

**Supporting Statement for Social Security Administration (SSA)
COVID-19 Symptoms Screener for In-Person Hearings, and
VIPr Mobile Application and Telephone Screener for Office visits
20 CFR 404.929, 404.933, 416.1429, 416.1433, 418.1350, 422.103-422.110, and 422.203
OMB No. 0960-0824**

A. Justification

1. Introduction/Overview and Relevant Laws and Regulations

The Occupational Safety and Health Administration's (OSHA) *OSHA Act* is guiding this temporary, emergency measure to conduct symptom screeners for visitors to hearings and field offices. This OSHA statute requires employers to establish and maintain an effective and comprehensive occupational and safety health program, "including (1) acquir[ing], maintain[ing], and requir[ing] the use of [...] devices reasonably necessary to protect employees." The *Social Security Act (Act)* at Sections 205(b), 1155, 1631(c), and 1869, with implementing regulations at 20 CFR 404.929, 404.933, 416.1429, 416.1433, 418.1350, and 422.203 of the *Code of Federal Regulations (Code)*, entitles and prescribes procedures for claimants (or their appointed representative) to request a hearing before an Administrative Law Judge to appeal a decision.

2. Description of Collection

Background

During the recent COVID-19 pandemic, SSA conducted its services almost exclusively online or by telephone, to protect the health of both the public and our employees. We took these measures in accordance with relevant Centers for Disease Control COVID-19 pandemic guidance, and to comply with existing Occupational Safety and Health Act provisions regarding workplace safety.

We have resumed in-person hearings, as well as in-person field office visits. We use the current CDC-suggested COVID-19 screening symptoms questionnaire for people coming in for in-person visits. The questionnaire for in-office visits is available via telephone, SSA mobile application (VIPr App), or kiosk. We require satisfactory answers to the screening questions, i.e., demonstrating that field office visitors do not demonstrate symptoms of COVID-19 and have not been exposed to someone with COVID-19, for the appointment to proceed. If the individuals answer yes to any of the COVID-19 screening questions, we offer them the option of completing their interview via video teleconferencing or using our online options, or we offer to reschedule their in-person interview for a later date.

Information Collection Tool

Because of COVID-19 health and safety considerations, we plan to continue requiring all members of the public entering an SSA field office for a visit, or a hearing office to participate in an in-person hearing, to complete a brief screener questionnaire designed to identify COVID-19 symptoms.

For individuals visiting a hearings office, we provide a link to the screener questionnaire in the mailed notice of scheduled hearings. People participating in a hearing can complete and submit the questionnaire online within 24 hours before the start of the hearing. If hearings participants do not wish to use the Internet, they can call the hearings office where the hearing is scheduled and complete the questionnaire over the phone.

Similarly, we will give field office visitors the option of completing the screener questionnaire either via telephone or through SSA's mobile application, VIPr, prior to entering the building. As part of our pre-screening questions prior to scheduling an appointment, we remind potential visitors of our telephone and Internet options, explain our mask requirement policy, and administer a brief screener questionnaire designed to identify COVID-19 symptoms. For those members of the public who do not schedule an appointment, we have a poster in our field office windows visible from the outside instructing visitors about the need to complete the screening questionnaire and about our masking policies. Regardless of whether an individual schedules an appointment or visits a field office without prior scheduling, we will continue to request satisfactory completion of the screener in advance of entering the building as a prerequisite for entering the field office.

SSA's screener questionnaire asks questions relating to personal experience of any COVID-19 symptoms; exposure to someone diagnosed with COVID-19; or travel by means other than land travel, such as car, bus, ferry, or train. SSA uses the screener responses to determine if the participant is "cleared" or "not cleared" to enter an SSA field or hearing office. If participants answer "no" to all questions, they are "cleared" to participate. If they answer "yes" to any part of the screener, we consider them "not cleared." Individuals who are not cleared may request SSA to reschedule their visit at least 14 days after the COVID-19 symptoms first presented, or 14 days after they tested positive for COVID-19.

Alternatives to Completing the Information Collection

Although we will continue to require completion of the screener questionnaire for any in-person hearing or field office visit, we do not require this screener questionnaire for other modalities of appeals hearings, or field office services. One may choose an online video hearing or telephone hearing as an alternative to an in-person hearing, just as we also have online and telephone services for field office transactions. Claimants may obtain Social Security payments regardless of the hearing method they choose, and field office visitors may submit their documentation using our Internet services, telephone requests, or by mailing their documentation to SSA.

The respondents are beneficiaries or applicants requesting an in-person hearing, or members of the public entering a field office.

3. Use of Information Technology to Collect the Information

In accordance with the agency's Government Paperwork Elimination Act plan, SSA created fully online versions of this IC. The COVID-19 screener notice that accompanies the hearings scheduling confirmation notice provides a link for respondents to enter in any Internet-equipped device. Once they reach that link, respondents can complete and submit the questionnaire online. SSA's systems direct the information to the hearings office where the hearing is scheduled. In addition, field office visitors have the option of completing the screener questionnaire electronically either via telephone or through SSA's mobile application, VIPr, prior to entering the building.

Although SSA anticipates that nearly 100% of respondents are likely to use the electronic methods, those few respondents who prefer not to use the online version, or who do not have access to the Internet during the relevant 24-hour timeframe, may call the hearings office instead or answer the screening questions in person outside the hearing office on the day of the hearing. As for field office visitors, they have the option to fill out the screener questionnaire at a field office kiosk prior to entry.

4. Why we Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it precludes duplication. SSA does not use another collection instrument to obtain similar data.

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 SSA did not collect this information, we would have no way of confirming if hearings participants or field office visitors have symptoms of COVID-19 or have been exposed to someone diagnosed with COVID-19 prior to entering the SSA facility. This would potentially endanger other members of the public, as well as SSA employees.

We note that although completion of the COVID-19 screening surveys are mandatory for any person to participate in an in-person hearing or field office visit, it is **not** required to obtain or maintain eligibility for Social Security payments. SSA will continue to offer telephone and online hearings. People who do not wish to complete the COVID-19 questionnaire screeners may simply request an online or telephone hearing or field office inquiry instead.

7. Special Circumstances

There are no special circumstances that would cause this information collection to be conducted in a manner inconsistent with 5 *CFR* 1320.5.

- 8. Solicitation of Public Comment and Other Consultations with the Public**
 SSA published the Emergency PRA Approval Request in the *Federal Register* on December 3, 2021, at 86 FR 68717. Due to the critical time sensitivity of this ICR, OMB agreed to waive a formal public comment period. Nonetheless, we invited the public to share comments with us if they wish to do so. We allowed for a full 30-day Comment Period which ended on January 3, 2022. During that time, we received seven public comments, which we addressed in the Addendum to this Supporting Statement document.

The 60-day advance Federal Register Notice published on March 30, 2022, at 87 FR 18453, and we received no public comments. The 30-day FRN 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.

- 9. Payment or Gifts to Responders**

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.

Data Usage and Storage

SSA uses these information collections primarily as an on-site, point-of-service screening tools. However, we also retain the information they collect for 24 hours, after which time we delete all Personally Identifiable Information (PII) and store the data in anonymized form for management information purposes. The data we retain provides a summary report by count, such as how many successful check-ins there are, how many people were cleared or not cleared to enter the hearing offices and field offices, and how many were rescheduled. We use this information for purposes of planning future staffing. We do not share the information, whether in PII or anonymized form, with any parties external to SSA.

- 11. Justification for Sensitive Questions**

Although we collect information some may consider sensitive (e.g., medical symptoms, exposure to those with COVID-19), we need this to ensure that our in-person hearings and field office visits are conducted in an environment that is safe for both the public and for our employees. As explained above in #10, we will keep this information confidential.

- 12. Estimates of Public Reporting Burden**

Please see the burden chart below:

Modality of Completion	Number of Respondents	Frequency of	Average Burden	Estimated Total	Average Theoretical	Average Wait Time	Total Annual Opportunity
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		Response	per Response (minutes)	Annual Burden (hours)	Hourly Cost Amount (dollars)*	in Office or for Teleservice Centers (minutes)**	Cost (dollars)****
COVID Screener Questionnaire	359,160	1	10	59,860	\$19.86*	10**	\$2,377,639****
VIPr Mobile App	16,554	1	5	1,380	\$28.01*	21***	\$200,944****
Telephone Screener	661,554	1	10	110,259	\$28.01*	21***	\$9,573,902****
Totals	1,037,268			171,499			\$12,152,485****

* We based the Covid Screener Questionnaire figure on averaging both the average DI payments based on SSA's current FY 2022 data (<https://www.ssa.gov/legislation/2022factsheet.pdf>), and the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm). We based the VIPr Mobile App and Telephone Screener on the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2022 wait times for hearing offices, based on SSA's current management information data.

*** We based this figure on 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 hearing and 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	Frequency of Response	Average One-Way Travel Time to a Field	Estimated Total Travel Time to a Field Office	Total Annual Opportunity Cost for Travel Time
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Hearing or Field Office		Office (minutes)	(hours)	(dollars)*****
1,037,268	1	30	518,634	\$14,526,938

***** 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 the **5** 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. The total burden for this ICR is **171,499** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$26,679,423**. SSA does not charge respondents to complete our applications.

13. Annual Cost to Respondents

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

14. Annual Cost to Federal Government

The annual cost to the Federal Government is approximately **\$110,316**. 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	\$14,359
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0* (Note: since we are mailing hearings appointment notices

		anyway, and this one-page screener notice will not increase postage, there are no distribution/shipping/material costs associated with the notice.)
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$20,171
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	\$71,786
Quantifiable IT Costs	Miscellaneous additional IT costs	\$4,000
Total		\$110,316

* 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 mail hearings appointment notices to large numbers of claimants and recipients and their representatives, 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 questionnaire, as we anticipate nearly all will be completed online and automatically routed to the appropriate hearing and field offices. As well, because various types of employees were and will be involved in this process (such as Systems developers and hearings and field office staff), we use an estimated average hourly wage 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

The burden increase from the Emergency Clearance Package stemmed from two changes. First, we doubled the burden for the COVID Screener Questionnaire from 179,580 to 359,160 as we only reflected 6-month figures during the Emergency clearance. Second, we added the VIPr Mobile Application and Express Interview Pre-Screening modalities to this clearance package. SSA decided to move all COVID-19 Screeners under the same OMB Clearance Package. Due to this, the burden increased from 29,930 to 171,499.

Note: The total burden reflected in ROCIS is **690,133**, while the burden cited in #12 of the Supporting Statement is **171,499**. 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. Request not to Display OMB Expiration Date

SSA is not requesting an exception to publishing the OMB expiration date on the online questionnaire. For the few respondents who may choose to call a hearings office and complete the questionnaire on the phone, hearings and field office employees can verbally disclose the OMB expiration date to them.

18. Exception 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.