

Supporting Statement for Form SSA-455
Disability Update Report
20 CFR 404.1589-404.1595 and 416.988-416.996
OMB No. 0960-0511

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 1631(e)(1)(A) of the *Social Security Act (Act)* empower the Social Security Administration (SSA) to establish and uphold reasonable procedures for evaluating an alleged disability. Section 221(i) of the *Act* requires SSA to periodically assess current disability beneficiaries to determine if their eligibility for benefits should continue. Sections 1614(a)(4) and 1633(a)&(c) authorize SSA to review the disability status of Supplemental Security Income (SSI) recipients. Sections 223(d)(5)(A) and 1631(e)(1) of the *Act* require claimants to furnish medical and other evidence SSA asks for to prove the continued existence of their disability. Sections 20 CFR 404.1589-404.1595 and 416.988-416.996 of the *Code of Federal Regulations* detail the rules for implementing the requirements of the above *Act* sections. To complete required continuing disability entitlement evaluations, SSA must have an assessment instrument. The agency uses Form SSA-455, the Disability Update Report, for this purpose.

2. Description of Collection

Background

The Social Security Administration's (SSA) Continuing Disability Review (CDR) process is the process by which SSA determines if individuals who are receiving disability benefits continue to meet the program's medical eligibility requirements. Since 1993, SSA has asked beneficiaries to complete CDRs either through full medical reviews (OMB No. 0960-0072), or through our Disability Update Report (CDR Mailer), approved under this information collection request, OMB No. 0960-0511.

SSA is required by law to periodically review both Title II Disability Insurance and Title XVI Supplemental Security Income (SSI) disability cases. SSA's timeframe established to conduct a CDR for a given beneficiary depends on the expected likelihood of medical improvement. The frequency of review is initially established when the beneficiary's claim is first allowed. SSA normally sends the SSA-455 (CDR Mailer) to recipients who, on the basis of statistical analyses called profiling, indicate a low probability of medical improvement.

The SSA-455 serves as a cost-effective information collection tool. It allows SSA to meet its Congressional requirements while minimizing the burden imposed on beneficiaries and SSA. Form SSA-455 is a self-help mailer designed to solicit key information from disabled recipients about their medical conditions and

recent treatment for same. “Recent” usually means within the last two years. The mailer also asks for information about recent education or training, and recent attempts to (return to) work. It is primarily designed as a series of basic questions where the respondent can mark a box either “Yes” or “No.” The respondent has the opportunity to supplement their responses with additional remarks and documentation.

SSA uses the form to determine if: (1) there is enough evidence to warrant referring the respondent for a full medical Continuing Disability Review (CDR); (2) the respondent’s impairment(s) is still present and is indicative of no medical improvement, precluding the need for a CDR; or (3) there are unresolved work-related issues for the respondent.

Historic Process for Review

Prior to the COVID-19 public health emergency, SSA used a private contractor who printed and released the pre-filled and barcoded SSA-455 mailers according to a schedule prepared by the Division of Continuing Disability Reviews Support (DCDRS). Respondents would complete and return the CDR Mailers to the Wilkes-Barre Direct Operations Center (WBDOC) by USPS mail, as we included a pre-paid envelope along with the SSA-455 for the respondents to use when returning the forms to SSA.

The WBDOC is equipped with an optical scanner that images returned forms and processes them through a mainframe called the Automated Decision Logic System (ADL). However, the ADL can only optically process the checked “Yes” and “No” boxes, so responses with missing information or added documentation, including lengthy remarks on the form itself, must first be reviewed by an SSA technician. The technician will assess the overall completeness of the information provided on the SSA-455, whether the respondent gave any free-form remarks, and whether any additional documentation was appended to the form. Upon completion of the clerical review, the technician will write an alpha-numeric code to the top of the form to reflect the results of the clerical review and then scans the form into the ADL. The ADL uses this code to initially determine how it processes each form.

COVID-19 Public Health Emergency Changes

Due to the COVID-19 emergency, we do not have adequate staffing levels at WBDOC to conduct the above-described physical clerical review of all SSA-455 forms prior to scanning. To reduce the volume of paper forms sent in to the WBDOC, SSA developed a web-based version of the form that can be completed on a computer or mobile device.

Every respondent who receives a CDR Mailer receives instructions for either mailing the form back or submitting the information over the web application.

The online fillable form utilizes Adobe eSign technology, and is similar to the current, fillable Form SSA-455; however, respondents access it from our website, complete it online, and submit it online using the Adobe eSign web application. Under this modality, respondents are able to enter their responses into structured data fields on www.ssa.gov. After completing the form, the respondent receives an email with instructions for completing the digital signature and submitting the form.

Regardless of if the form is completed by SSA personnel in a field office or if it is completed by a respondent directly on the web application, the structured data is converted into a static PDF that is electronically transmitted to SSA's eClerical system. Similarly, paper SSA-455s that are still mailed to the WBD0C are also now scanned into this system. From this point forward, electronically-submitted and paper-scanned SSA-455s are processed identically. This begins with the paper-scanned and electronically-submitted PDFs being intermingled within a single file directory within eClerical. Because the images of the SSA-455 are electronic PDFs, these can be reviewed by SSA technicians remotely.

For all SSA-455s, regardless of if they are submitted electronically or via the mail, the SSA technicians now conduct the clerical review electronically on a computer. Because the SSA-455 is still ultimately processed through the ADL, (which can only optically process the checked "Yes" and "No" boxes and limited text markings), the technician still must assess the overall completeness of the information provided on the SSA-455, including whether the respondent gave any free-form remarks and whether any additional documentation was appended to the form. Upon completion of the clerical review, the technician will digitally draw an alpha-numeric code to the top of the static PDF to reflect the results of the clerical review. Once the review is complete and the code has been applied, the technician will submit the virtual PDF image to the ADL if the technician has determined that the form is readable. Alternatively, if the technician determined the form requires additional human review, the technician will code the form accordingly and submit it to the SSA mainframe system for downstream processing. The form will be diverted to the servicing office to allow SSA personnel in the servicing office to further evaluate the form. The ADL is software programmed to optically analyze the SSA-455, including the code added by the technician, to make a determination on how to proceed with the SSA-455.

Depending on the responses on the SSA-455, the ADL will either determine the CDR can be deferred, meaning that the case is closed, and the beneficiary is found to still be eligible, or that the beneficiary should undergo full medical review to further evaluate whether the beneficiary remains eligible. When a CDR is deferred, the ADL automatically transmits this determination to the Disability Claims System, which will automatically close the case. The deferral will also transmit from the SSA Mainframe processing system to the Disability Claims

System, which will then mail a notification to the beneficiary informing them of the deferral. If the responses on the form indicate a full medical review is necessary, the ADL automatically transmits this determination to the SSA Mainframe processing system, and the servicing office will initiate the full medical review.

In addition to the online and mail-based submission processes, individuals in need of additional support (who, prior to the COVID-19 public health emergency likely would have visited a field office) can go through a telephone-based interview process with their local field office. In the telephone submission process, respondents call their local field office to complete the SSA-455, and field office staff use the current fillable version of the form to record responses, then use verbal attestation in lieu of a signature. Once they complete the verbal attestation, the field office staff submit the form to SSA's system for processing. SSA does not widely advertise this process, as it is intended exclusively for respondents seeking help completing the SSA-455.

The respondents are recipients of Social Security disability benefits.

3. Use of Information Technology to Collect the Information

Due to the COVID-19 emergency, SSA created a fillable and signable SSA-455 on our website. Respondents either call into a field office where SSA staff complete the fillable form through a personal interview, and request verbal attestation in lieu of a signature, or respondents complete the online form themselves and sign the SSA-455 electronically using Adobe eSign technology. SSA will only use these new submittable PDF processes during the current COVID-19 situation. Once the current emergency ends, we will reevaluate the submittable PDF process and determine whether we continue to use it or discontinue it. At this time, approximately 3.5 % of respondents under this OMB number use the electronic version on SSA's website.

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 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 Collection Information or Collecting it Less Frequently

If SSA did not use this information collection, we would have no means of documenting the recovery of current beneficiaries. This could lead to an indefinite payment of benefits to people who should not be receiving them. Because we only collect this information periodically, 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 Consultation with the Public

The 60-day advance Federal Register Notice published on May 5, 2020, at 85 FR 26776, and we received no public comments. The 30-day FRN published on September 15, 2020 at 85 FR 57286. If we receive any comments in response to this Notice, we will forward them to OMB.

9. Payments or Gifts to Respondents

SSA provides no payments 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

The information collection does not contain any question of a sensitive nature.

12. Estimate of Public Reporting Burden

The web-based SSA-455 was launched during FY2021. In FY2021, SSA received over 43,000 submissions to the new modality, and over 1.2 million mailed submissions. However, we anticipate further adoption of the web-based form in FY2022, as beneficiaries become more familiar with this option. Our assumptions below reflect that estimate.

As a result of launching the web-based modality, we have been able to track the time between beginning the form and submission of the form. Through this new data we confirm that 15 minutes is a reasonable estimation of the time it takes to complete this form.

As discussed in question 2 above, there are a limited number of respondents who submit their information over the telephone. While SSA does not maintain administrative data on those submissions, we estimate it to be less than 1 percent of respondents.

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-455 (mail-in)	1,299,900	1	15	324,975	\$10.73*		\$3,486,982***
SSA-455 (electronic online process)	45,000	1	15	11,250	\$10.73*		\$120,713***
Telephone Interview Process	100	1	15	25	\$10.73*	24**	\$697***
Totals	1,345,000			336,250			\$3,608,392***

* We based this figure on average DI payments based on SSA's current FY 2020 data (<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>).

** We based this figure on the average FY 2021 wait times for field offices, based on SSA's current management information data. Please note: while our field offices are closed, these wait times are based on telephone queues to speak with field office staff.

*** 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.**

The total burden for this ICR is **336,250** burden hours, which results in an associated theoretical (not actual) opportunity cost financial burden of **\$3,608,392**. SSA does not charge respondents to complete our applications.

13. Annual Cost to the Respondents (Other)

There is no known cost burden to the respondents.

14. Annual Cost to Federal Government

The annual cost to the Federal Government is approximately \$8,707,285. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$350,000
SSA Employee (e.g., field office, 800 number, DDS staff) Information	GS-9 employee x # of responses x processing time	\$8,125,000

Collection and Processing Time		
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$3,420
One-time development cost to create the submittable SSA-455 PDF		\$228,865
Total		\$8,707,285

SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, 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). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, 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. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this IC in 2017, the burden was 375,000 hours. However, we are currently reporting a burden of 336,250 hours. This change stems from a decrease in the number of responses from 1,500,000 to 1,345,000. 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.

* Note: The total burden reflected in ROCIS is **336,290**, while the burden cited in #12 of the Supporting Statement is **366,250**. This discrepancy is because the ROCIS burden reflects the following component: telephone call center waiting time. 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 the 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 will not use statistical methods for this information collection.