Supporting Statement for Form SSA-769
Request for Change in Time/Place of Disability Hearing
20 CFR 404.914 (c)(2) and 416.1414(c)(2)
OMB No. 0960-0348

A. Justification

1. Introduction/Authoring Laws and Regulations

Section *205(b)* of the *Social Security Act (Act)* requires the Social Security Administration (SSA) to provide an evidentiary hearing at the reconsideration level of appeal for claimants who receive an initial or revised determination that a disability did not exist or has ceased. In addition, Sections *20 CFR 404.914 (c)(2)* and *416.1414 (c)(2)* of the *Code of Federal Regulations* require claimants to request a change to the time or place of the hearing at the earliest possible date if they are unable to travel or have another reason for not attending the disability hearing when the scheduled date or location poses difficulties.

2. Description of Collection

After the disability hearing officer (DHO) receives the appeal of a disability cessation, the DHO schedules the hearing and mails this information to the claimant. If the claimant cannot attend the hearing at the scheduled time, they have the right to request a change in the time or place of the hearing, as provided in *20 CFR 404.914(c)(2)* and *416.1414(c)(2)*. Form SSA-769 allows the claimant or a claimant's appointed representative to request a change in the time and/or place of a scheduled disability hearing. The respondent must specifically state the reason for requesting a change in the time and/or place of the hearing. DHOs then use this form to determine whether good cause exists for rescheduling or changing the hearing location. Respondents can access the form online through the Upload Documents portal or as a fillable PDF on SSA's website. The claimant may submit the SSA-769 directly to the disability hearing unit (DHU) or to the field office (FO), which then forwards it to the DHU.

Only the DHO, supervisory hearing officer (SHO), or regional office (RO) has the authority to grant or deny a request to change the time or place of the hearing. If the DHO, SHO, or RO finds good cause, they will change the time and/or place of the hearing. If they deny the request, they will notify the claimant in writing and provide an explanation of the decision. If they reschedule the hearing, they will notify the claimant in writing of the new time and/or place.

Respondents learn about the SSA-769 during the medical cessation appeals application process. When claimants complete forms for the appeal, the field office (FO) technician explains their responsibilities and rights related to the medical cessation reconsideration process. The FO technician notifies claimants about their responsibility to inform the DHU of any event that affects the scheduling of the disability hearing. If claimants contact the FO technician or DHO for assistance, either may help them complete the form.

Form SSA-769 spans two pages, but claimants only complete the first page. The form requests basic personal information, such as name, Social Security number, telephone number, and address. Claimants check the type of benefit, and enter the date, time, and place of the scheduled hearing. SSA requires the claimants to provide the current time, date, and location of the hearing to confirm they both have the correct scheduling information which SSA previously provided prior to requesting the rescheduling of the hearing, and so that SSA can check this information against our records. In addition, per *20 CFR 404.914(c)(2)* and *416.1414(c)(2)*, claimants must provide a reason for rescheduling so the DHO can determine if good cause exists to reschedule the hearing. Good cause may include a serious physical or mental condition, an incapacitating injury that prevents the claimant or their representative from traveling to the hearing, a death in the family, or severe weather conditions that make travel impossible. The DHO also considers other reasons for the request, the facts supporting it, and the impact of the proposed change on the efficient administration of the hearing process. Factors affecting the impact include the effect on processing other scheduled hearings, potential delays in rescheduling, and whether the agency previously granted any changes in the time or place of the claimant's hearing.

We identified the following psychological costs based on the requirements for this information collection:

Psychological Cost #1:

- **Requirement for Program:** The SSA-769 requires individuals to decide whether their circumstances justify a request for rescheduling and to provide personal information explaining why they cannot attend the scheduled hearing.

- **Psychological Cost:** Claimants may experience stress, anxiety, or frustration as they gather information, explain their reasons for requesting a change, and navigate the appeals process. The need to recall and document personal circumstances, such as medical conditions or family emergencies, can also cause emotional discomfort. Additionally, uncertainty about the outcome of the request and concerns about potential delays in the hearing process may contribute to increased psychological burden.

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 full completion of this collection to process and proceed with the rescheduling of the reconsideration of a claim. Therefore, we have taken this potential psychological cost into account when calculating our burden in #12 below.

The respondents are disability claimants for Social Security benefits or Supplemental Security Income (SSI) payments, or their representatives who wish to request a change in the time and/or place of their disability hearing when appealing an unfavorable medical cessation determination.

3. Use of Information Technology to Collect the Information

The SSA-769 is available as a printable PDF on SSA's website. This collection has a public-facing fillable and submittable version which the respondent can submit using SSA's Upload Documents Portal (OMB No. 0960-0830). Upload Documents allows the respondent to complete the fillable PDF and submit the information through the Upload Documents Portal. The submittable version provides respondents with an online service option as an alternative to mailing, faxing, or bringing the form to an SSA field office or DDS office for processing. Use of the Upload Documents Portal does not require respondents to download and install the application locally on their device or pay any subscription or licensing fees, and we account for the burden for using Upload Documents under OMB No. 0960-0830. In rare situations, if respondents submit paper forms, a FO or DDS technician will upload the documents to the system.

Effective September 29, 2026, SSA also implemented a new conversational tone dynamic pathing version of the SSA-769 through Upload Documents. The new approach presents questions on the form in a more easily understood, conversational style, making them accessible to all respondents regardless of their education or reading proficiency. In addition, as we use dynamic pathing for this process, the respondents only answer necessary questions based on their previous responses (e.g., if a respondent answers an initial question stating that they are not married, the conversational tone dynamic pathing will not ask any subsequent questions related to marriage). Once the respondents complete the conversational tone questionnaire, the Upload Documents system places their answers within the fillable PDF version of the form and presents the completed PDF version of the form for the respondents' review and approval prior to submission through Upload Documents. This differs from the current dynamic pathing on the agencies full Internet applications, as Upload Document only ever presents the summary of the responses within a completed PDF version of the form, rather than through a summary screen.

Note: Since we just implemented the new conversational tone dynamic pathing model, and it differs from our current dynamic pathing model (on our established Internet applications), we do not, yet, have management information (MI) data regarding burden times for the new modality. We will submit a subsequent Change Request to OMB to show the updated burden for the conversational tone dynamic pathing version after we have a year of MI data to use. We anticipate submitting a Change Request in September 2027 showing the updated data.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it precludes 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 collect this information, we would deprive claimants of their right to request

and have a disability hearing at a time and place they can attend. Because we collect the information on an as needed basis, we cannot collect it less frequently. There are no technical or legal obstacles to prevent 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 August 27, 2026, at 91 FR 55421, and we received 1 public comments. The 30-day FRN published on October 29, 2026, at 91 FR 68213. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the development revision of this form.

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 4*2 U.S.C. 1306*, *20 CFR 401* and 4*02, 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 SSA-769 requires minimal personal information and only a brief explanation regarding the request to reschedule the disability hearing. We require full completion of this collection to continue with the medical appeal process and have taken this potential psychological cost into account when calculating our burden in #12 below.

12. Estimates of Public Reporting Burden

Please see the burden chart below:

Method of Completion	**Number of Respondents**	**Frequency of Response**	**Average Burden Per Response (minutes)**	**Estimated Total Annual Burden (hours)**	**Average Theoretical Cost Amount (dollars)***	**Total Annual Opportunity Cost (dollars) *** **
SSA-769 (Including Upload Documents submissions[+])	24,599	1	8	3,280	$ 14.27 *	$46,806**

[+] Note: As stated in #3 above, we do not currently have MI data which shows the burden for the new conversational tone dynamic pathing in Upload Documents. Therefore, we will submit a subsequent Change Request a year from now in 2027 to update the burden

once we have MI data to support the burden information for the new modality. In addition, as our static PDF version available through Upload Documents mirrors the current fillable PDF version of the form, the burden is the same for both the paper and Upload Documents versions.

* We based this figure on average disability payments ($14.27) based on SSA's current FY 2026 data (Effect of COLA on Average Social Security Benefits).

This figure does not represent actual costs that SSA is imposing on individuals; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the information collection. **There is no actual charge to respondents to complete the information collection.

There is a possible indirect travel burden to applicants/claimants if they bring the completed form to the field office; however, we receive very few of the forms in this manner, and, therefore, did not include a travel burden for the applicants.

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)*****
24,599	1	5	2,050	$29,253*****

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

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 **8** minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is **3,280** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **$76,059**. 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 **$238,565**. 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	$425
Distribution, 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-11 employee x # of responses x processing time	$238,140
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	$0*
Systems Development, Updating, and Maintenance	GS-11 employee x man hours for development, updating, maintenance	$0***
Quantifiable IT Costs	Any additional IT costs	$0*
Total		**$238,565**

* We have inserted a $0 amount for cost factors that do not apply to this collection.

** There is no cost to the federal government as the respondents print, and mail, fax, or electronically submit this form; therefore, we are using a $0 cost for this.

*** Since we completed the development of this information collection, we no longer track the overall costs for maintaining it. If we update the information collection, we will include a cost here at that time.

SSA is unable to break down the costs to the Federal government further than we already have. It is difficult for us to break down the cost for processing a single form, as our staff processes several forms at once, and the time it takes to do so can vary greatly per respondent. We used an estimated average hourly wage, based on the wage of our average employee (GS-11) that would be processing these claims 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 cleared the this ICR in 2023, the burden was 5,525 hours. However, we are currently reporting a burden of 3,280 hours. This change stems from a decrease in the number of responses from 41,440 to 24,599. 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, rather the decrease in the number of respondents reflects the addition of better scheduling methods which SSA implemented over the past several years, causing fewer respondents to request rescheduling. The updated figures represent our

current Management Information data.

*Note: The total burden reflected in ROCIS is **5,330** while the burden cited in #12 of the Supporting Statement is **3,280**. This discrepancy is because the ROCIS burden also reflects learning costs. In contrast, the chart in #12 above reflects actual burden.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

For the **paper form** SSA-769, we will not publish 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.

For the **Internet version** of form SSA-769, SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

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. <u>Collections of Information Employing Statistical Methods</u>

SSA does not use statistical methods for this information collection.