

Supporting Statement for Form SSA-3881-BK
Questionnaire for Children Claiming SSI Benefits
20 CFR 416.912(a)
OMB No. 0960-0499

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 1614 and Section 1631(e)(1) of the *Social Security Act (Act)* gives the agency the authority to collect the information we need to determine the validity of an applicant's claim for Supplemental Security Income (SSI) payments. *Public Law 104-193*, the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, gives the definitions and eligibility rules for disabled children. Section 20 *CFR 416.912(a)* of the *Code of Federal Regulations* states that an applicant must furnish medical and other evidence, which SSA can use to reach conclusions about a child's medical condition.

2. Description of Collection

When initially applying for SSI, the responsible adult applying on behalf of the child, generally the parent, guardian, or caregiver, fills out the SSA-3820 (Disability Report – Child, OMB Control No. 0960-0577) as well as Forms SSA-3375-BK through SSA-3379-BK (OMB Control No. 0960-0542), as relevant to the child's age. This information collection, the SSA-3881-BK (OMB Control No. 0960-0499), contains a set of supplemental questions used specifically for case development of an SSI childhood disability decision or during a continuing disability review (CDR). The questions in this information collection are essential for adjudicating an SSI claim and provide additional details and sources for SSA to contact for any additional information. SSA asks for this information only when we note a lack of certain information in the case record or if we need additional information to develop a complete picture of a child's functioning. We only use the SSA-3881-BK to add to the information we collect using Form SSA-3820 (OMB Control No. 0960-0577). SSA does not use this information collection during the initial application and use of the form is not required in all cases; however, when an SSA technician notices the need for the additional information we collect on the SSA-3881-BK, the technician sends the form to the respondent, or contacts the respondent to collect the information through a personal interview process.

Parents or legal guardians seeking to obtain or retain SSI eligibility for their children in the above-described circumstances, use Form SSA-3881-BK to provide SSA with additional information related to the child claiming SSI benefits and identify addresses of non-medical sources such as schools, counselors, agencies, organizations, and/or therapists who have information about a child's functioning. SSA asks respondents to complete this form as a routine aspect of the appeal or CDR process. The adjudicative team (a disability examiner and a medical or psychological consultant) of the State disability determination services

(DDS) office collects the information to help determine a child's claim or continuing eligibility for SSI. As mentioned above, when the SSA technicians, members of the adjudicative team, or DDS employees note the need for the additional information we collect on the SSA-3881-BK, they send the form to the respondent for completion, or they contact the respondent to complete the form through a personal interview.

SSA considers potential psychological costs to the applicant filing on behalf of the child for learning about and completing the form when applying for SSI benefits. While the psychological costs are likely minimal, we identified the following psychological costs based on the requirements for this information collection:

- Psychological Cost:
 - **Requirement for the Program:** The form requires the respondent to provide personal information about the child, such as specifics on special education programs; where the child is receiving therapy or counseling; and any involvement of child welfare, social services, or caseworker programs. In addition, although optional, this information collection also asks for information about the child's involvement with the court system.
 - **Psychological Cost:** Despite the value of the information collected from the form in the adjudicative process, the respondent may fail to respond, delay completing the form, and/or provide incomplete feedback due to perceiving the information is invasive.

We understand these psychological costs may cause respondents to delay their completion of the information collection or cause them to abandon the information collection entirely. However, we require completion of this collection when additional information is required for adjudication. Therefore, we have taken this potential psychological cost into account when calculating the burden in #12 below.

The respondents are the responsible adult(s) applying on behalf the child, which are generally the parents, guardians, and other caretakers, who petition SSI childhood disability decisions, or respond on behalf of the child recipients undergoing a continuing disability review.

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

Individuals can respond to this information collection via an in-person, oral interview or via a phone-based, oral interview; as well as via written completion of the paper SSA-3881-BK or via an electronic-fillable and printable PDF version of the SSA-3881-BK.

This information collection does not currently allow for electronic submission or electronic disclosure as described in the Government Paperwork Elimination Act plan. SSA created an Intranet version of Form SSA-3881-BK through our internal Electronic Disability Collect System (EDCS). When respondents complete these forms in an interview setting in a field office (FO) or via telephone, FO personnel enters the information provided by the respondents through EDCS and the information is logged in EDCS. This information collection does not allow separation of method data by which the document was added, via internet version vs. paper version, into the electronic folder, but rather just provides the total of completed SSA-3881-BK forms in a given fiscal year. However, we estimate approximately 35% of respondents use the interview method through EDCS.

This collection does not currently have a fully public-facing Internet version, as we prioritized other information collections for full electronic conversions. Given that IT Mod programming is an ongoing, dynamic project, we cannot provide specific timelines for when we will be able to make any particular ICR available via Internet web-based application. We will ultimately convert most existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this may be unconnected to the PRA approval lifecycle. In the interim, we evaluated this collection for conversion to a submittable PDF and intend to make this conversion within the next 3-6 years. Once we have the submittable PDF ready for implementation, we will submit a Change Request to OMB for prior approval.

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 any other collection instrument to collect 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-3881-BK, we would have no means of ensuring that: (1) our initial denials of child applicants for SSI were correct; or (2) our determinations for continuing eligibility for child SSI payments are accurate. Because we collect this 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 September 12, 2024, at 89 FR 74351, and we received no public comments. The 30-day FRN published on December 6, 2024, at 89 FR 97155. 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 payment 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

SSA considers that some respondents may find some of the questions in this information collection sensitive in nature, including personal details about the child’s special education program(s), therapy or counseling, and/or any involvement of child welfare, social services, caseworker programs, or court system(s). We require the information from this collection to assure a complete medical and non-medical record is obtained to fulfill the disability adjudicative process.

12. Estimates of Public Reporting Burden

SSA calculated the burden below using management information data by estimating the amount of time respondents take to learn about the program; receive notices as needed; read and understand instructions; gather the data and documents needed; answer the questions and complete the information collection instrument; schedule any necessary appointment or required phone call; and wait to speak with SSA employees (as needed). 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)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-3881-BK (Paper Version)	98,307	1	30	49,154	\$31.48*	24**	\$2,785,256****
SSA-3881-BK (Intranet Version)	52,936	1	30	26,468	\$31.48*	21**	\$1,416,474****
Totals	151,243			75,622			\$4,201,730****

* We based this figure on 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 on the average FY 2024 wait times for field offices and hearings office, as well as by averaging both the average FY 2024 wait times for field offices and 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.**

In addition, OMB’s Office of Information and Regulatory Affairs 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. SSA is unable to determine how many respondents traveled to the FO to complete the form in this information collection, but rather only provides the total number of respondents who completed the form. At the prior information collection for this form (2021), it was determined that approximately 65% of respondents visited the FO to submit a paper version of the SSA-3881-BK. The chart below depicts if 100% of the respondents traveled to the FO to complete the form, which is likely not precise, since these forms can also be completed via telephone interview. We will also include an estimate total cost, if only 65% of respondents traveled to the FO.

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)****
98,308	1	30	49,154	\$1,547,368****

****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 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):

Total Number of Respondents	Frequency of Response	Estimate Learning Cost (minutes)	Estimated Total Annual Burden (hours)	Total Annual Learning Cost (dollars)*****
151,243	1	15	37,811	\$1,190,290*****

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

NOTE: Most respondents learn about this information collection when the SSA technician, adjudicator, or DDS employee reaches out to them. Therefore, we are basing this learning cost on the average time it takes the technician to inform the respondent of the information collection, or for the respondent to read the cover letter if the technician sends a copy of the form to the respondent.

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 **30** 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 **75,622** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$6,939,388**. 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 **\$2,127,813**. 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	\$2,218
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-9 employee x # of responses x processing time	\$2,116,703
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	\$8,892
Quantifiable IT Costs	Any additional IT costs	\$0*
Totals		\$2,127,813

* 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 work with almost every U.S. citizen and oftentimes we do bulk mailing and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). Additionally, it is difficult to break down the cost for processing a single form, as Field Office and/or State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary. In addition, for this information collection we estimate that the SSA-3881-BK can take approximately 30 minutes to complete but acknowledge that more or less time could be needed based on the amount of information the respondent provides. 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. We have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining this information collections.

- 15. Program Changes or Adjustments to the Information Collection Request**
When we last cleared this information collection in 2021, the burden was 62,500 hours. However, we are currently reporting a burden of 75,622 hours. This change stems from an increase in the number of responses from 125,000 to 151,243. 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.

SSA is unable to breakdown the method in which the form was completed, whether it was completed electronically (internet) via in-office or telephone appointment or if it was a paper version submitted to the FO upon completion, which was then scanned into the electronic file. Therefore, unlike the information collection in 2021, this information collection is unable to precisely predict how many respondents physically traveled to the FO. At the prior information collection for this form (2021), we determined that approximately 65% of respondents visited the FO to submit a paper version of the SSA-3881-BK. We are continuing to use that data; however, we are still working on a better way to obtain more accurate data to make this estimate.

* Note: The total burden reflected in ROCIS is **246,905**, while the burden cited in #12 of the Supporting Statement is **75,622**. 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 + learning costs. 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 this 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. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.