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

Submitted via 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

October 18, 2021

Dear Acting Commissioner Kilolo Kijakazi:

ideas42 respectfully submits the following comments to the Office of Management and Budget regarding their request for information on the accuracy of the Social Security Administration's burden estimate of the SSA-454-BK and ways to minimize its burden and improve the form's quality overall.

ideas42 is a non-profit looking for deep insights into human behavior—why people do what they do—and using that knowledge in ways that help improve lives, build better systems, and drive social change. Working globally, we reinvent the practices of institutions, and create better products and policies that can be scaled for maximum impact. We also teach others, ultimately striving to generate lasting social impact and create a future where the universal application of behavioral science powers a world with optimal health, equitable wealth, and environments and systems that are sustainable and just for all. For more than a decade, we've been at the forefront of applying behavioral science in the real world. And as we've developed our expertise, we've helped to define an entire field. To date, our efforts have extended to 40 countries as we've partnered with governments, foundations, NGOs, private enterprises, and a wide array of public institutions.

ideas42's Policy Lab for Shared Prosperity uses insights from behavioral science to make concrete recommendations on how laws and regulations can be either adjusted to improve the lives of under resourced people or designed anew. If you have any questions or need further information, please contact Kelli Garcia, Policy Director, ideas42, at kelli@ideas42.org.

Our comments are largely in response to the estimated burden and necessary changes to the SSA-454-BK form.

Using Behavioral Design to Reduce Barriers to Completing the SSA-454-BK form.

We appreciate the Social Security Administration's efforts to create a new web-based modality for people to complete the Continuing Disability Review Form (SSA-454-BK). Providing an opportunity for people to complete the SSA-454-BK form conveniently and with as few burdens as possible is a much-needed step in the right direction. However, the Social Security Administration must conduct a full audit, using evidence-based practices, to accurately assess and more fully address the breadth of burdens of completing the SSA-454-BK form. This will help the Social Security Administration consider the full scope of administrative burdens, and most successfully use insights and best practices from behavioral science to improve the form. Our comment outlines several potential opportunities to apply these insights and best practices.

I.   Burdens Matter Even More for People Experiencing Scarcity

An important determinant of take-up variation in public programs is the level of associated administrative burden: the cognitive, time, and financial cost demanded of citizens to enroll in and use public programs (Moynihan et al., 2014; Herd & Moynihan, 2019). Research from behavioral science has shed light on the costs of imposing burdens on people living in poverty (i.e., experiencing chronic scarcity), such as those who have a disability and need financial assistance. Burdens cause disproportionate harm to people experiencing chronic scarcity (Thaler & Sunstein, 2009; Mullainathan & Shafir, 2003), but there are tools to address burdens and improve public program design using behavioral science. Research conducted by ideas42 has shown that applying behavioral design can address burdens and make it easier for people experiencing scarcity to enroll in and stay on public programs (Daminger et al., 2015; ideas42, n.d.).

II.   Time Estimates Capture a Narrow Picture of Burden, are Often Inaccurate

Administrative burden can be understood as the costs people experience in learning about services (learning costs), complying with the rules, requirements, and paperwork needed to obtain public benefits (compliance costs), and feeling the stress, loss of autonomy, and stigma throughout the process (psychological costs; Moynihan et al., 2014). One limitation of the Social Security Administration's assessment of burden is that it only includes a time burden estimate for applicants. Our concerns here are three-fold:

(1)   *Time burden can be difficult to measure accurately and must be done well to be meaningful.* This should be done through observation of target populations (self-reporting is often inaccurate) from start to finish—from gathering necessary materials before accessing the forms, through when the form is submitted and any necessary follow-up is completed. The need for breaks, calls for help or support to gather evidence, and other pauses should also be noted and accounted for as sign of burden on applicants and often their families, caregivers, or other assisters. While we have not undertaken that research, based on our conversations with partners in the disability community

and through our work with other public benefits programs, 60 minutes is likely a gross underestimate of the time for completion of the SSA-454-BK form.

(2) ***Second, the measure of time burden is too narrow and fails to capture all types of burden. As written, the burden estimate also fails to account for the burden placed on others supporting the applicant.*** The burden associated with learning costs and psychological costs are not included but are also important for assessing the experience of completing the SSA-454-BK form. The burden experienced by those assisting the applicant with completing the form, whether family members, caregivers, community organizations, doctors, or others, is also not considered. The Social Security Administration should broaden its consideration of burden when redesigning the SSA-454-BK form to be more inclusive of these types of burden.

(3) ***Thirdly, time burden estimates often fail to capture the experience of people who may never start the form or fail to persist through completing the form, often due to administrative burdens.*** Their perspectives are invaluable to understanding the overall burden. As mentioned earlier in this comment, those experiencing chronic scarcity are often those most in need of benefits, but they are also more likely to be derailed by even small burdens in forms and processes—here, that could mean not receiving financial assistance. Identifying and interviewing people who should be served by this program but failed to comply with form requirements would be a great start.

III.   Behavioral Audits and Best Practices are Needed to Redesign Successfully

To accurately assess the full extent of burden from a form or process, it's critical to consider all three types of burden: learning costs, compliance costs, and psychological costs. ideas42 does this through a process called behavioral auditing, which engages mixed methods of research that includes qualitative and quantitative research along with methods such as observation to assess these burden types and suggest opportunities to address them. Through this process, we've redesigned forms for SNAP recertification to reduce churn (ideas42, 2018) and in criminal justice that have reduced failure to appear rates by 13% (Cooke et al., 2018).

We do not have previous experience auditing the SSA-454-BK form. That said, there are best practices that we look for during an audit that may assist with the SSA-454-BK form redesign:

- *Streamline:* To the extent possible, reduce the number of questions to only those necessary to assess eligibility. Duplicative questions should be removed. If appropriate, pre-populating the form with past information from other public programs or tax information (but allowing an applicant to assess and modify as needed) is another way to streamline when appropriate—and reduces the burden of re-entering information that is unlikely to change.

- *Clarity*: The form should be as concise and easy to navigate as possible. It should not include any jargon or unnecessary technical language and should be written at a literacy

level that is appropriate for the target audience. Framing sections to specify why certain information is needed is helpful and reduces ambiguity that can add time and burden to forms (e.g., a large "remarks" section can make applicants feel they must include a response).

- *Accessibility*: Designers of the form should consider how the form attends to the visual, hearing, motor and language limitations or other needs of target populations. If necessary, the form should be provided in multiple languages. Attending to accessibility is particularly critical for the SSA-454-BK form.

- *Help*: To the extent possible, the form should include a clear and authentic "offer of help". This help should not just be a FAQ, but a representative of the program who can assist with the form and answer questions in a timely fashion. Clear, accessible contact information to access representatives should be provided directly on the form.

- *Formatting*: The most critical information should appear at the top of the form. Information that is not directly relevant to an applicant filling out the form should be provided at the end and marked accordingly. Bolding and underlining should be used strategically and on a limited basis to draw the eye to the most critical aspects.

- *Promote positive identities*: As mentioned, there is often stigma associated with signing up for public benefits, which can also impose a psychological burden. Assessing how questions are asked to identify if they cause feelings of shame, and ensuring applicants are engaged in a process that promotes dignity and not stereotyping, are two ways to mitigate this concern.

- *Co-design with experts with lived experience:* Engaging the target population in the process of redesigning the form is critical for identifying the best opportunities to streamline, clarify, and improve access to the form.

To summarize, the Social Security Administration should conduct a more comprehensive assessment of the burden imposed by the SSA-454-BK form. Conducting a full audit of these burdens and redesigning the form to account for best practices in behavioral science and human-centered design would be a practical next step, and an important service to those who are disabled and should not face hurdles to accessing needed financial support.

Thank you for the opportunity to comment on these proposed regulations.

Allison Yates-Berg

Supporting Evidence:

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Daminger, et al (2015). *Poverty Interrupted: Applying Behavioral Science to the Context of Chronic Scarcity*. Retried from: http://www.ideas42.org/wp-content/uploads/2015/05/I42_PovertyWhitePaper_Digital_FINAL-1.pdf

Heinrich, C. J. (2016). The bite of administrative burden: A theoretical and empirical investigation. *Journal of Public Administration Research and Theory*, 26(3), 403-420.

Herd, P., & Moynihan, D. P. (2019). *Administrative burden: Policymaking by other means*. Russell Sage Foundation.

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Mullainathan, S., & Shafir, E. (2013). Scarcity: Why having too little means so much. Macmillan.