

PLAN TO ELIMINATE THE HEARING BACKLOG and Prevent Its Recurrence

Annual Report

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*Social Security Administration
Office of Disability Adjudication and Review*

Message from the Deputy Commissioner

Fiscal Year 2008 was a tremendous year filled with impressive accomplishments, and ODAR's Annual Report is a testament to the commitment, determination, and hard work of ODAR employees who made those accomplishments possible. We increased our productivity across the organization, resulting in higher dispositions than at any time in history. We sustained that increase in productivity even though we made a concentrated effort to address our aged cases first, serving, as we should, those who have been waiting for a hearing the longest. For the second year in a row, as we continue to handle our workloads on a first-in, first-out basis, we have demonstrated that we do not need to compromise our principles to meet our goals; that we can make our numbers and do the right thing.

This year was remarkable for another reason. Our higher productivity put us almost 12,000 cases ahead of agency projections for eliminating the backlog in 2013. If receipts had not risen during the course of the year to unanticipated levels, we would have reduced our pending workload for the first time since 2001. As it was, we were able to hold the increase in our pending to 14,069 cases, well below the annual increase of 70,000 cases yearly we have seen since that time.

Although we have many challenges ahead of us as we move towards eliminating the backlog completely by 2013, in FY 2008 we made significant strides in implementing the key initiatives that make up the Commissioner's backlog plan. Some of those initiatives have been proven in the past to work, others are improvements in automation, business process, and management. Individually, these initiatives ensure the timely, legally sufficient decisions the American people deserve, provide service improvements, and facilitate efficiencies. Together, they are instrumental and necessary to turning the corner on the backlog.

While the numbers are impressive, every number represents a person. We are committed to serve every person who comes before us, and ODAR's impressive performance in 2008 exemplifies the pursuit of excellence in service. Our success in no way diminishes the importance of the thousands of cases that remain to be processed. While the road to reach this goal still stretches before us, in 2009, with the continued support of the Commissioner, other agency components, and the Congress, I know we will continue to move forward with dedication and optimism to accomplish our goal of eliminating the hearing backlog and preventing its recurrence.



Deputy Commissioner
Lisa de Soto

Plan to Eliminate the Hearing Backlog and Prevent Its Recurrence

Annual Report 2008

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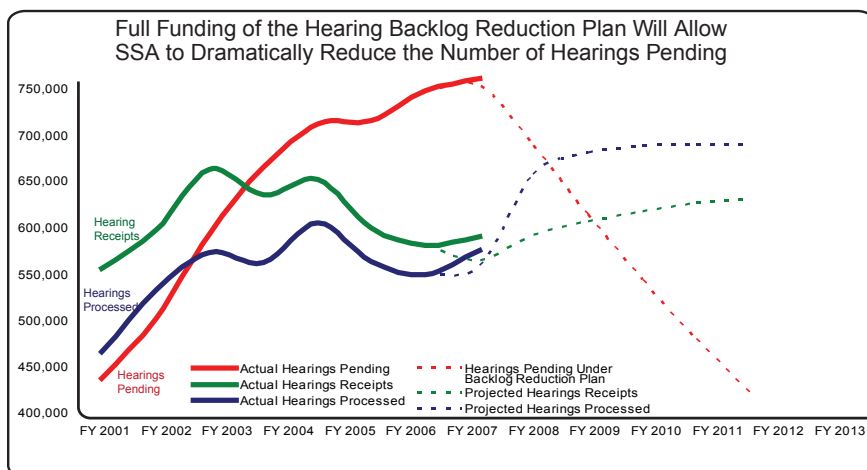
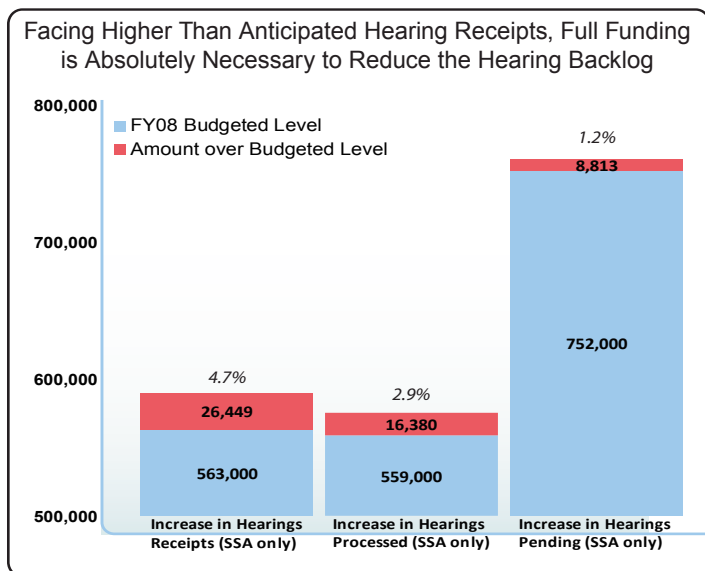
Introduction

During his testimony to Congress in May 2007, the Commissioner of Social Security, Michael J. Astrue, announced that the Social Security Administration (SSA) had developed a plan to eliminate the backlog of hearing requests by 2013 and prevent its recurrence. The Commissioner’s plan focuses on (1) fast-tracked initial decisions, (2) improving hearing office procedures, (3) increasing adjudicatory capacity, and (4) increasing efficiency through automation and improved business processes.

In spite of the many challenges that will confront ODAR for some years time to come, Fiscal Year (FY) 2008 was an extraordinary year. We outperformed our dispositional goals, most notably issuing 575,380 dispositions, 16,782 more dispositions than our

FY 08 goal of 558,598. We increased productivity across ODAR and for the second year in a row succeeded with our Aged Case initiative. Under the Informal Remand initiative, we dismissed 16,838 hearing requests after our colleagues in the Disability Determination Services (DDS) made fully favorable determinations in those cases, and Senior Attorney Adjudicators issued an additional 24,575 allowances while continuing to write decisions on cases that went to hearing. The Findings Integrated Templates Decision Writing System (FIT) proved to be an excellent tool for those decisions, resulting in fewer remands from the Federal courts. We improved initiatives that had been put in place in FY 07, and implemented many new initiatives in FY 08, such as hiring 190 Administrative Law Judges (ALJs) and opening a National Hearing Center (NHC). Despite increased productivity, ODAR remained challenged by receipts which continued at a rate almost 5% higher than anticipated. We ended the fiscal year with 760,813 pending requests for hearing, an increase in our pending of 14,069 cases over FY 07, but significantly lower than the yearly 70,000 case increase we have seen every year over a sustained period. In fact, without the unexpected and unbudgeted rise in receipts, the hard work of ODAR staff would have put us ahead of our original projection for eliminating the backlog and allowed us to finish the fiscal year with a nearly 12,000 case reduction in our pending.

It is important to note that during the first quarter of fiscal year 2009, receipts have been significantly higher than budgeted projections. Because more applications for Social Security disability benefits are filed in times of high unemployment resulting in additional requests for hearing, this trend will be significantly magnified as the effects of the economic downturn are felt. For this reason, ODAR continues to study and monitor case receipts and may amend its budgeted receipt projections at least through 2013. It should be noted that if the trend continues, ODAR’s ability to reduce the number of cases pending at the



hearing level will be negatively impacted unless there are commensurate increases in funding to support additional ALJs, staff and infrastructure. While we are currently projecting higher than anticipated receipts based on current Office of Management and Budget economic assumptions, this could change depending on actual economic performance.

ALJs, Administrative Appeals Judges (AAJs), and staff. With the support of other agency colleagues, we have initiated many critical business process improvements that are the foundation for eliminating the backlog by 2013. This report summarizes FY 08 activities which support the Commissioner’s plan to eliminate the hearing backlog and prevent its recurrence.

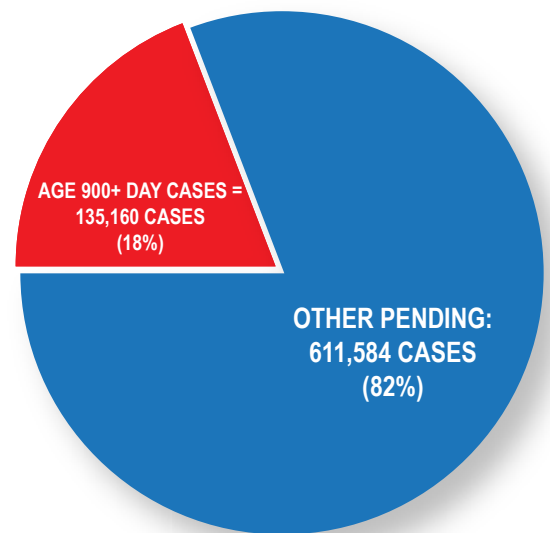
The challenges of FY 08 have been consistently met by the hard work and dedication of ODAR managers,

Improving Hearing Office Procedures

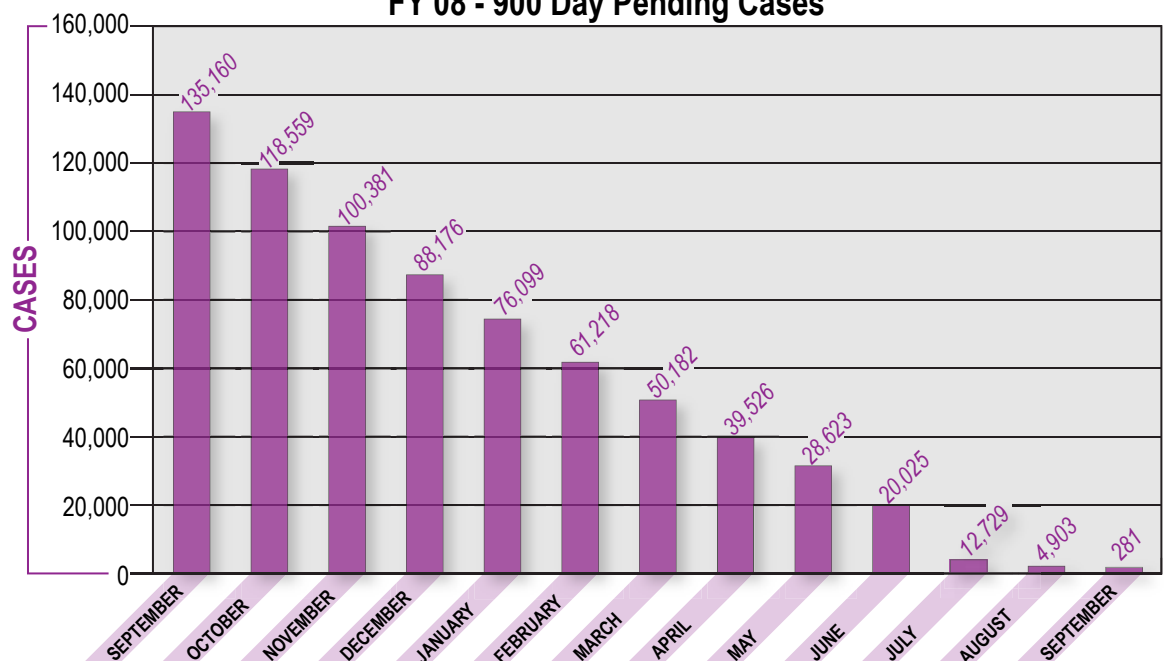
Reduce Aged Cases

While fiscal year (FY) 2007 successfully focused on eliminating aged cases that were or would become 1000 days old or older by the end of the fiscal year, in FY 08 ODAR tackled those cases which would be 900 days old or older by the end of the fiscal year. There were 135,160 aged cases at the beginning of FY 08, and over the course of the year, ODAR received an additional 1,302 aged cases, bringing the total to 136,462. Although aged cases take considerably longer to prepare and decide, ODAR outperformed its original aged case target by 1,021 cases, disposing of 136,181 aged cases with only 281 cases remaining at the end of the fiscal year. For FY 09, ODAR has set a goal of eliminating the 166,838 cases which are or will be 850 days old or older by the end of the fiscal year.

OPENING FY 08 PENDING=746,744



FY 08 - 900 Day Pending Cases



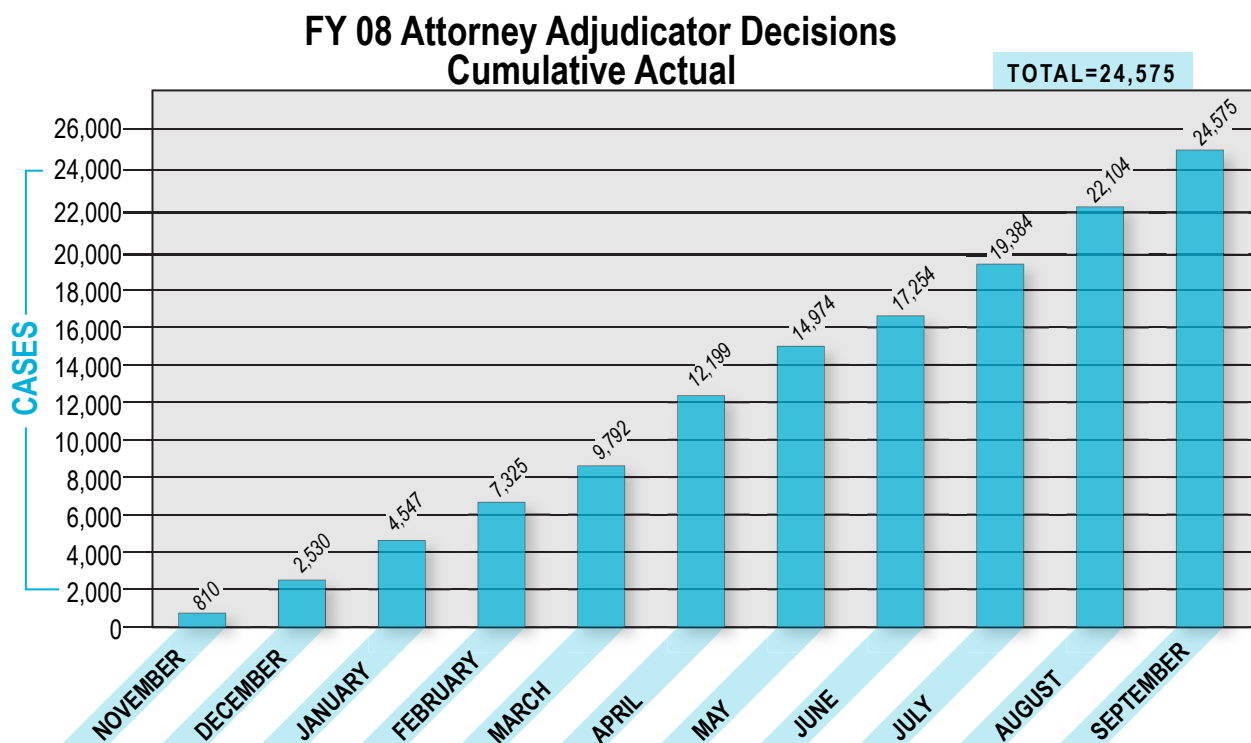
Adjudication by Senior Attorneys

The interim final rule published in August 2007, provides certain attorney advisors the authority to make fully favorable decisions on cases. The final rule was published in March 2008. The Attorney Adjudicator initiative takes advantage of the experience of ODAR’s senior attorney advisors to expedite decisions, and reserves precious ALJ resources for conducting hearings on more complex cases. In order to maximize the effectiveness of this initiative, in March 2008 the Attorney Adjudicator initiative was expanded to permit the use of interrogatories to be completed by a vocational expert if the vocational evidence could be obtained quickly and was expected to result in a fully favorable decision. Under the direction of the Hearing Office Chief Administrative Law Judge and/or Hearing Office Management, an Attorney Adjudicator may also request interrogatories from a medical expert as part of the Medical Expert Screening initiative. During the course of FY 08, a total of 24,575 favorable decisions

were made by Attorney Adjudicators. During FY 09, we will continue to use this successful initiative to make sure appropriate allowances are made as early in the process as possible.

Implement Medical Expert Screening Process

In a continuing effort to reduce the backlog of cases and identify claimants whose impairments are most likely to meet the requirements for disability, ODAR implemented the Medical Expert (ME) screening initiative in March 2008. Under this initiative, cases profiled by the Office of Quality Performance (OQP) are routed to the ME for completion of a brief set of interrogatories before assignment to an ALJ. The case is then routed to an Attorney Adjudicator for review and a possible “on the record” (OTR) decision. If a favorable decision cannot be made, the ME’s response is included in the record and the case routed to an ALJ for normal processing. This initiative also assists ODAR in making favorable decisions as early in the process as possible.



Increasing Adjudicatory Capacity

Filling ALJ Hearing Dockets to Capacity

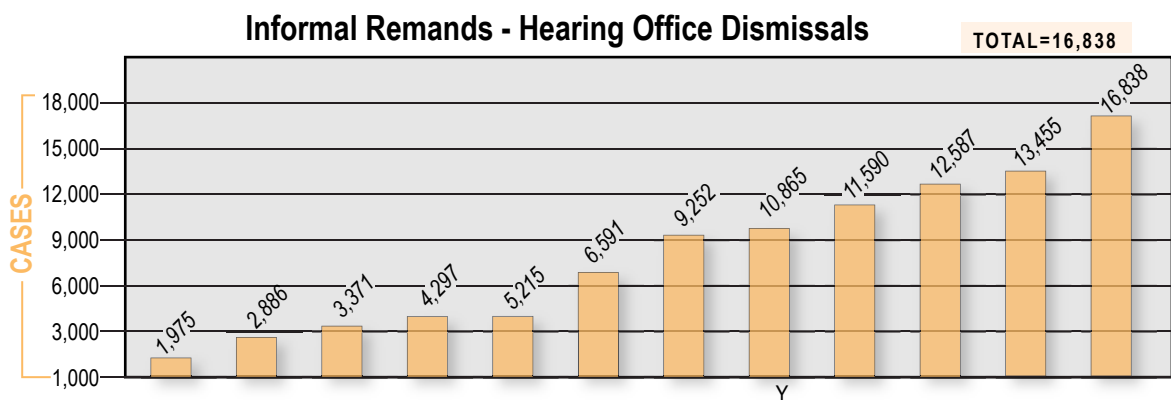
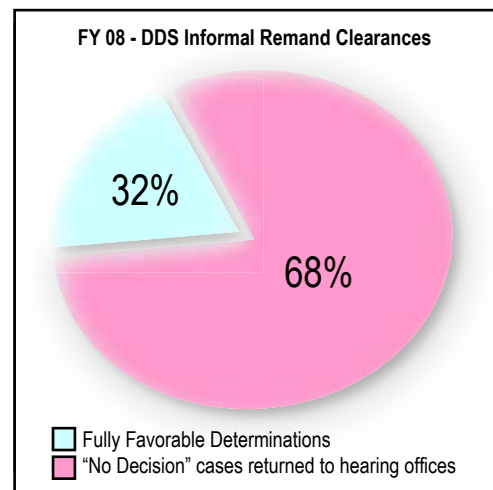
Beginning in FY 07, two initiatives focused on filling ALJ dockets - streamlined folder assembly and the use of additional overtime to be worked by Deputy Commissioner of Operations (DCO) employees to assist hearing offices. Both these initiatives were highly successful in FY 08.

- **Streamlined Folder Assembly** – Under this initiative, which allows staff to develop cases for hearing more quickly, paper folders are prepared with a simplified process that numbers the pages in each section of the folder, but does not purge duplicates or order evidence chronologically. These cases are made available to ALJs who are willing to schedule and hear cases prepared by this method. During FY 08, we prepared 51,533 cases for hearing using streamlined folder assembly.
- **DCO Overtime** – DCO employees continued to work overtime in FY 08 to assist hearing offices with various tasks including streamlined folder assembly, burning CDs of electronic files, associating paper mail, creating barcodes, scanning paper evidence into electronic files, photocopying, folder preparation, mailing decisions, filing closed files, and performing folder audit and inventory. During FY 08, DCO employees worked over 62,800 hours of overtime in hearing offices and completed over 866,000 work tasks, including the preparation of 13,376 files using the streamlined folder assembly method. These additional resources provided critical support to hearing office staff in preparing cases for hearing.

Remand Cases to Disability Determination Services

The DDS Informal Remand initiative began in June 2007 to assist in reducing the backlog of paper cases. Pending paper cases were selected based on scoring profiles established by OQP and remanded back to the DDS to see if a fully favorable determination could be made. Using overtime, DDSs reviewed remanded cases, and if a fully favorable determination could be made, a revised determination was issued and the case was returned to the SSA field office for effectuation.

During the first six months of FY 08, ODAR informally remanded cases from New York, Georgia, North Carolina, Kansas, Michigan, Indiana, Florida and Ohio – states with the largest backlog of paper cases. In the second half of FY 08, several state DDSs were able to process remands on electronic cases. By the end of FY 08, ODAR hearing offices had sent



more than 50,000 informal remands to the DDSs. The results were very positive and exceeded expectations. As a result of this initiative, we were able to close 16,838 cases in FY 08. The Informal Remand initiative has been extended through FY 09. We anticipate that most states will be capable of processing electronic informal remands early in FY 09, which will enable ODAR to more easily transfer these cases to the DDSs.

Open National Hearing Center

The National Hearing Center is an exciting part of the Agency's strategy to increase adjudicatory capacity and focus on electronic processing of hearings. Transfers of pending cases and case processing are done electronically and all hearings are conducted using video conferencing technology. This provides ODAR the flexibility to better balance pending workloads across the country and to move backlogged hearing requests more quickly.

Since the NHC is a fully electronic hearing environment, it also provides a unique opportunity for the evaluation of new automation initiatives and refinement of the electronic process. The NHC participated in the Desktop Video Unit (DVU) pilot which began in March 2008 and the ePulling pilot which began in August 2008.

The NHC opened in Falls Church, VA in October 2007 and proceeded with a staggered rollout in order to fully train new staff and have sufficient cases ready for ALJs as they arrived on duty. The first NHC hearing was held in December 2007. During FY 08 the NHC received 4,650 case transfers and issued decisions on 2,151 cases. In April 2008, the Commissioner approved the expansion of the NHC in Falls Church, VA and the addition of two new sites in Albuquerque, NM and Chicago, IL. The anticipated opening date for the Albuquerque NHC is February 2009. Planning of the Chicago NHC is underway. The target opening date for the Chicago NHC is summer 2009.

ALJ Hiring

OPM completed a new ALJ register for the first time since the resolution of the *Azdell* litigation in 2004. We conducted a comprehensive and rigorous interview process, including background investigations

conducted by an outside firm. We were pleased that many highly qualified SSA employees from the hearing operation, the appellate operation, and the Office of the General Counsel made the register. In addition, the candidates were all comfortable in an electronic environment, a critical qualification for the workload demands of today's high-volume, electronic hearing operation. We hired 190 new ALJs, who entered on duty in five groups on April 13th, May 11th, June 22nd, July 20th and August 4th. Each new ALJ reported first to his/her hearing office for two weeks of orientation before reporting to Baltimore for four weeks of formal training. By the end of the fiscal year, all of our new ALJs had reported for duty and completed classroom training.

Improve ALJ Productivity

For the first time in the history of the hearing operation, ODAR set out annual individual expectations for its ALJs. On October 31, 2007, the Chief Administrative Law Judge issued a letter to all ALJs asking them to strive to issue 500–700 legally sufficient decisions a year, move cases out of ALJ-controlled categories on a timely basis, and hold scheduled hearings absent a good reason to cancel or postpone hearings. Throughout the year, the Office of the Chief Administrative Law Judge and Regional Offices monitored productivity and emphasized this message. Despite the challenges of increasing receipts and the emphasis on working the oldest cases first, ALJs conducted 14,733 more hearings in FY 08 than in FY 07, and disposed of more cases per ALJ than in FY 07. ODAR anticipates this trend will continue in FY 09 as newly hired ALJs gain experience in processing hearing cases.

We also designed and held the agency's first-ever National Judicial Education Conference for all ALJs and AAJs at one of four nationwide locations. Sessions at the conference included topics relevant to improving ALJ productivity such as use of the Fully Favorable Findings Integrated Template, electronic folder tips, docket management, the use of vocational experts, Residual Functional Capacity, dismissals, and reducing remands.

Increasing Efficiency with Automation and Improved Business Process

Transition to the Electronic Folder

In FY 08, ODAR made significant progress in eliminating the backlog of paper folders and transitioning to an electronic environment. At the end of September 2007, 55% of ODAR's pending workload, 409,427 cases, was electronic. By the end of FY 08, the number of electronic cases grew to 655,457, comprising 86% of the pending workload. In FY 09, ODAR expects to eliminate virtually all aged disability paper folders at the hearing level and will continue to streamline processes within the electronic folder environment.

eScheduling

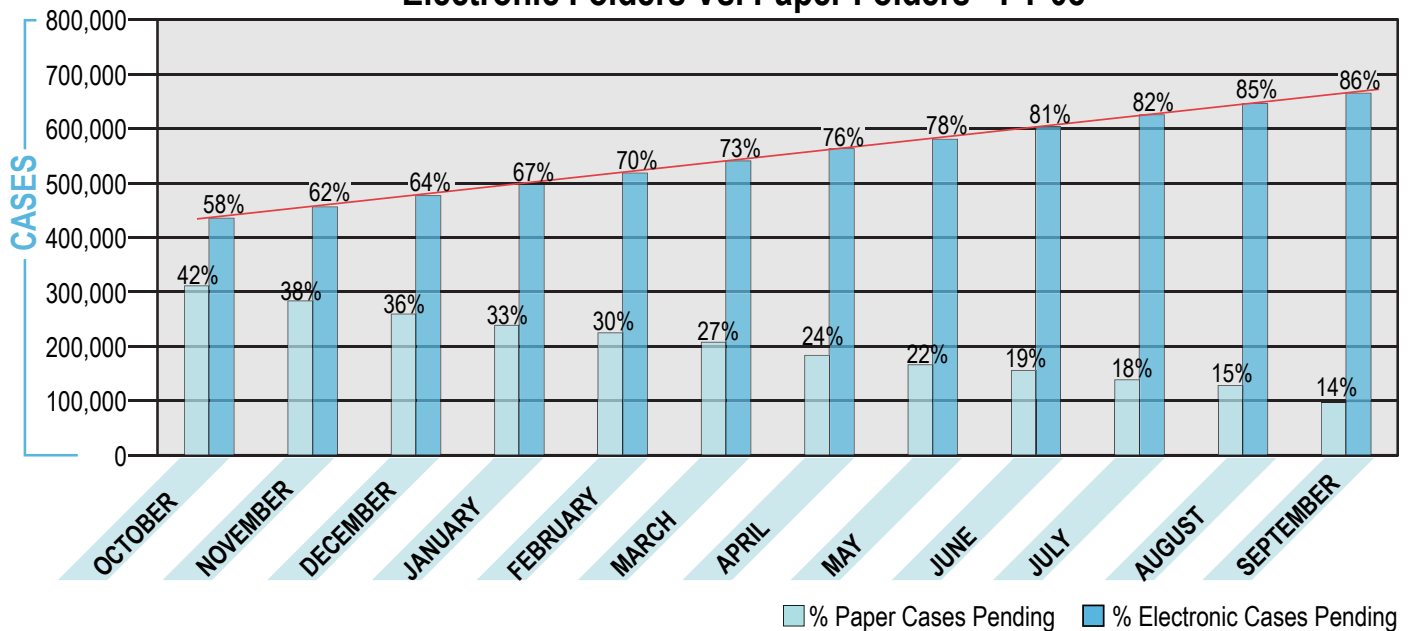
The eScheduling initiative will provide a calendaring feature to streamline the scheduling process. A hearing will be scheduled electronically for a specific date and time based on availability of the ALJ, expert witnesses, hearing sites, and hearing room equipment. Planning and analysis consisting of market research, business process documentation, and workflow

diagrams was completed in FY 08. A Request for Information was sent out at the end of July to begin the procurement process for a vendor. Additional analysis and development will continue through FY 09 with initial implementation tentatively scheduled for FY 10.

Electronic Records Express

With additional Electronic Records Express (ERE) functionality, representatives will be able to view folders electronically through a secure website. Testing of this functionality began with a group of nine representatives, including representatives from the National Organization of Social Security Claimants' Representatives (NOSSCR), and the National Association of Disability Representatives (NADR). The pilot began in July 2008 and has been a huge success. The Office of Systems has been working with ODAR to identify and resolve any issues. As of September, representatives had successfully accessed 418 electronic folders, saving the staff time that would

Electronic Folders Vs. Paper Folders - FY 08



have been required to burn multiple CDs on each case. The ERE pilot is expected to continue for at least six months. We expect to add more representatives in FY 09, dependent upon agency release of registration and authentication functionality.

Increase Amount of Data Propagated to the HO Case Processing System

Enhancements in the July systems release included data propagation, such as impairment codes and regulation basis codes, from the SSA-831 (Disability Determination and Transmittal) into the Document Generation System.

Provide the Ability to Sign Decisions Electronically

In July, the functionality to sign decisions electronically was provided to ALJs and Attorney Adjudicators. ODAR worked closely with the Office of Systems to quickly identify and resolve implementation issues. By the end of the fiscal year, over 100,000 decisions had been issued using an electronic signature.



Centralized Printing and Mailing

This initiative provides high speed, high volume printing for all ODAR hearing offices. Notices generated in the Document Generation System are sent electronically from the hearing office to a contractor for printing and mailing. Central print capability was rolled out to all hearing offices, regional offices, and the National Hearing Center in August 2008, and is already proving to be a huge time saver for hearing office support staff. There are currently eleven notices available for central print and new notices will be added in FY 09. In FY 08, 308,447 notices were issued using the central print and mail functionality.

Provide Shared Access to the Electronic Folder

The systems release in mid-February included CPMS enhancements which allow shared jurisdiction of cases among hearing offices. This has simplified temporary transfer of electronic cases for pulling and decision writing assistance between hearing offices.



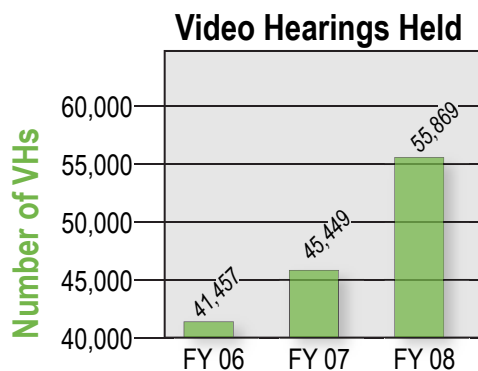
Enhance Hearing Office Management Information

In FY 08, new Management Information reports were created in both the Case Processing and Management System (CPMS) and in Disability Adjudication Reporting Tools (DART) to facilitate efficiency in the processing of hearing cases in an electronic environment and to assist in tracking the backlog initiatives. The CPMS releases in February and July included additional reports to support the Attorney Adjudicator program as well as new functionality for workload listing reports. Several new DART reports were developed for tracking aged cases, informal remands, Attorney Adjudicator dispositions, ALJ productivity, and workloads in the National Hearing Center. New DART reports were developed to assist in identifying and processing transfer cases which resulted from the service area realignment and inter-regional case transfer initiative. Most recently, a new DART report was released to assist with electronically signed aged cases. In FY 09, ODAR and the Office of Systems will continue to develop new reports to provide support to ODAR management at all levels.

Provide Additional Video Hearing Equipment

In FY 08, expansion of the use of video equipment in hearing offices continued. By the end of the fiscal year, 145 new video units had been installed.

In early FY 08, ODAR also began exploring the use of desktop video units. This promising new technology, with high video resolution, is approximately one third the cost of and more easily installed than traditional wall units. Initial piloting of the DVUs was conducted in four Hearing Office Chief Administrative Law Judge (HOCALJ) offices and in the National Hearing Center. The pilot feedback was extremely positive. The pilot program will be expanded in 2009. Eight of the units will be installed in hearing rooms, and ten will be placed in individual ALJ offices. The remaining 126 units will be installed in HOCALJ offices. The testing program will continue to evaluate the utility of DVUs to conduct hearings in SSA Field Offices, hearing rooms, and in individual ALJ offices.



Use of video conferencing equipment to conduct hearings not only saves travel time and money, but the use of DVUs in ALJ offices and SSA field offices provides additional hearing room capacity for ODAR.

The Representative Video Project (RVP) was also initiated in FY 08. This project permits representatives to purchase their own video conferencing equipment (which must meet SSA specifications) to conduct hearings from their own office space. The RVP agreement, which each representative must sign, was developed and distributed to 30 interested representatives. ODAR had five signed agreements at the end of the year. We anticipate the first RVP hearings will be held in early FY 09.

Mandate Findings Integrated Templates Decision Writing System

Use of FIT to draft decisions continued to increase throughout FY 08. FIT was used to draft 94% of

written decisions in FY 08. As there are template categories not yet developed for FIT (e.g., overpayments, Title XVI income and resources), FIT usage is as close to 100% as is possible at this time. Use of FIT has improved the legal sufficiency of ALJ decisions and has resulted in fewer remands from the Federal courts.

Streamlined Fully Favorable Decision Format

The new streamlined fully favorable decision template was downloaded to the Document Generation System in October 2007 in time to be used in conjunction with the Attorney Adjudicator initiative. ALJs can also use the template to complete decisions, eliminating the need to prepare instructions for a decision writer and edit the final decision.

Update Hearing Office Systems Infrastructure

Approximately \$6.8M was spent in FY 08 to update the hearing office systems infrastructure. The Office of Systems purchased and installed servers, workstations, printers, video conferencing equipment, and telecommunications equipment in the hearing offices to support the hearing and appeals workloads. This included establishing and expanding the National Hearing Center and permanent remote sites, accommodating new ODAR hires, refreshing existing workstations that had reached their end-of-life cycle, expanding hearing office video conferencing capabilities, and refreshing the underlying telecommunications infrastructure. All of these updates supported electronic folder processing by increasing the capacity of the infrastructure and by providing equipment required to support new automation initiatives for ODAR.

Provide Support to Send Additional Documents to the Electronic Folder

This initiative is in the planning and analysis stage. Documents such as earnings records and queries may eventually be sent directly to the electronic file, eliminating the need for hearing office employees to print and scan them into the electronic folder.

Automated Noticing

The ability to produce automatically the appropriate notice based on data stored in CPMS remained in the planning stage during FY 08. We do not expect this functionality to be available until at least 2010.

Develop a New Case Processing and Management System for the Appeals Council

The Office of Systems, in collaboration with the Office of Appellate Operations (OAO), designed and built the Appeals Review Processing System (ARPS), which allows the Appeals Council to process electronic folder cases and provides a state of the art case control and management information system. Validation of ARPS was completed in December 2007. Training of staff and managers for the initial release began in January 2008 and continued through February. Successful conversion to the new system took place in March 2008. Major benefits from this initial release included SSA-wide access to the case control system and the ability of the Appeals Council to work on and, if necessary, remand electronic folder cases.

In June 2008, validation of the ARPS second release was completed. Training of staff and managers for this release began in June and continued through mid-July, with the systems release occurring in late July. Important enhancements to ARPS included the ability to process multiple pending cases (e.g., subsequent and prior applications), the ability to recall ARPS actions for corrections, the ability to transfer cases in batches, and the ability to establish cases in ARPS by directly copying data from the case processing management system (CPMS) and the electronic disability collect system (EDCS). The improved case processing oversight abilities that ARPS provides also benefit OAO management.

One immediate benefit OAO staff realized from ARPS was fewer contacts from SSA field offices for information on pending cases. ARPS provides both the SSA Field Office and Teleservice Center staff with much more information about Appeals Council level cases than was previously available. The improved case processing oversight abilities that ARPS provides was of benefit to OAO management.

Improve Public ALJ Alleged Misconduct Complaint Process

The Office of the General Counsel, Office of the Chief Administrative Law Judge, Office of Appellate Operations, and Office of Labor Management and Employee Relations held a series of meetings to formulate improvements under the current rules and to clarify the complaint process for claimants. During FY 08, as a result of these meetings, the process was improved by updating the electronic fact sheet (SSA publication No. 05-10071) on the SSA internet website in both English and Spanish, revising posters that will appear in ODAR's regional and local hearing offices, and revising letters to claimants and their representatives. In addition, a System of Records to track complaints has been drafted and is currently being reviewed by various SSA components for publication in the Federal Register, and a retention schedule for maintaining the complaints has been sent to the National Archives and Records Administration for approval. The goal of these improvements is to make the ALJ complaint process more effective for SSA, the ALJs, and the American people. The new poster, "How to File an Unfair Treatment Complaint" will be posted in every hearing office. A copy of the poster can be found at the following website: <http://www.ssa.gov/pubs/10071.html>

Establish a Standardized Electronic Business Process

A standardized electronic business process facilitates timely and legally sufficient hearings and decisions by achieving and maintaining effective, efficient, and consistent case processing methods throughout ODAR. This maximizes quality by improving accuracy, timeliness, productivity, cost efficiency, and service to the public.

Working with OQP, ODAR conducted site visits and obtained input from employees in all hearing office positions to determine what they needed to do their jobs more effectively in the electronic environment. The team identified best practices and processing concerns, and collected recommendations regarding electronic case processing. Team members conducted an extensive review of ODAR policies, procedures

and SSA Intranet resources to incorporate them effectively into the business process. In developing the business process, the team anticipated the impact of other initiatives to address the backlog. To the extent possible, they incorporated those that had already been implemented and began to pave the way for those still being developed. Based upon the team's review of existing practices and procedures used in hearing offices across the country, ODAR developed the standardized business process currently being tested.



ODAR will retain the business process description in draft form until we are satisfied that we have developed the best possible process. ODAR is encouraging employees to review the business process and to submit any questions, comments, or recommendations they may have. Changes are being made as needed to the electronic business process document based upon systems enhancements, policy revisions, stakeholder input, and testing results. Rollout to pilot sites (at least one hearing office in each region) continues through January 2009.

Implement Quality Assurance Program for Hearings Process

ODAR is working with OQP to develop an in-line quality review procedure for the hearing office business process. This process is being developed in conjunction with the standardized electronic business process. The in-line quality process will include reviews of Attorney Adjudicator decisions, decision drafts, and scheduled cases. ODAR is working with OQP to develop an electronic case review tool which will capture data and serve as a means to track the information for trends and possible training needs. CPMS status codes are in place for the review process

and a request has been submitted to the Information Technology Advisory Board for enhancements to CPMS which will allow automated selection of the cases for review. Necessary system enhancements to CPMS will not occur before the summer of FY 09.

OQP began conducting a post-adjudication review of Attorney Adjudicator decisions in the fall of 2007. In March 2008, OQP completed review of a random sample of cases decided by Attorney Adjudicators from November 2007 through December 2007. OQP had an agreement rate of 96% of the sampled decisions. In June 2008, OQP completed review of a sample of cases decided by Attorney Adjudicators from January 2008 through April 2008. During this time period, OQP had an agreement rate of 97% of the sampled Attorney Adjudicator decisions. This high agreement rate underscores the successful implementation of the Attorney Adjudicator initiative.



Expand OQP Pre-effectuation Review of Reconsideration Denials Using Profiles

OQP began a one year targeted review of DDS reconsideration denials in September 2007. For the past 10 years, the national reconsideration denial accuracy rate has averaged slightly higher than 90 percent. However, several regions have consistently had reconsideration denial accuracy rates below 90 percent, as have particular states in other regions. Because the quality assurance reconsideration denial sample is small - 80 to 84 cases per state per fiscal year - no analysis has been done in the recent past to determine root causes for errors. For that reason, the special reconsideration denial review was instituted.

To date, OQP has reviewed 11,867 special reconsideration denial cases, and returned 1,258 of them to the DDSs for corrective action. About two thirds of returned cases ultimately result in a DDS allowance. The primary reasons for returns were insufficient development and consideration of changes since the initial determination, and failure to fully address the credibility of the claimant's allegations.

OQP will extend and expand this review to 40,000 cases in 2009. A predictive model is being developed that will select cases for review based on error-prone case characteristics. An implementation date has not yet been determined as the model requires systems changes.

Provide Improved Training to Hearing Office Management Teams

The Hearing Office Director and Group Supervisor training cadres continued to review and assess the effectiveness of the three-phase training program we developed in 2007: Orientation, Distance Learning, and Classroom Training.

A Leadership and Management Training website was launched in January 2008. This site provides information on all three phases of the management training. Regions were encouraged to introduce new supervisors to the website and to assign a mentor to each new manager. The website provides new managers access to a training program immediately upon beginning their new role. The new manager's supervisor works with the new manager to complete the Phase I Orientation training. The mentor assigned to the new manager by the Region assists the new manager with the Phase II Distance Learning. Completing the Phase I Orientation and Phase II Distance Learning provides the new manager with a solid foundation for Phase III classroom training. In FY 08, approximately 65 new Group Supervisors and 26 new Hearing Office Directors completed the Phase III classroom training. Classroom training for 20 new Hearing Office Chief Administrative Law Judges was also held in mid-August 2008.

A Hearing Office Chief Administrative Law Judge (HOCALJ) and Hearing Office Director (HOD) Summit was held in June 2008, bringing together managers from all hearing offices. The HOCALJ/HOD Summit was the first time that hearing office managers had been brought together to learn about and discuss national priorities, strategies, and best practices. Topics discussed included the draft standardized electronic business process, employee relations, and managing performance.

Co-locate Remote Hearing Sites with Field Offices

In the past, ODAR used a variety of sites to hold hearings. These sites included temporary space in hotels, courthouses, schools, and conference centers. ODAR established many remote sites which were not connected to the SSA Local Area Network (LAN) system. In order to effectively conduct hearings in the electronic environment, permanent space with LAN connectivity is needed. In FY 07, a national workgroup composed of representatives from ODAR and Operations began work on a plan to co-locate hearing remote sites with field offices. The workgroup reviewed current remote site data, pending workloads, and the feasibility of co-locating hearing sites with SSA field offices. A plan is in place to increase ODAR co-location with field offices as leases expire.

Effectuate Temporary Inter-region Service Area Realignment and Continue Permanent Case Transfers

We adopted a Service Area Realignment Plan to balance pending workloads on a national basis. The plan was designed to move workloads from regions with high receipts and high pendings (Chicago and Kansas City) to regions with lower receipts and lower pendings (Boston, Philadelphia and San Francisco). New receipts and unscheduled cases from hearing office service areas covered by remote sites were transferred to hearing offices with more capacity to help. The plan involved some permanent case transfers from the Chicago and Kansas City Regions to the Philadelphia and San Francisco Regions. The Office of the Chief Administrative Law Judge continues to analyze workload data to determine whether further adjustments are necessary.

Continue Decision Writer Productivity Improvement Initiative

Hearing offices continue to use the decision writer statistical index report introduced in the beginning of FY 07 to assess the timeliness of the decision writer workload. The Office of the Chief Administrative Law Judge and Regional Offices continue to assess how to best use this tool for increased workload timeliness.

Use Weekly Workload Reporting and Monitoring

The Chief Administrative Law Judge strongly encouraged all managers to monitor workload processing on a weekly basis. In support of this initiative, which has been successful in promoting timely processing of workloads in all statuses, ODAR shared information on attainment of weekly goals with regional management teams and is developing additional workload reports to monitor hearing office performance. We will continue to focus on weekly reporting and monitoring of workloads in FY 09.

Appeals Council Issues Final Decisions when Possible to Reduce Remands

The purpose of this initiative is to reduce hearing level receipts by having the Appeals Council make technical corrections and issue decisions whenever possible instead of remanding cases to the hearing level. Some cases that come before the Appeals Council contain relatively minor technical deficiencies which do not affect the correctness of the ultimate conclusion on entitlement to benefits. Under normal circumstances, the Appeals Council would remand most of these cases to the hearing level for further action and to address the decisional defect. Under this initiative, if the case does not require additional hearing or development, the Appeals Council considers granting the request for review and issues a new decision with the technical issue corrected. Since July 2007, when this initiative first began, there has been a consistent decrease in the number of Appeals Council remands sent back to hearing offices on these types of cases.

Extend Cooperation Between SSA Components that Process Disability Cases

This initiative focuses on enhanced communication between ODAR and other SSA components to promote better understanding of the entire disability process and on improving service to the American people. It encourages exploration of existing policies and regional initiatives, identification of best practices, and development of new tools and strategies to gain consistency and prevent delays within the Agency's disability process.

A national workgroup composed of representatives from Operations and ODAR was formed to encourage regional and local initiatives for enhanced communication and cooperation. The workgroup developed recommendations to ensure that field offices were receipting and forwarding cases to ODAR in a timely manner and that CPMS was properly identifying the cases as having been received in ODAR. Throughout FY 08 additional inter-component meetings were held to discuss issues relating to timely transfer of both paper and electronic folders to hearing offices.

During FY 08, OQP provided substantial assistance to ODAR. Examples are OQP toolbar training in hearing offices throughout the country; national interactive video training session devoted to the OQP toolbar; OQP screening of ODAR cases to identify potential "on the record" cases and assistance with drafting these decisions in the San Francisco, Dallas, Chicago, and Atlanta Regions; employee assistance with case pulling on overtime; cooperative efforts between ODAR, Operations, and OQP to facilitate processing of non-disability hearing cases; increased involvement in inter-component meetings and workgroups dealing with disability and electronic folder issues; and post-adjudicative sample review of Attorney Adjudicator decisions.

Executive Level Steering Committee

In June 2007, we formed a Steering Committee of SSA Senior Executives to facilitate implementation of the hearing backlog plan. Meetings have been held throughout FY 07 and FY 08, as ODAR and various SSA components, including Operations, Systems, Office of Quality Performance, Budget Finance and

Management, Human Resources, General Counsel, Legislation and Congressional Affairs, Retirement and Disability Programs, and Communications continue to work together on implementing various initiatives under the plan.

Summary of FY 08 Accomplishments

- Eliminated more than 99% of cases that would be 900 days old or older by the end of the fiscal year
- Successfully implemented the Attorney Adjudicator initiative, resulting in 24,575 decisions where claimants did not have to wait for a hearing
- Continued the DDS Informal Remand initiative resulting in 16,838 decisions where claimants did not have to wait for a hearing
- Implemented a new case processing and management system for the Appeals Council
- Established the first National Hearing Center in Falls Church, VA
- Expanded the NHC in Falls Church and selected ALJs and support staff for a new NHC in Albuquerque, NM
- Hired and trained 190 new ALJs
- For the first time, established national expectations for all ALJs and increased ALJ productivity with experienced ALJs conducting over 14,000 more hearings and disposing of more cases per ALJ than in FY 07
- Continued streamlined folder assembly for paper and electronic cases to make more cases available for hearing
- Implemented Central Print and Mail functionality for eleven notices in all hearing offices by the end of FY 08
- Piloted the expanded use of Electronic Records Express software with selected representatives
- Implemented eSignature for all Administrative Law Judges and Attorney Adjudicators
- Installed 145 new video units
- Tested Desktop Video Units in the NHC and in four hearing offices
- Issued a FIT favorable template
- Increased use of the FIT templates for decision writing
- Updated hearing offices, including refreshing existing workstations and installing video and telecommunications equipment
- Implemented Medical Expert Screening initiative
- Continued focus on cooperation between hearing offices, field offices, regional offices, and the Office of Quality Performance
- Developed a draft standardized electronic business process and piloted in two offices
- Developed and delivered quality management training for new Hearing Office Chief Administrative Law Judges, Hearing Office Directors, and Group Supervisors
- Conducted a National HOCALJ/HOD Summit
- Developed first-ever Agency-conducted National Judicial Education Conferences for all ALJs
- Implemented a plan for inter-regional service area realignment and case transfers to better balance pending workloads on a national basis
- Improved the ALJ misconduct complaint process
- Continued the reduction of Appeals Council cases being remanded to hearing offices
- Worked with Operations to co-locate hearing sites with SSA field offices as leases expire

Summary of FY 09 Expectations

As we continue to expand and improve initiatives that have been implemented in FY 07 and FY 08, in FY 09 we plan to:

- Issue decisions on all cases which are, or will be, 850 days old or older by the end of the fiscal year
- Open two additional National Hearing Centers – one in Albuquerque in February 2009 and one in Chicago in the summer of 2009
- Expand Electronic Records Express functionality to additional representatives once registration and authentication issues have been resolved
- Add notices to the Central Print and Mail functionality
- Add more video conferencing equipment in hearing offices
- Expand desktop pilot to 18 additional sites
- Test the Representative Video Project as a means of conducting hearings
- Pilot the draft electronic standardized business process in additional hearing offices
- Continue analysis and planning for eScheduling with implementation tentatively scheduled for FY 10
- Implement an in-line Quality Assurance Program for hearing offices
- Increase ODAR co-location with field offices as leases expire

Building on our remarkable results in FY 08, our expectation is that FY 09 will be another productive, innovative year for ODAR. With continued support from the Commissioner and our Agency colleagues, and budget support from the Congress, ODAR will continue to move forward to eliminate the hearing backlog and prevent its recurrence. The American people deserve no less.



*Social Security Administration
Office of Disability Adjudication and Review*