

Supporting Statement for Form SSA-538-F6
Childhood Disability Evaluation Form
20 CFR 416.924(g)
OMB # 0960-0568

A. Justification

1. *Section 1614(a)(3)(C) of the Social Security Act (the Act), as amended by Public Law 104-193, Section 211, provides the statutory definition of disability for children (individuals under the age of 18) claiming Supplemental Security Income (SSI) benefits based on disability. Section 1633 of the Act allows the Commissioner of Social Security to make appropriate or necessary administrative and other arrangements to carry out the functions of the Agency under this Title. When an initial or reconsideration determination is made regarding whether a child is disabled or whether a child's disability continues (except when a disability hearing officer makes the reconsideration determination), a standard form will be completed, which outlines the steps of the sequential evaluation process for children under the new statutory definition of disability, as provided in 20 CFR 416.924(g) of the Code of Federal Regulations, prepared pursuant to Public Law 104-193, Section 211.*
2. Form SSA-538-F6 is used by SSA and the State Disability Determination Services (DDSs), which make disability determinations on behalf of SSA under Title XVI of the Act, to record medical and functional findings regarding the severity of the impairments of children who claim SSI benefits based on disability. The DDSs record such findings when initial determinations of eligibility are made, in appeals of initial disability determination reconsiderations for such children and in initial continuing disability reviews (CDRs) for childhood disability recipients. The DDSs also use the form pursuant to Section 211(d) of Public Law 104-193, for children whose eligibility for SSI benefits must be redetermined based on disability. The respondents are DDSs which make disability determinations for SSA under Title XVI of the Social Security Act.
3. Improved information technology which reduces the burden is available under the Accelerated Electronic Disability Insurance Benefit (AeDib) process. Approximately 80% of the forms are collected electronically through AeDib. However, hard copies of the form are available to all components.
4. The nature of the information being collected and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.
5. This collection does not have a significant impact on a substantial number of small businesses or other small entities.
6. The information on Form SSA-538-F6 must be collected to comply with the law and regulations cited in Item 1 above. The cost of the Title XVI disability program would

increase if the form were not used because non-standardized documentation of medical and functional findings regarding severity would be less efficient, less reliable, and less clear for purposes of quality assurance and any other reviews. Also the program would be more open to cutting corners under pressure of high workloads, which would affect the veracity of the findings, and, subsequently, may cause a claimant to lose benefits due to them. Also, since this information is only collected on an as needed basis, it cannot be collected less frequently. There are no technical or legal obstacles that prevent burden reduction.

7. There are no special circumstances that would cause this information collection to be conducted in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on June 13, 2006 at 71 FR 34180, and SSA has received no public comments. The second Notice was published on September 18, 2006, at 71 FR 54705. There have been no outside consultations with members of the public.
9. SSA pays the States for the cost of making disability determinations, per section 1633 of the Act.
10. The information requested is protected and held confidential 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. The information collected on the SSA-538-F6 may be considered sensitive, in that it describes the severity of a child's impairment or combination of impairments. However, a disability determination cannot be made without establishing the severity of the impairment(s).
12. Form SSA-538-F6 is used by approximately 750,000 respondents annually. Our estimate of the burden per response is 25 minutes, for a total annual burden of 312,500 hours. The total burden is reflected as burden hours, and no separate cost burden has been calculated.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal government is approximately \$3,465,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There are no changes in the public reporting burden.
16. The results of the information collection will not be published.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use

forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, Government waste has been avoided because stocks of forms will not have to be destroyed and reprinted.

18. 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

Statistical methods are not used for this information collection.