

**Addendum to Supporting Statement for Form Number SSA-4290-F5
Development of Participation in a
Vocational Rehabilitation or Similar Program
20 CFR 404.316(c), 404.337(c), 404.352(d), 404.1586(g), 404.1596, 404.1597(a), 404.327,
404.328, 416.1321(d), 416.1331(a)-(b), and 416.1338, 416.1402
OMB No. 0960-0282**

Minor Revisions to the Collection Instruments

SSA is making the following revisions:

- **Change #1:** We are revising the Privacy Act Statements on this collection.

Justification #1: SSA’s Office of the General Counsel is conducting a systematic review of SSA’s Privacy Act Statements on agency forms. As a result, SSA is updating the Privacy Act Statements on this collection.

Public Comments

We published the 30-day advance Federal Register Notice on May 30, 2024, at 89 FR 46945, and we received the following public comments from the National Organization of Social Security Claimants’ Representatives (NOSSCR) and Cornell University of Industrial and Labor Relations (ILR):

Overall Comments on the Agency Information Collection Activities:

General SSA Response to Comments from NOSSCR and ILR

- **SSA Response:** Several comments received from NOSSCR and ILR concerned the use of form SSA-4290-F5 in providing more education on the program, writing in plain language and allowing WIPA planners to help with work-related overpayments. However, Form SSA-4290-F5 is written in plain language, and SSA does not use form SSA-4290-F5 to report wages or to process or collect work-related overpayments. Therefore, SSA did not adopt any of those suggested changes to Form SSA-4290-F5 relating to plain language, wage reporting, or work-related overpayments.

Comment from NOSSCR:

- **Comment #1:** NOSSCR recommends Form SSA-4290-F5 be widespread and routine, and, to the extent possible, they recommend SSA automate it. NOSSCR recommends SSA to continue gathering and utilizing this data, specifically prior to initiating CDRs. NOSSCR encourages SSA to simplify the language on form SSA-4290-F5, because not all beneficiaries understand the program terms, even if they are actively engaging in one of the referenced programs.

NOSSCR also recommends instead of terms-of-art like IWP, IPE, and IEP, that SSA replace them with questions like “Are you still in school? Do you get extra help at school? Did you

get help finding a job? Did you get extra help when you started work? Does anyone help you at work now?” NOSSCR states the terms used should be clearly defined and expanded upon, laying the foundation to capture all required vocational information to properly measure beneficiary participation and return-to-work success.

SSA Response #1:

SSA acknowledges NOSSCR’s concerns and suggestions regarding Form SSA-4290-F5. Form SSA-4290-F5 is specific to information collection intended to make a determination regarding continued entitlement to benefit payments under SSA’S Section 301 rules. SSA collects the information on an as-needed basis and, as such, the SSA-4290-F5 is not appropriate for “widespread and routine” use. Additionally, due to limited resources and limited use, the form is currently not a candidate for automation in the immediate future.

As per NOSSCR’s request that SSA replace terms like IWP, IPE, and IEP with questions, we note that SSA’s beneficiaries are not the intended respondents for the SSA-4290-F5. Rather, the intended respondents for this form are providers in State employment networks, vocational rehabilitation agencies, or other providers of educational or job training services from which a beneficiary is receiving services through an approved program. We expect these providers understand and use these terms on a daily basis as they deal with such programs as they administer their own. Therefore, we do not see a need to replace them with questions for the beneficiary’s understanding. We also note that SSA’s forms intended for beneficiary use are written in plain language to the extent possible, to ensure the respondents understand the questions we ask.

- **Comment#2:** NOSSCR encourages SSA to elevate personnel with knowledge of these vocational rehabilitation programs, and train additional staff to be well-versed in the available options. NOSSCR states when communicating with beneficiaries about the need for Form SSA-4290-F5, staff should continue to encourage participation in vocational rehabilitation. NOSSCR also notes that, currently, each field office is intended to have a Work Incentive Liaison with specialized training in work rules and procedures, yet their data shows that many offices do not have, or cannot identify, this person. In addition, they note that many Area Work Incentives Coordinator positions, which should be filled with those who provide regional oversight, remain unfilled by the agency. NOSSCR recommends SSA amplify and incentivize these positions to fill them, as that will help these vocational rehabilitation programs succeed.

SSA Response #2:

SSA continuously provides training to our staff using various available resources and technology. We are constantly developing new opportunities, techniques, and innovative ideas to help our employees maintain a working knowledge of our programs, services, and policies. Training is typically ongoing throughout the life of an employee’s career and can range anywhere from formal classroom settings to Intranet-based training videos available on-demand. To promote awareness of our Work Incentive Liaisons (WILs) and Area Work Incentives Coordinators (AWICs) we conduct quarterly meetings with Area Work Incentive Coordinators (AWIC) from every SSA region, as a tool to keep the regions, Payment Centers, and headquarters informed of problems, issues and information. These calls

provide the AWICs the opportunity to exchange and share problems and issues in their respective regions and provide the opportunity to discuss all current questions, problems, and issues with each other and gives them the opportunity to bring issues and problems to the attention of headquarters analysts for possible resolution. In addition, the quarterly calls give headquarter employees the opportunity to provide resolutions for issues in the regions, and provide news and updates to our AWICs. SSA also releases a quarterly newsletter to SSA staff with the latest in employment support news, updates, and information about SSA's work incentives and Ticket to Work programs; we rely on our AWICs to relay the information to the WILs. We are developing a SharePoint site specifically for AWICs and WILs. The SharePoint is another avenue to share and exchange news and information amongst headquarter employees, AWICs and WILs and to make WIL designees more prominent in our Work Incentive and Ticket to Work arena. SSA acknowledges these staffing concerns. We are committed to fully staffing the agency and will continue to fill open positions as staffing resources become available.

- **Comment #3:** NOSSCR states that the only people in the United States who are unable to report wages for another individual are staff from SSA-funded Work Incentives Planning and Assistance programs (WIPA) and staff from Employment Networks (EN). NOSSCR states this does not make sense as these organizations are the very sources who are in the best position to help verify and report this information. In addition, accurate and timely reporting of wages and work incentives is crucial to the success of vocational rehabilitation programs. NOSSCR recommends SSA immediately eliminate all barriers to reporting for those with the knowledge to do so. NOSSCR also recommends SSA create simplified, automated systems for reporting wages and work incentives without requiring multiple points of contact. NOSSCR recommends SSA also utilize these trained professionals for completion of forms like the SSA-4290-F5 nationwide. They note that work incentives planners already hold the needed data and have the capacity to share it with the agency. Therefore, they suggest that if the agency allows completion of these forms by those already holding the needed data, the agency will improve the accuracy of the collected data and alleviate the workload burden on internal staff who must currently attempt to navigate this complex process.

SSA Response #3:

SSA acknowledges these concerns and suggestions. For clarification, SSA uses Form SSA-4290-F5 only to collect information that confirms whether or not an individual is participating in a vocational rehabilitation program, employment or support service. We use the information to make a determination regarding continued entitlement to benefit payments under the provisions of Section 301. SSA does not use form SSA-4290-F5 to report wages or to process or collect work-related overpayments. In addition, SSA sends Form SSA-4290-F5 to the aforementioned providers, from which a beneficiary is receiving services through an approved program, to confirm that the individual is participating in a vocational rehabilitation program, employment, or support service; the SSA-4290-F5 requires the signature of the provider(s). Therefore, we will not use the SSA-4290-F5 for wage reporting. Rather, SSA already has several wage reporting forms for SSI recipients, including a mobile and Internet version, for respondents to submit wage information to SSA (OMB No. 0960-0715). In addition, we also track wage reporting through the Ticket to

Work Portal (OMB No. 0960-0644).

- ***Comment #4:*** For instances of overpayments, NOSSCR suggest SSA allow those with knowledge of their vocational rehabilitation and work incentives programs to assist beneficiaries with their overpayments. Proper documentation and application of work incentive rules could reduce or eliminate overpayments for many beneficiaries who are attempting to participate in the workforce. WIPA planners are not currently eligible to assist beneficiaries with overpayments, despite having unique knowledge of the complex work incentives rules. NOSSCR suggests that allowing WIPA planners to help with work-related overpayments is an efficient use of SSA funding and reduces the burden of processing overpayments on SSA employees.

SSA Response #4:

SSA thanks NOSSCR for this suggestion. We will consider it when we review our overpayment policies. However, as SSA only uses Form SSA-4290-F5 to collect information that confirms whether or not an individual is participating in a vocation rehabilitation program, employment, or support service, and we do not use the form for overpayments, this request is outside the scope of this OMB approval.

- ***Comment #5:*** NOSSCR states as the vocational rehabilitation programs stand today, most beneficiaries are afraid to take any action; they are scared that working will terminate their benefits and incur overpayments; and they are scared that Employment Networks and Work Incentives Planning and Assistance programs are going to cost them money. NOSSCR notes that many eligible beneficiaries do not even know that these programs, or related protections like those offered in Section 301 exist, and these assumptions are correctable. NOSSCR recommends SSA blast information and education campaigns that can help increase public awareness and participation in these programs. NOSSCR also suggests SSA use straightforward plain-language explanations regarding what is at stake for beneficiaries and what SSA can do to drastically increase program participation.

SSA Response #5:

SSA employs many methods to promote awareness of our Ticket to Work program, work incentives, and our return-to-work support services, to Social Security Disability Insurance (SSDI) beneficiaries, Supplemental Security Income (SSI) recipients and to the general public, to name a few:

- SSA updates and release the [Red Book](#) annually; the Red Book is a tool designed to provide information about provisions for work incentives and employment supports that are available to SSDI beneficiaries and SSI recipients.
- SSA facilitates a [National Disability Forum](#) (NDF), which is a public web forum where advocates, members of the public, expert panelists and community partners have the opportunity to speak directly to SSA policy-makers. The NDF covers a wide variety of topics including our return-to-work support services and programs and our work incentives.

- SSA advertises our return-to-work support services and programs using various media platforms (e.g., SSTV- a digital signage display in our SSA field office lobbies across the United States, via SSA’s Social Media platforms (e.g., Facebook, Instagram and Twitter) and on our [Employment Support Services](#) and [Ticket to Work](#) online webpages).
- SSA conducts Work Incentive Seminar Events (WISE) which are monthly webinar online events held for people who receive Social Security Disability (SSDI and SSI) payments. We use these webinars to inform the public about our Ticket to Work Program and work incentives.
- SSA also disseminates information through an opt-in text messaging campaign. The text messages inform SSDI and SSI recipients, program stakeholders and members of the public about work incentives, our Ticket to Work Program and other return-to-work support services.
- SSA’s [Ticket to Work Help Line](#) (Help Line) provides general information about work incentives to beneficiaries who are interested in working, but not yet employed. Beneficiaries may also receive services from the Work Incentives Planning and Assistance (WIPA) program. WIPA services offer beneficiaries a personalized evaluation of the person’s benefits in light of the individual’s work goals, part of that is education about work incentives.

If NOSSCR has other suggestions of ways to promote these programs, we will review and consider them.

Comments from ILR:

- ***Comment #6:*** ILR notes that the current SSA Form 4290-F5 does not use plain language, and should ask simple questions like:
 1. Are you still in school? Do you get extra help at school?
 2. Did you get help finding a job?
 3. Did you get special training for your job?
 4. Did you get extra help when you started work?
 5. Does anyone help you at work now?

ILR also suggests that the current form asks about IWP, IPE, and IEP, and if the State DDS or Field Office staff ask the questions as written, then they are unlikely to get a correct answer. Most beneficiaries do not understand the technical language in the current Form SSA-4290-F5. ILR recommends SSA to use plain language to ensure that Section 301 eligibility is correctly identified and applied.

SSA Response #7:

We appreciate your comment and your language change suggestions. SSA does not intend Form SSA-4290-F5 for beneficiary use. Rather, the intended respondents for this form are

providers in State employment networks, vocational rehabilitation agencies, or other providers of educational or job training services from which a beneficiary is receiving services through an approved program. We expect these providers understand and use these terms on a daily basis as they deal with such programs as they administer their own. Therefore, we do not see a need to replace them with questions for the beneficiary's understanding. We also note that SSA's forms intended for beneficiary use are written in plain language to the extent possible, to ensure the respondents understand the questions we ask.

- ***Comment #8:*** ILR states that thousands of work incentives planners across the country help SSA beneficiaries return to work every year, and work incentives planners should be allowed to complete Form SSA-4290-F5, reducing the burden on State DDS and Field Office staff, as planners are trained on Section 301 benefits, and they could fill out Form SSA-4290-F5 and provide supporting evidence from schools and vocational services providers.

SSA Response #8:

Thank you for your suggestion. We send the SSA-4290-F5 to professionals in State employment networks, vocational rehabilitation agencies, or other providers of educational or job training services from which a beneficiary is receiving services through an approved program, to confirm that an individual is participating in a vocation rehabilitation program, employment, or support service; the SSA-4290-F5 requires the signature of one of the aforementioned providers. We use the information to make a determination regarding continued entitlement to benefit payments. Since the respondents for this form already are those who conduct work incentive programs, we are already requesting they complete the form.

- ***Comment #9:*** ILR states SSA allowed Work Incentive Planning and Assistance (WIPA) projects and Employment Networks (ENs) to report wages for many years, but about two years ago, SSA abruptly told these organizations they must stop reporting wages for beneficiaries. ILR would like to know with an epidemic of work-related overpayments plaguing SSA, why prohibit these agencies from helping beneficiaries to report wages timely? ILR suggests SSA encourage all agencies that help beneficiaries return to work to help with wage reporting, as accurate and timely reporting of wages and work incentives are the keys to the accurate application of SSA work incentives rules. In addition, ILR notes that allowing WIPA planners to help with work-related overpayments is an efficient use of SSA funding and reduces the burden of processing overpayments on SSA employees.

SSA Response #9:

SSA acknowledges these concerns and suggestions. For clarification, SSA uses Form SSA-4290-F5 only to collect information that confirms whether or not an individual is participating in a vocational rehabilitation program, employment or support service. We use the information to make a determination regarding continued entitlement to benefit payments under the provisions of Section 301. SSA does not use form SSA-4290-F5 to report wages or to process or collect work-related overpayments. In addition, SSA sends Form SSA-4290-F5 to the aforementioned providers, from which a beneficiary is receiving services through an approved program, to confirm that the individual is participating in a

vocational rehabilitation program, employment, or support service; the SSA-4290-F5 requires the signature of the provider(s). Therefore, we will not use the SSA-4290-F5 for wage reporting. Rather, SSA already has several wage reporting forms for SSI recipients, including a mobile and Internet version, for respondents to submit wage information to SSA (OMB No. 0960-0715). In addition, we also track wage reporting through the Ticket to Work Portal (OMB No. 0960-0644).