



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Submission for OMB Review; Public Comment Request; SHIP-SMP Survey of One-on-One Assistance, (OMB Control Number 0985-0057)

AGENCY: Administration for Community Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) is announcing that the proposed collection of information listed above has been submitted to the Office of Management and Budget (OMB) for review and clearance as required under the Paperwork Reduction Act of 1995. This 30-day notice collects comments on the information collection requirements related to the Proposed Revision and solicits comments on the information collection requirements related to the “SHIP-SMP Survey of One-on-One Assistance”.

DATES: Comments on the collection of information must be submitted electronically by 11:59 pm (EST) or postmarked by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Submit written comments and recommendations for the proposed information collection within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find the information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function. By mail to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. N.W., rm. 10235, Washington, DC 20503, Attn: OMB Desk Officer for ACL.

FOR FURTHER INFORMATION CONTACT: Shefy Simon, Administration for Community Living, Washington, D.C. 20201, 202-795-7572, shefy.simon@acl.hhs.gov.

SUPPLEMENTARY INFORMATION: In compliance with the Paperwork Reduction Act, ACL has submitted the following proposed information collection to OMB for review and clearance.

The SHIP-SMP Survey of One-on-One Assistance is a survey of individuals who meet with team members from the State Health Insurance Assistance Program (SHIP) or the Senior Medicare Patrol (SMP). These services help Medicare beneficiaries understand their Medicare benefits and options. These services also increase the ability of beneficiaries to identify and report fraud, waste, and abuse within health care programs generally, and Medicare/Medicaid specifically.

The State Health Insurance Assistance Program (SHIP) was created under the Omnibus Budget Reconciliation Act of 1990. This section of the law authorized the Department of Health and Human Services (HHS) to make grants to states to establish and maintain health insurance advisory service programs for Medicare beneficiaries. Grant funds were made available to support information, counseling, and assistance activities related to Medicare, Medicaid, and other health insurance options. SHIP grantees provide free, in-depth, unbiased, one-on-one health insurance counseling and assistance to Medicare beneficiaries, their families, and caregivers.

The Senior Medicare Patrol (SMP) program was authorized in 1997 under titles II and IV of the Older Americans Act, the Omnibus Consolidated Appropriation Act of 1997 and the Health Insurance Portability and Accountability Act of 1996. The SMP mission is to empower and assist Medicare beneficiaries, their families, and caregivers, to prevent, detect, and report suspected healthcare fraud, errors, and abuse through outreach, counseling, and education. SMP grantees support ACL's goals of promoting increased choice and greater independence among older adults and individuals with disabilities. SMP activities also serve to enhance the financial, emotional, physical, and mental well-being of older adults, thereby increasing their capacity to maintain security in retirement and make better financial and healthcare choices. SMP team

members provide one-on-one assistance, and when needed, serve as consumer advocates to resolve billing disputes/issues.

The SHIP-SMP Survey of One-on-One Assistance will gauge individuals' satisfaction with the services provided by SHIP and SMP team members. This survey is an extension of a currently approved information collection the "National Beneficiary Survey of State Health Insurance Assistance Program (SHIP)", which received clearance on July 31, 2020, with ICR Reference Number 201702-0985-002 and OMB Control Number 0985-0057. That survey was conducted over a three-year period beginning on October 1, 2020 and will conclude on June 30, 2023. To date, this survey has generated over 2500 responses, all of which were submitted voluntarily. ACL conducted an evaluation of the Medicare Improvements for Patients and Providers Act (MIPPA) in 2022-23 that invoked the need to include collecting demographic data, including sexual orientation and gender identity (SOGI) information, in all the work ACL's Office of Healthcare Information and Counseling touches and not just MIPPA grant work. The renewal of the SHIP-SMP Survey of One-on-One Assistance is the first opportunity to do so. Including sexual orientation and gender identity questions in this information collection will provide data on topics such as the accessibility and utilization of services and programs funded by ACL by lesbian, gay, bisexual, and transgender populations and the health disparities that impact this community. Understanding these disparities can and should lead to improved service delivery for ACL's programs and populations served. Adding sexual orientation and gender identity items to SHIP-SMP Survey of One-on-One Assistance is part of ACL's strategy to address "Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity and Sexual Orientation." Issued in January 2021, Executive Order 13988 called upon agencies to identify existing and new policies to promote equal treatment under the law and ensure that all persons can access healthcare and other essential services without being subjected to sex discrimination. To support alignment with Executive Order 13988, as well as Executive Orders

13985 and 14075, three items will be added to SHIP-SMP Survey of One-on-One Assistance to collect sexual orientation and gender identity.

The first item will ask the individual if they think of themselves as gay/lesbian, straight, bisexual, or something else. This item has been fielded on the NHIS since 2013, where it has been closely monitored for comprehension and sensitivity.

The second and third items are part of a two-step series to collect gender identity, which requires two items to accurately collect. Respondents are first asked to report their sex assigned at birth on their original birth certificate (male, female, don't know, prefer not to answer). Next, respondents are asked to report their current gender identity (male, female, transgender, I use a different term, prefer not to answer) This two-step series aligns with recommendations from the National Academies of Sciences, Engineering, and Medicine's (NASEM's) recent report, "Measuring Sex, Gender Identity, and Sexual Orientation." These items have also been cognitively tested for inclusion in the Medicare Current Beneficiaries Survey under the MCBS Generic Clearance and performed well.

Estimated Program Burden: ACL estimates the burden associated with this collection of information as follows:

Respondent/Data Collection Activity	Number of Respondents	Responses Per Respondent	Hours Per Response	Annual Burden Hours
Survey, Stratified Random Sample	800	1	6/60	80
Total:	800	1	6/60	80

Dated: June 30, 2023.

Alison Barkoff,

Acting Administrator and Assistant Secretary for Aging.

