

**Supporting Statement for Technical Updates to Applicability of the  
Supplemental Security Income (SSI) Reduced Benefit Rate for  
Individuals Residing in Medical Treatment Facilities  
20 CFR 416.708(k)  
OMB 0960-0758**

**A. Justification**

**1. Introduction/Authorizing Laws and Regulations**

Section 1611(e)(1)(A) of the *Social Security Act (Act)* specifies residents of a public institution are ineligible for Supplemental Security Income (SSI). However, Sections 1611(e)(1)(B) and (G) of the *Act* list certain exceptions to this provision, making it necessary for the Social Security Administration (SSA) to collect information about SSI recipients who enter or leave a medical treatment facility, or other public or private institution, to determine their continuing eligibility for SSI. Section 20 CFR 416.708(k) of the *Code of Federal Regulations* describes these reporting requirements for SSI recipients. If a medical treatment facility or public or private institution admits or discharges an SSI recipient, the recipient or another person must notify us. Failure to complete this information collection would result in improper payments and would disadvantage the recipients.

**2. Description of Collection**

SSA reminds SSI recipients at the time of their initial claim; through letters; and during redeterminations to report going into an institution or any other change in living arrangement. SSA conducts monthly match against records maintained by the Centers for Medicare and Medicaid Service (CMS). If a recipient goes into an institution for at least 30 days, and does not notify SSA, SSA's field office will receive an D8 Diary Title XIX Facility Match alert from CMS indicating the respondent was admitted to a facility. At that time SSA reaches out to the facility and the respondent.

SSA uses this information collection to determine SSI eligibility or the benefit amount for SSI recipients who enter or leave institutions. SSA personnel collect this information directly from SSI recipients, or from someone reporting on their behalf. For instance, an SSI recipient who enters an institution may be unable to report; therefore, a family member sometimes makes this report on behalf of the recipient. When contacting SSA, the recipient, or family member of the recipient, provides the name of the institution; the date of admission; and the expected date of discharge. There is no form associated with this collection, however, an SSA employee contacts the respondent, or their family members when we receive the Title XIX Facility Match alert from CMS. The SSA employee then specially requests this information from the respondent via telephone, fax or by mail. If SSA receives documentation to update living arrangements by mail or fax, the SSA employee uploads the document into SSA's evidence portal. If we receive updated information by telephone, an SSA employee inputs the information directly into the Supplemental Security Income Claim System. Depending on the payer source for the respondent's stay in the institution (e.g., private insurance, Medicaid, Medicare, private payer), typically SSA will need to decrease the respondent's benefits. If the respondent applies for

temporary benefits while in the institution, SSA may be able to continue their benefits if they qualify for temporary benefits. Even so, the benefit amount most often decreases for the institutionalized individual, based on who is paying for the institution, in addition to other situational affects which vary from scenario to scenario. If the respondent did not timely report the change, which is required within 10 days of entering the institution, this may also result in an overpayment. The respondents are SSI recipients who enter or leave an institution.

**3. Use of Information Technology to Collect the Information**

SSA does not collect this information through forms or any other standardized information collection; therefore, we cannot create an electronic version for these requirements under the Government Paperwork Elimination Act. The respondent may submit this information by telephone, by fax, or by mail; we do not allow email submissions, as it is not a secure means to transfer personally identifiable information. In addition, a respondent may look up how to update living conditions on SSA's website ([www.ssa.gov](http://www.ssa.gov)).

**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.

**5. Minimizing Burden on Small Respondents**

This collection does not significantly 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 not be able to make correct determinations of SSI eligibility or SSI payment amounts for SSI recipients who enter or leave a medical treatment facility, or other public or private institution. Because we only collect the information on an as needed basis, we cannot collect it 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 29, 2022, at 87 FR 38838, and we received no public comments. The 30-day FRN published on September 20, 2022, at 87 FR 57551. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public on the maintenance of this information collection.

**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 we collect 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 Amount (dollars)*	Average Wait Time for Teleservice Centers (minutes)**	Total Annual Opportunity Cost (dollars)***
Technical Updates Statement/ Institutional Residents Screens	225,566	1	7	26,316	\$19.86*	19**	\$1,941,216***

\* We based this figure by 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](https://www.bls.gov/oes/current/oes_nat.htm)).

\*\* We based this figure on the average FY 2022 wait time for 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 .**

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 7 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 **26,316** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$1,941,216**. 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 \$599,288. 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	\$0
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 7-11 employee average pay x # of responses x processing time	\$595,868
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
<b>Total</b>		<b>\$599,288</b>

\* 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. We have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining this information collection. In addition, because so many employees have a hand in each aspect of our information collections, 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

When we last cleared this IC in 2019, the burden was 3,990 hours. However, we are currently reporting a burden of 26,316 hours. This change stems an increase in the number of responses from 34,200 to 225,566 due to an overall increase in the number of respondents going into an institution or any other change in living arrangement. 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 **97,745**, while the burden cited in #12 of the Supporting Statement is **26,316**. This discrepancy is because the ROCIS burden reflects the telephone call system wait times. In contrast, the chart in #12 above reflects actual burden.

**16. Plans for Publication Information Collection Results**

There are no changes in the public reporting burden.

**17. Displaying the OMB Approval Expiration Date**

SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

**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.