

Supporting Statement for Paperwork Reduction Act Submissions

Title: RI 30-1 – Request to Disability Annuitant for Information on Physical Condition and Employment

OMB Control Number: 3206-0143

A. Justification

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

Form RI 30-1 is used by persons who are not yet age 60 and who are receiving a disability annuity and are subject to inquiry regarding their medical condition as OPM deems reasonably necessary. In accordance with the statutory provisions under 5 U.S.C. 8337(c) and 8454 and the regulatory provisions under 5 C.F.R. 831.1208(a) and 844.401(a) a disability annuitant under age 60 shall be examined at the end of one year from the date of the disability retirement and reexamined annually thereafter under the direction of the Office of Personnel Management (OPM), unless OPM determines that the disability is permanent. If the annuitant fails to submit to examination, payment of the annuity must be suspended until continuing eligibility for disability annuity is established.

The statutory provisions under 5 U.S.C. 8337(d) and 8455 and the regulatory provisions under 5 C.F.R. 831.1209 and 844.402 provide that a disability annuitant under age 60 is no longer eligible for disability annuity if he or she earns 80 percent of the current rate of pay of the position occupied immediately before retirement. The information collected on the reverse of RI 30-1 is used to verify whether the respondent is earning 80 percent of the current rate of pay. Further, 5, USC, 8337(f) and 8464a provide that an individual is not entitled to receive an annuity from OPM and compensation for an on-the-job injury under subchapter I of chapter 81, other than compensation payable under section 8107, covering the same period of time. Information is collected on the reverse of RI 30-1 to enable OPM to determine whether the respondent is receiving payments from the Department of Labor which would affect eligibility for annuity.

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.

At the end of the first year of an approved disability retirement and annually thereafter, form RI 30-1 is forwarded to annuitants to whom these provisions are applicable. OPM determines whether the conditions to continue the annuity are met. If this information is not collected, we might continue to pay benefits to persons who are no longer entitled.

This information collection has been revised to include the phrase “licensed health practitioner” after physician reference.

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.

The information collected can only be obtained from the respondents. New methods of information technology would do little to reduce the burden on the respondents; they must sign the questionnaire attesting to its truth, under penalty of law, to the best of their knowledge. However, this form is available on our website in a pdf fillable format and meets our GPEA requirement.

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 2 above.

Responses are filed individually. Only one response is needed from each individual.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.

This information collection request has no impact on small businesses and organizations.

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

The collection of this information is performed as needed to pay eligible persons. Less frequent collection would cause OPM to pay to persons who may no longer be eligible. The collection is consistent with the guidelines in 5 CFR 1320.6.

7. Explain any special circumstances 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 is unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

- requiring respondents to submit proprietary trade secrets, 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.

There are no special circumstances involved in the collection of this information.

8. Federal Register Notice: Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection prior to submission to OMB

On May 3, 2023, a 60-day Federal Register Notice was published at 88 FR 27928. In part, the following comment was received:

"The American Association of Nurse Practitioners (AANP), representing more than 385,000 nurse practitioners (NPs) in the United States, appreciates the opportunity to provide comment on the "Request to Disability Annuitant for Information on Physical Condition for Employment Form." In the form, we recommend that OPM use the phrase "licensed health practitioner" instead of "physician" to maintain consistency with other OPM forms and regulations. This term is already defined under 5 CFR 339.104, used in other areas of the Civil Service Retirement System (CSRS) and Federal Employees' Retirement System (FERS) regulations, is inclusive of NPs and will ensure that disability annuitants are authorized to receive care from nurse practitioners and other health care professionals."

OPM's response is as follows:

"Dear Ms. Sapio:

This is in response to the March 21, 2024 letter from Jon Fanning providing comments on our proposed revisions to OMB 3206-0143, RI 30-1, Request to Disability Annuitant for Information on Physical Condition for Employment.

Please be advised that we have revised the April, 2024 form to include that a statement from a physician or other licensed health practitioner will be required to determine if the condition on which they retired continues to be disabling.

We appreciate your taking the time to comment on the RI 30-1."

OPM has revised the April 2024 version of the form by clarifying that medical documentation can be from a physician or licensed health practitioner. We adjusted "physician" to "physician or licensed health practitioner" throughout the form. No other comments were received.

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

No gifts or payments of any kind have been provided to any individuals who are connected to this collection.

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

This information collection is protected by the Privacy Act of 1974 and OPM regulations (5 CFR 831.106). The routine uses of disclosure appear in the *Federal Register* for OPM/Central-1 (73 FR 15013, *et seq.*, published February 2, 2022.)

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.

This information collection includes questions concerning the respondent's medical condition and income; this information is commonly considered private and is protected by OPM as described in item 10 above. The medical information must be collected for OPM to compare it with the prior medical information submitted and to determine whether the respondent is still disabled and eligible for continuing annuity payments. The information regarding income and whether there is an award of benefits from the Department of Labor is also used to determine that the annuity benefit is still payable. The respondent is not required to answer these questions; however, since OPM cannot legally continue payments if there is no response, RI 30-1 clearly states that OPM will suspend payments if a reply is not received.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- a. 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 desired. 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. Generally, estimates should not include burden hours for customary and usual business practices.
- b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- c. 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.

Approximately 8,000 forms will be processed annually. The form requires approximately 60 minutes for completion. A burden of 8,000 hours is estimated.

Type of Respondent	Collection Name	No. of Respondents	No. of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)
Federal annuitants	Request to Disability Annuitant for Information on Physical Condition and Employment	8,000	1	1 hour	8,000

13. Provide an estimate of the total annual cost burden to respondents 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: (1) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services 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 to keep records for the government, or (4) as part of customary and

Type of Respondent	Form Number	No. of Respondents	Total No. of Responses	Average Burden per Response (in hours)	Hourly Wage Rate	Total Respondent Cost
Federal annuitants	RI 30-1	8,000	8,000	1 hour	\$21.50	\$215,000

usual business or private practices.

Each respondent must provide medical documentation with the response. Since the cost would vary, we estimate an average cost of \$150 for this documentation, resulting in an annualized average cost of \$1,200,000 to respondents (based on 8,000 responses per year).

The Total Respondent Cost is \$215,000. There is no change in the respondent burden.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

The annualized cost to the Federal government is \$93,900. This cost was determined by employee salary hours devoted to the program, forms cost, and overhead.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. Changes in hour burden, i.e., program changes or adjustments made to annual reporting and recordkeeping **hour** and **cost** burden. A program change is the result of deliberate Federal government action. All new collections and any subsequent revisions of existing collections (e.g., the addition or deletion of questions) are recorded as program changes. An adjustment is a change that is not the result of a deliberate Federal government action. These changes that result from new estimates or actions not controllable by the Federal government are recorded as adjustments.

There are no adjustments or change in the hour burden.

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 of information, completion of report, publication dates, and other actions.

No information collected from the form will be published.

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

We seek approval to not display the OMB clearance expiration date on the forms and to communicate version changes to the public via the revision date. The substance of this information collection has not changed.

18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement.