

Supporting Statement for Form SSA-445
Application to Collect a Fee for Payee Services
20 CFR 404.2040a & 416.640a
OMB No. 0960-0719

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205, 807, and 1631(a) of the *Social Security Act (Act)*, allows the Social Security Administration (SSA) to appoint representative payees (payee) on behalf of beneficiaries if we determine the beneficiaries are incapable of managing or directing the management of those benefits. The *Act* provides that SSA may certify payment of an individual's claim to a relative or some other person (including an appropriate public or private agency) who is concerned with the welfare of the individual.

Sections 205(j) and 1631(a) of the *Social Security Act*, as well as 20 CFR 404.2040a and 416.640a of the *Code of Federal Regulations*, authorize the SSA to allow certain organizational representative payees to collect a fee for providing payee services. This fee is collected from the beneficiary and is used for expenses incurred by the organization in providing services performed as the beneficiary's representative payee.

Upon completing the SSA-445, Application to Collect a Fee for Payee Services, SSA must provide authorization in writing before an organization begins collecting a fee from a beneficiary.

2. Description of Collection

Our website explains the requirement for payees to receive approval prior to collecting fees for payee services. Our policies instruct SSA employees to assist prospective applicants with the application process and to explain the program requirements. Before organizations may collect a fee for payee services, they complete and submit Form SSA-445. SSA uses Form SSA-445 to determine whether to authorize or deny permission to collect fees for payee services.

Form SSA-445 is only required for an organizational payee to collect a fee. As this form is not required for an individual to receive benefits, or for an individual or organization to serve as payee, and because the respondents for this form are organizations, and not individuals, we do not believe there are any psychological costs for this information collection.

The respondents are private sector businesses, or State and local government offices, applying to become a fee-for-service organizational representative payee.

3. Use of Information Technology to Collect the Information

The SSA-445 is available as a fillable PDF on SSA's website for respondents to complete, print, and mail to SSA. This collection does not currently have a fully

public-facing Internet version, as we prioritized other information collections for full electronic conversions. As per our 4/3/20 conversation with OIRA, we welcome OIRA to join our conversations with OMB on IT Mods; however, as our IT Mod programming is an ongoing project, we cannot provide timelines for when we will be able to make any particular ICR available via the Internet. We will convert existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this is unconnected to the PRA approval lifecycle. In addition, SSA plans to eventually allow for electronic completion of all public-facing forms via Upload Documents (OMB No. 0960-0830); however, we do not, yet, have a precise implementation date for the SSA-445. As this is a low volume form, and the agency is currently concentrating on the higher volume forms first, we expect to include this form under the Upload Documents Portal within the next 6-9 years.

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 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-445, organizations would have no way to apply to collect a fee for providing payee services. Because we only collect this information once, 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 March 13, 2024 at 89 FR 18471, and we received no public comments. The 30-day FRN published on May 30, 2024 at 89 FR 46945. If we receive any comments in response to this Notice, we will forward them to OMB.

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

Please see the burden chart below:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden Hours (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
Private sector business	80	1	13	17	\$18.48*	\$314**
State/local government offices	10	1	10	2	\$18.48*	\$37**
Totals	90			19		\$351**

* We based these figures on average Personal Care and Service Occupations hourly wages, as reported by Bureau of Labor Statistics data (<https://www.bls.gov/oes/current/oes390000.htm>).

** 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 calculated the following Learning Cost time burden based on the estimated time and effort we expect respondents will take to learn about this program, its applicability to their circumstances, and to cover any additional research we believe respondents may need to take to understand how to comply with the program requirements (beyond reading the instructions on the collection instrument):

Modality of Completion	Total Number of Respondents	Frequency of Response	Estimate Learning Cost (minutes)	Estimated Total Annual Burden (hours)	Total Annual Learning Cost (dollars)**
Private sector	80	1	60	80	\$1,478*****

Modality of Completion	Total Number of Respondents	Frequency of Response	Estimate Learning Cost (minutes)	Estimated Total Annual Burden (hours)	Total Annual Learning Cost (dollars)**
business					
State/local government offices	10		20	3	\$55****
Totals	90			83	\$1,533****

*****We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

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 **13** and **10** minutes accurately shows the average burden per response for learning about the program; receiving notices as needed; reading and understanding instructions; gathering the data and documents needed; answering the questions and completing the information collection instrument; scheduling any necessary appointment or required phone call; consulting with any third parties (as needed); and waiting to speak with SSA employees (as needed). Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is **19** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$1,884**. 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 on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$1,540. 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	\$75
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0*

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$1,465
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	\$0*
Quantifiable IT Costs	Any additional IT costs	\$0*
Total		\$1,540

* 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, it is difficult for us to break down the cost for processing a single form, as SSA staff assist prospective applicants with the application process, including explaining program requirements, and often help respondents fill out several forms at once. Therefore, the time it takes to do so can vary greatly per respondent. In addition, 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 2020, the burden was 22 hours. However, we are currently reporting a burden of 19 hours. This change stems from a decrease in the number of respondents for private sector businesses from 90 respondents to 80 respondents. 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 **102**, while the burden cited in #12 of the Supporting Statement is **19**. This discrepancy is because the ROCIS burden also reflects learning costs. In contrast, the chart in #12 of the Supporting Statement reflects actual burden.

16. Plans for Publication of Results of Information Collection

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.

1. 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.