

**Justification for Non-Substantive Changes for  
Form HA-1151, Medical Statement of Ability  
To Do Work-Related Activities (Physical); and  
Form HA-1152 Medical Statement of Ability  
To Do Work-Related Activities (Mental)  
20 CFR 404.1512-404.1513, 416.912-416.913, 404.1517, and 416.917, 404.1740(b)  
(5)&(6), and 416.1540(b)(5)&(6)  
OMB No. 0960-0662**

**Background**

In 2018, OMB approved the PRA burdens for the Rules of Conduct and Standards of Responsibility for Appointed Representatives, RIN 0960-AH63 (OMB Control No. 0960-0804) with the understanding that we would move the associated CFR citations for the final rule under the appropriate OMB approved information collection requests (ICRs), once we were able to do so after approval. In 2021, we needed to renew the OMB approval for 0960-0804 again, as we were only able to move some of the citations under other OMB approved ICRs at that time, and we were still working on incorporating the associated PRA burdens under this Final Rule into information collections where they best fit. As of 2024, we only have PRA burdens associated with two CFR citations left to place under a current ICR, and we determined that the CFR citations for 20 CFR 404.1740(b)(5)&(6), and 416.1540 (b)(5)&(6) fit best under 0960-0662.

Therefore, we are submitting this Change Request to add the burdens for these two CFR citations to this ICR.

**Revisions to the Information Collection**

- **Change #1:** We are moving the CFR citations, 20 CFR 404.1740(b)(5)&(6), and 416.1540 (b)(5)&(6) to this ICR.

**Justification #1:** The CFR citations 20 CFR 404.1740(b)(5)&(6), and 416.1540 (b)(5)&(6) pertain to necessary disclosures from the appointed representatives requiring the appointed representatives to: disclose in writing when a medical or vocational opinion is submitted to SSA, or as soon as the representative is aware of a submission to us when the representative (or an employee, or contractor for, the representative) drafts and submits the opinion, or refers the applicant or claimant for treatment or examination by the person providing the opinion; and to disclose in writing if the representative discovers that the claimant used (or is using) the representative's services to commit fraud against SSA. We believe these citations best fit under this ICR as it also discusses the affirmative duties of the representatives noted in 20 CFR 404.1740(b) and 416.1540(b), which state that the representatives must help SSA to obtain medical evidence.

## **Burden Adjustments**

As we are moving the disclosure requirements from 20 CFR 404.1740(b)(5)&(6), and 416.1540 (b)(5)&(6) under this ICR, we will need to adjust the burden as follows:

<b>Modality of Completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Total Number of Responses</b>	<b>Average Burden Per Response (minutes)</b>	<b>Estimated Total Annual Burden (hours)</b>	<b>Average Theoretical Hourly Cost Amount (dollars)*</b>	<b>Total Annual Opportunity Cost (dollars)**</b>
HA-1151	5,000	30	150,000	15	37,500	\$49.07*	\$1,840,125**
HA-1152	5,000	30	150,000	15	37,500	\$49.07*	\$1,840,125**
404.1740(b)(5)&(6); 416.1540(b)(5)&(6)	43,600	1	43,600	5	3,633	\$64.34*	\$212,531**
<b>Totals</b>	<b>53,600</b>		<b>343,600</b>		<b>78,633</b>		<b>\$3,680,463**</b>

\* We based this figure on average medical professionals' salaries, as reported by the U.S. Bureau of Labor Statistics (<https://www.bls.gov/oes/current/oes290000.htm>), and on the average hourly wages for paralegals/legal assistants and lawyers as reported by the U.S. Bureau of Labor Statistics (<https://www.bls.gov/oes/current/oes230000.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 will implement these revisions upon OMB approval.

## **Justification for Resubmission of the Information Collection Within a Year of Approval**

OMB recently approved the ICR for 0960-0662 on 11/19/24. After approval we identified this ICR as the best fit for these two CFR citations. In addition, as we need to discontinue the OMB approval for 0960-0804 (the ICR currently associated with these CFR citations) in January 2025, we cannot wait to include these CFR citations under 0960-0662 later. This is why we are submitting this Change Request now, within a year of OMB's approval.