-8202-BK to conduct low and middle-error profile (LEP/MEP) interviews with SSI recipients and representative payees, if applicable. SSA conducts LEP redeterminations interviews on a 6-year cycle, and MEP redeterminations annually. SSA requires the information we collect during the interview to determine whether: (1) SSI recipients met, and continue to meet, all statutory and regulatory requirements for SSI eligibility; and (2) SSI recipients received, and are still receiving, the correct payment amounts. This information includes non-medical eligibility factors such as income, resources, and living arrangements. SSA gathers the information the SSA-8202-BK provides through a face-to-face interview, or through a telephone interview. SSA may also mail the respondent the Form SSA-8202-BK with a prepaid envelope, along with a letter informing the respondent that they are up for a non-medical redetermination and listing the documentation they will need to bring with them to the appointment. The respondents may need to obtain information from employers or financial institutions to complete the SSA-8202-BK. The respondents are SSI recipients and their representatives, if applicable.

3. Use of Information Technology to Collect the Information

SSA collects the information on Form SSA-8202-BK during face-to-face interviews; telephone interviews; or under the circumstances when we mail the SSA-8202-BK to respondents. The nature of this form is complex, and due to its complexity, only a small percentage is done on the paper form versus on the phone or in person with a claims specialist. In addition, because this form is difficult for respondents to complete on their own, SSA is currently unable to create an Internet version of this information collection. Not only do we not make the paper form readily accessible to claimants, but we prefer to schedule redeterminations which we conduct through a face-to-face or telephone interview to ensure the respondent both understands the questions and is able to respond to them. If, and only if, a

field office is unable to schedule an interview, SSA mails the SSA-8202-BK with a prepaid envelope to send back to SSA. We will reassess the ability to create a full Internet application version of this form when we reassess our current process for the information collection. Finally, we evaluated this collection for conversion to a submittable PDF, and found it is not suitable for that process either, for much the same reasons we listed above. We designed the current Form SSA-8202-BK to be completed through a personal interview with an SSA technician. For us to create either an Internet application version, or a submittable PDF, we would need to thoroughly revise the form to make it easier for respondents to complete on their own. While we hope to do this eventually, that effort will take time and funding, as well as usability testing. We expect the overhaul project would take multiple years to complete. At this time, we have scheduled other information collections as priorities for electronic implementation and will consider the revision of Form SSA-8202-BK in the future.

4. Why We Cannot Use Duplicate Information

Form SSA-8203-BK (OMB Number 0960-0416) also collects information similar to the information we collect on Form SSA-8202-BK. However, Form SSA-8203-BK is a more comprehensive, and complex redetermination form used to conduct high-error profile (HEP) redeterminations. It is not a self-help form, and SSA field office personnel always complete it by conducting personal contact interviews through the SSI Claims System. Form SSA-8202-BK is a simpler design, not intended for use in HEP redeterminations. Conducting LEP and MEP redeterminations using Form SSA-8203-BK instead of Form SSA-8202-BK creates an unnecessary burden on the recipients at a higher cost to the Federal government. Therefore, SSA does not use the two forms for the same purpose.

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 use Form SSA-8202-BK during RZ interviews, potential eligibility or events affecting payment would go undetected. This can adversely affect recipients through underpayments (i.e., erroneously low SSI payments) or overpayments (excessive SSI payments which may result in collection activities). We perform MEP redeterminations annually. In addition, since SSA collects a majority of LEP on a 6-year cycle, we cannot collect it less frequently. In addition, collecting these types of redeterminations less frequently would compromise program integrity. 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 March 30, 2022, at 87 FR 18456, and we received no public comments. The 30-day FRN was

published on June 1, 2022, at 87 FR 33282. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the maintenance of this form.

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

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost (dollars)*	Average Wait Time in Field Office or Teleservice Centers (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-8202-BK	67,698	1	21	23,694	\$11.70*		\$277,220****
SSI Claims System	1,764,207	1	20	588,069	\$11.70*	21**	\$14,104,830****
Totals	1,831,905			611,763			\$14,382,050****

* We based this figure on the average DI payments based on SSA's current FY 2022 data (<https://www.ssa.gov/legislation/2022factsheet.pdf>).

** We based this figure by averaging the average FY 2022 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 (OIRA) 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)****
1,764,207	1	30	882,104	\$10,320,617*****

*****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 time and 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 **15** and **20** 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. The total burden for this ICR is **611,763** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$24,702,667**. SSA does not charge respondents to complete our applications

13. Annual Cost to the Respondents (Other)

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

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately **\$12,808,856**. 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	\$8,244
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$37,234
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	Used the average of the GS-5/GS-9/GS-11 employee x # of responses x processing time. (\$20.91 x 1,831,905 x 20/60 mins)	\$12,768,378
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	\$0*
Quantifiable IT Costs	Any additional IT costs	\$0*
Total		\$12,808,856

* 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 and State Disability Determination Services 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-11) 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

When we last cleared this IC in 2019, the burden was 677,428 hours. However, we are currently reporting a burden of 611,763 hours. This change stems a decrease in the number of responses from 2,031,787 to 1,831,905. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change. These figures represent current Management Information data.

***Note:** The total burden reflected in ROCIS is **2,111,339**, while the burden cited in #12 of the Supporting Statement is **611,763**. 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. Collection of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.