

SOCIAL SECURITY ADMINISTRATION (SSA)

I. Statement of Regulatory Priorities

We administer the Retirement, Survivors, and Disability Insurance programs under title II of the Social Security Act (Act), the Supplemental Security Income (SSI) program under title XVI of the Act, and the Special Veterans Benefits program under title VIII of the Act. As directed by Congress, we also assist in administering portions of the Medicare program under title XVIII of the Act. Our regulations codify the requirements for eligibility and entitlement to benefits and our procedures for administering these programs. Generally, our regulations do not impose burdens on the private sector or on State or local governments, except for the States' Disability Determination Services. However, our regulations can impose burdens on the private sector in the course of evaluating a claimant's initial or continued eligibility. We fully fund the Disability Determination Services in advance or via reimbursement for necessary costs in making disability determinations.

As we are developing our regulations, we seek to increase participation and engagement with members of the public affected by our regulations, including in the development of our regulatory priorities. In this Regulatory Plan, we note engagement efforts that have helped to inform our priorities to date. We seek to hear from members of the public who have not typically participated in the regulatory process.

The entries in our regulatory plan represent issues of major importance to the Agency. Through our regulatory plan, we intend to:

- A. Simplify a specific policy within the SSI program by no longer considering food in In-Kind Support and Maintenance (ISM) calculations (RIN 0960-AI60);
- B. Expand the definition of a Public Assistance (PA) Household to include an additional means-tested assistance program (RIN 0960-AI81);
- C. Expand the rental subsidy exception beyond the seven states to which it already applies so that it applies nationwide (RIN 0960-AI82); and
- D. Revise the disability adjudication process regarding how we consider past work to reduce the

application time burden on claimants and expedite the disability application and determination process (RIN 0960-AI83).

II. Regulations in the Proposed Rule Stage

We are not including any of our regulations in the proposed rule stage in this statement of regulatory priorities.

III. Regulations in the Final Rule Stage

Our final regulations would expand the definition of a PA household for purposes of our programs to include the Supplemental Nutrition Assistance Program (SNAP) as an additional means-tested public income maintenance (PIM) program, decreasing the amount of income we would be required to deem to SSI applicants. This proposal reflects feedback we received from advocacy groups representing claimants and beneficiaries during listening sessions conducted under the authority of Executive Order (E.O.) 12866. These listening sessions took place in Fall 2022, during the development of the omitting food from the ISM calculations proposed rule. During the public comment period for the omitting food ISM proposed rule, several of these advocacy groups also submitted comments relating to the definition of PA household. Across both the listening session and the public comment submission, these groups expressed that the expansion of the definition of a PA household should include additional means-tested programs to help underserved families more easily access benefits. Advocates conveyed this was a top priority for them. (RIN 0960-AI81).

Our final regulations would also apply nationwide the ISM rental subsidy exception that is currently in place for SSI applicants and recipients residing in seven States, by recognizing that a “business arrangement” exists when the amount of required monthly rent equals or exceeds the presumed maximum value. This proposal would bring nationwide uniformity to our rules and improve equality in the application of the rental subsidy policy. This proposed rule was also informed by the Executive Order 12866 listening sessions conducted during the development of the omitting food from the ISM calculations regulation. (RIN 0960-AI82).

Our final regulations revise the period that we consider when determining whether an individual's past work is relevant for purposes of making disability determinations and decisions, which would reduce the reporting burden for individuals seeking disability benefits and decrease the time associated with the overall disability application and decision process. The development of this proposed rule was informed by a listening session conducted by our Office of Communications with advocacy groups representing claimants and beneficiaries. (RIN 0960-AI83).

Lastly, our final regulations target changes to the ISM policy in our SSI program, including this regulation on food provided by others. The changes would simplify a specific policy within the SSI program by no longer considering food in the calculation of ISM. In Fall 2022, we heard from advocacy groups representing claimants and beneficiaries during two Executive Order 12866 listening sessions. We incorporated our listening session notes in the rulemaking record via www.regulations.gov, under docket SSA-2021-0014. (RIN 0960-AI60).

Retrospective Review of Existing Regulations

Pursuant to section 6 of Executive Order 13563, "Improving Regulation and Regulatory Review" (January 18, 2011), SSA regularly engages in retrospective review and analysis for multiple existing regulatory initiatives. These initiatives may be proposed or completed actions, and they do not necessarily appear in The Regulatory Plan. You can find more information on these completed rulemakings in past publications of the Unified Agenda at www.reginfo.gov in the "Completed Actions" section for the Social Security Administration.