

**SUPPORTING STATEMENT FOR FORM SSA-1204  
DISABILITY HEARING OFFICER'S REPORT OF DISABILITY HEARING**

**20 CFR 416.1407**

**OMB No. 0960-0507**

**A. Justification**

1. Claimants wishing to contest a denial of their initial or reconsidered Social Security benefits claims may request a reconsideration-level evidentiary hearing from the Social Security Administration (SSA), as per provisions in *Section 205(b)* of the *Social Security Act*. *Section 20 CFR 416.1407* of the *Code of Federal Regulations* specifies that Title XVI claimants are also entitled to such evidentiary hearings.

SSA uses different forms to document evidentiary hearing information. Form SSA-1204, the Disability Hearing Officer's (DHO) Report of Disability Hearing, is used to document disability hearings and all related information for Supplemental Security Income (SSI) disability child claims. The respondents are DHOs from the State Disability Determination Services.

2. Form SSA-1204 is used 1) to provide a structured format for SSI disability child claims reconsideration hearings and 2) to document the information discussed during the hearing. A copy of the form is included in the SSA claims folder. Ultimately, then, SSA uses the information provided by this form to make a decision regarding the validity of the SSI disability child claim.
3. While a fillable PDF version of form SSA-1204 is available, it cannot be submitted electronically. Therefore, there is no true electronic version of form SSA-1204 as defined by the Agency's Government Paperwork Elimination Act plan. To date, a true electronic version has not been developed due to the low number of respondents and a lack of interest on the part of respondents. However, if respondents express interest in an electronic version, SSA will re-evaluate this form as a candidate for electronic conversion before the next OMB clearance cycle.
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 affect small businesses or other small entities.
6. If this information was not collected, there would be no record of the disability decision, and SSI disability child claimants would be deprived of the right to have the most recent information included in their reconsideration evaluations. This information cannot be

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collected less frequently, since it is only collected when an evidentiary hearing is conducted. 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 inconsistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on September 20, 2007, at 72 FR 53803, and no public comments were received. The 30-day Federal Register Notice published on November 30, 2007, at 72 FR 67776. SSA will forward any comments it receives in response to this Notice to OMB.

There have been no outside consultations with members of the public.

9. SSA provides no payment or gifts to the respondents.
10. The information provided on this form 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 collection does not contain any questions of a sensitive nature.
12. An estimated 2,000 respondents complete form SSA-1204 annually. The average response time is 60 minutes, for a total of 2,000 burden 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 \$18,480. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. The current public reporting burden for Form SSA-1204-BK is 2,000 hours, which represents a 33,000-hour decrease from the previous burden of 35,000 hours. This new burden figure is not an actual decrease but is a more accurate estimation of the number of respondents completing this form. Previously, we had estimated that more SSI child disability reconsideration hearings would be held under the aegis of the Welfare Reform Act. However, our most up-to-date data indicates that this was an overestimation. The new, 2,000-hour burden is the most accurate burden figure.
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 clearance. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise usable editions of forms would not be taken out of circulation because the

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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.