



LEGAL SERVICES TO END HOMELESSNESS

## HAP STAFF

**Executive Director**  
Dean M. Beer, Esq.

**Managing Attorney**  
Michele Levy, Esq.

**Senior Staff Attorney**  
Patricia Malley, Esq.

**Veterans Project Director/  
Advocacy Director**  
Michael Taub, Esq.

**CYF Project Director**  
Laura Kolb, Esq.

**Staff Attorneys**  
Alie Muolo, Esq.  
Joel Sobel, Esq.

**Paralegals**  
Josie Chiba  
Kay Lawal  
Patrick McNeil  
Melissa Stafford, MSW

**Social Worker**  
Evan Dubchansky, MSW, LSW

**Director of Development**  
Alexandra Morigi

**Director of Operations**  
Tanya L. Rambert

**Office Administrator**  
Margianne P. Smith

**Office Assistant**  
Joy Harris

October 18, 2021

Kilolo Kijakazi  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-6401

Submitted via [www.regulations.gov](http://www.regulations.gov)

Re: Response to SSA's Agency Information Collection Activities: Proposed Request, 86 FR 46307 (August 18, 2021), Docket No: SSA-2021-0029

Dear Acting Commissioner Kilolo Kijakazi:

We write in response to the Social Security Administration's (SSA's) burden estimate regarding the time it takes to complete Form SSA-454-BK or the Continuing Disability Review (CDR) form. These comments are submitted on behalf of the Homeless Advocacy Project (HAP) in strong disagreement of the one-hour estimate put forth by SSA for completion of the form.

HAP is a free legal services program for adults, unaccompanied youth, and families who are experiencing homelessness or at imminent risk of becoming homeless. HAP's clients reside in homeless shelters, abandoned buildings, doubled up with family members, on the city streets, and in other types of transient living situations. In addition, they frequently struggle with severe psychiatric impairments, intellectual limitations and physical conditions that further hamper their ability to access much-needed supports and services. As a provider of direct legal representation to clients involved in the continuing disability review process, we find SSA's estimate to be wholly unrealistic.

Specifically, Form SSA-454-BK requires that claimants, already found to be disabled, complete a lengthy, 15-page form. Due to the nature of their disabilities, the majority of our clients are unable to complete the form without assistance. To begin with, many lack the literacy skills needed to read and fully comprehend the form. Some responses are expected to be in narrative form, again presuming a level of literacy that they may not possess. The form also asks claimants to provide names, dates and other details relating to treatment that individuals with documented psychiatric and/or intellectual disabilities may struggle to recall, or be unable to provide without input from treating medical professionals.

It has been our experience that completing Form SSA-454-BK can require hours of work from clients with disabilities, even when assisted by a legal representative. The amount of time will vary, depending upon each client's particular needs and situation. However, the one-hour estimate is clearly an inaccurate estimate of the time required to thoroughly complete the form. Simplifying the form, by revising the format and length, would significantly reduce the burden on claimants while still providing the information needed for redetermination.

For the foregoing reasons, HAP strongly disagrees with the one-hour estimate contemplated by SSA, as it does not accurately reflect the burden placed on claimants and advocates.

Thank you for the opportunity to submit comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura Kolb', with a stylized, flowing script.

Laura Kolb, Esq.  
Children, Youth & Families Director  
Homeless Advocacy Project