

Supporting Statement for Form SSA-8203-BK
Statement for Determining Continuing Eligibility for
Supplemental Security Income Payment
20 CFR 416.204
OMB No. 0960-0416

A. Justification

1. Introduction/Authoring Laws and Regulations

Title XVI, part A, Section 1611(c)(1) of the *Social Security Act (Act)* gives the Commissioner of the Social Security Administration (SSA) the authority to redetermine eligibility for, and the amount of, Supplemental Security Income (SSI) payments. Subpart B, 20 CFR 416.204, of the *Code of Federal Regulations* provides SSA with the authority to make SSI recipient eligibility redeterminations (RZ) periodically on a scheduled basis, or when a recipient informs SSA of a change that would affect the recipient's continued SSI eligibility or payment amount. Failure to complete this information collection would result in improper payments and would disadvantage the recipients. This is a renewal without changes to an existing collection for SSA-8203 Statement for Determining Continuing Eligibility for Supplemental Security Income Payments.

2. Description of Collection

To determine whether SSI recipients (1) have met, and continue to meet, all statutory and regulatory requirements for SSI eligibility, and (2) are receiving the correct SSI payment amount, SSA conducts redeterminations (RZ) of disability. Periodic collection of this information using Form SSA-8203-BK is the only way SSA can make these redeterminations and collect the information as mandated under the law. SSA routinely collects the information from respondents in field offices via personal contact (face-to-face or telephone interview) with a SSA Claims Specialist (CS) using the automated SSI Claims System. The CS mails a letter to the respondent informing them that SSA regularly reviews cases of people getting SSI benefits to make sure they are still eligible under our rules, and that we are starting to review their disability case. The letter also informs the respondent of the following: (1) the procedure for coming in to the field office for an interview or setting up a telephone interview; (2) the list of information they will need to bring for the review; (3) an explanation that if SSA does not hear back from them, we will send a second letter informing them of our decision which also explains how to appeal; (4) that if they receive medical assistance based on SSI, that medical assistance may stop if SSA's determination is to stop SSI payments; (5) reminding the respondents that they may choose to have a representative to help them; however, they must notify SSA in writing of their choice of representative; and (6) that SSA provides free interpreter services if they need an interpreter, and, includes the number to contact for interpreter services. SSA does not send the Form SSA-8203 to the claimant as anything other than a reference, and we do not expect the claimant to fill out the form without the help of a CS, due to the complexity of the form. SSA uses Form SSA-8203 when we cannot load the information into the SSI Claims System, however; the CS fills out the Form

SSA-8203. If the claimant does not complete Form SSA-8203 through interview with a CS, SSA mails the same letter again informing the respondent SSA will suspend their benefits for failure to comply. The respondents are SSI recipients or their representative payees.

3. SSA's Use of Information Technology to Collect the Information

SSA is unable to create an Internet version of this information collection, as this form is specifically for High-error profile (HEP) redeterminations and requires a claims specialist to assist the recipient in completing. We will reassess this ability if and when technological advances are created that would allow for us to make this collection available via the Internet. In addition, we evaluated this collection for conversion to a submittable PDF, and found it is not suitable for that process either, as this should not be an available form since we did not create a form that we intended the public to complete without assistance, and the current form is not one we expect the public will be able to complete on their own. While we are in the process of considering revisions to the form that would allow us to create a version the public could complete on their own electronically, this process is in the very early stages of development, and the agency has decided to focus on other forms first before we work more on this one. SSA does not accept the paper version of the form filled out for HEP cases. SSA employees document the information gathered during the interview process through the SSI Claims System and its paper equivalent Form SSA-8203-BK (only when the SSI Claims System is unavailable). In addition, we conduct electronic interfaces with records of other government entities whose records contain information that may affect a recipient's SSI eligibility or payment amount. SSA verifies any conflicting information we get through these sources with the SSI recipient.

4. Why We Cannot Use Duplicate Information

Some, but not all of the information SSA collects on Form SSA-8203-BK is also present on Form SSA-8202-BK; however, SSA does not request that recipients complete both forms concurrently. Instead, we choose one form depending on the individual's circumstances and case characteristics. SSA uses Form SSA-8202-BK to conduct RZs on middle-error and low-error profile (MEP and LEP) RZ cases either during personal contact interviews conducted by SSA field office personnel (for MEPs), or as a self-help form the respondent completes without assistance from SSA employees (for LEPs). The SSA-8202-BK does not elicit enough information to make accurate determinations of continuing SSI eligibility and payment amounts in high-error profile (HEP) RZ cases. Therefore, we use the two forms for different purposes. There is no other similar information collection that SSA can use or modify for this 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-8203-BK, SSA would be unable to detect potential eligibility or events affecting payments, which can adversely affect recipients through

underpayments (i.e., erroneously low benefit payments), or overpayments (excessive benefits payments which will result in collection activities). Because we collect the information on an as needed basis, we cannot collect it less frequently. There are no technical or legal obstacles preventing 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 July 25, 2022, at 87 FR 44182, and we received no public comments. The 30-day FRN published on October 6, 2022, at 87 FR 60721. 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 revision 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 Amount (dollars)*	Average Wait Time in Field Office or for Teleservice Centers (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-8203-BK (paper version)	44,396	1	20	14,799	\$19.86*	21**	\$602,513***
SSA-8203-BK (SSI Claims system)	1,918,702	1	19	607,589	\$19.86*	21**	\$25,403,621***
Totals	1,963,098			622,388			\$26,006,134***

*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).

** We based this figure by averaging the average FY 2022 wait times for field offices, or teleservice 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)****
1,963,098	1	30	981,549	\$19,493,563****

****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

average time of 19 and 20 minutes shown in our chart above 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 **1,963,098** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$45,499,697**. 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 \$16,332,713. 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	\$4,936
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$370
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee* x # of responses x processing time	\$16,318,988
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	\$8,419
Quantifiable IT Costs	Any additional IT costs	\$0*
Other	[Component may add as needed]	\$0*
Total		\$16,332,713

* 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. 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-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 510,055 hours. However, we are currently reporting a burden of 622,387 hours. This change is due to an increase of 359,521 respondents from 2019 to 2022. 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 **1,603,937**, while the burden cited in #12 of the Supporting Statement is **622,388**. 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.