



## FYs 2020–2021 Agency Priority Goal Action Plan

# Improve Hearings Pending

### **Goal Leaders:**

Goal Leader: Elaine Garrison-Daniels, Assistant Deputy Commissioner, Office of Hearings Operations

Deputy Goal Leader: Patrick Nagle, Chief Administrative Law Judge, Office of Hearings Operations

# Overview

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## Goal Statement and Targets

Improve customer service in the hearings process by prioritizing those individuals who have waited the longest for a hearing decision.

- By September 30, 2020, decide 98 percent of cases that begin the fiscal year 270 days old or older.<sup>1</sup>
- By September 30, 2021, decide 98 percent of cases that begin the fiscal year 190 days old or older.

Quarterly Targets:

	FY 2020	FY 2021
Q1	25 percent of aged cases decided	25 percent of aged cases decided
Q2	50 percent of aged cases decided	50 percent of aged cases decided
Q3	75 percent of aged cases decided	75 percent of aged cases decided
Q4	98 percent of aged cases decided	98 percent of aged cases decided

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<sup>1</sup> Setting the number of days for this target is how we define aged cases.

# Overview

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## **Challenge**

Eliminating the hearings backlog and reducing the time it takes to issue a hearing decision remains one of our most critical priorities. We have made great progress with the hearings backlog, reducing the number of people waiting for a hearing decision each consecutive month since January 2017. At the close of FY 2019, we had 575,000 people waiting an average of 506 days for their hearing decision, which is the lowest level since FY 2004. While this reduction is a vast improvement, wait times remain unacceptable.

## **Opportunities**

We continue to focus on processing our oldest cases first and employing numerous initiatives as part of our [Compassionate And REsponsive Service \(CARES\) Plan](#).

# Leadership and Implementation Team

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## Office of Hearings Operations

### APG Leadership and Implementation Teams

#### Leadership Team

**Elaine Garrison-Daniels**, *Assistant Deputy Commissioner*  
Goal Leader

**Patrick Nagle**, *Chief Administrative Law Judge*  
Deputy Goal Leader

*Associate Commissioner*  
Office of Budget, Facilities & Security (OBFS)

*Division Director*  
OBFS Division of Workload Management

*Special Projects Officer*  
OBFS Division of Workload Management

*Management Analyst*  
OBFS Division of Workload Management

#### Implementation Team

# Goal Structure and Strategies

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The Hearings Pending APG supports the following strategic goal and objective defined in our FYs 2018–2022 Agency Strategic Plan.

- Strategic Goal 1: Deliver Services Effectively
- Strategic Objective 1.1: Improve Service Delivery

By focusing on completing our oldest cases first, we will:

- Provide decisions to claimants who have waited the longest;
- Reduce the average age of all cases pending at the hearing level;
- Adhere to our first-in-first-out case processing policy; and
- Reduce the overall wait times for decisions.

Key indicators of success in our goal progress include:

- Reduction in hearings pending: The reduction in cases pending for a hearing before an administrative law judge (ALJ).
- Reduction in Average Processing Time (APT): The reduction in the average time a claimant waits from the date of the hearing request to the date the hearing decision is issued.

# Goal Structure and Strategies

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## **Implementation Strategies:**

- **Prioritizing Aged Cases:** To reduce the number of hearings pending and lengthy wait times, we continue to focus on processing our oldest cases first.
- **Optimizing Customer Service Delivery:** Through the expansion of our video hearings network, we continue to improve our service delivery by maximizing our ability to balance workloads nationally. As a result, we will continue our efforts to improve timely service to claimants in offices with the longest wait times.

# Goal Structure and Strategies

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## Employing Initiatives of the CARES Plan:

- **Business Process Efficiencies:** We will modernize our policies and procedures to streamline our processes, eliminate duplicative efforts, and ultimately reduce the number of claims pending at the hearing level. For example, our Centralized Screening Units initiative centralizes administrative work in a regional hub and streamlines the disability determination and adjudication process.
- **Information Technology (IT) Innovations:** We will continue to invest in key technology innovations in order to provide faster, streamlined, and more efficient IT tools for our employees, external stakeholders, and the public. For example, our Duplicate Identifying Process initiative uses new technology to identify possible duplicate medical evidence in the electronic claims file, allowing us to process and decide claims more timely.
- **Accountability and Oversight:** We are focusing on oversight of our processes and accountability across the organization to encourage a high quality, productive workforce and to ensure we meet the needs of the claimants we serve. For example, the development of productivity metrics across the Office of Hearings Operations will allow us to assess the performance of all employees in particular positions.

# Summary of Progress – FY 2020 Q1 and Q2

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## Overall APG Progress

In the first quarter, we completed our milestone of transferring 100 percent of aged cases that will be heard by ALJs in assisting offices and expanded our Duplicate Identifying Process initiative to a total of 23 offices. At the end of the second quarter, we are 27 percent ahead of pace to complete our FY 2020 target, having decided 77 percent of targeted aged cases.<sup>2,3</sup> We reduced our hearings pending to 472,387—a reduction of 103,034 cases from the FY 2019 end of year pending of 575,421. Our average processing time improved from 506 days in FY 2019 to 408 days.

As noted in this action plan, one key risk that could affect our progress toward the APG goal is “catastrophic events that force closure of our facilities.” In response to the COVID-19 pandemic, we closed our hearing offices to the public and are now conducting hearings by telephone only. Thanks to the quick work of our Office of Systems, we have been able to conduct over 24,000 hearings from home during this pandemic. Due to the initial time needed to adjust our infrastructure to accommodate these hearings, as well as the need to provide claimants the option to decline a telephone hearing, we have experienced higher than normal postponements of hearings. We also halted scheduling hearings to afford hearing office staff the time to contact all claimants who had a scheduled hearing and offer the option of a telephone hearing.

In March, we postponed over 6,000 hearings, many of which were caused by the closure of our hearing offices. A large percentage of those cases postponed were aged cases. Due to this unprecedented

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<sup>2</sup> FY 2020 results are through March 27, 2020, which is the end of the operating month.

<sup>3</sup> Effective March 17, we took steps to protect the public and our employees from COVID-19. At this time, we are still assessing how the COVID-19 pandemic will impact our workload performance ([and hiring] where appropriate).



## Summary of Progress – FY 2020 Q1 and Q2

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number of postponements and the necessary pause in scheduling cases for hearings, we were unable to complete the second quarter milestone to schedule 98 percent of our aged cases. We were on track to exceed this milestone in mid-March with 97.6 percent of aged cases scheduled, but after closing our offices, our scheduled percentage dropped to 96 percent, which is where we ended the second quarter.

We will continue to attempt to reschedule telephone hearings for all aged cases, including those cases where claimants initially opted out of their hearing, especially as the length of time we are unable to offer in-person or video hearings lengthens. We anticipate that the rate of declinations for telephone hearings will have an effect on our progress towards the third and fourth quarter milestones as well, but we cannot offer any numerical estimation of the effect without knowing how long our offices will remain closed. Our Division of Workload Management and Regional Offices continue to work closely with hearing offices to prioritize the rescheduling of postponed aged cases to minimize the impact on our aged case goal. Having paused the scheduling of new cases from March 10 to April 10 allows us ample opportunity to schedule all of the March postponed aged cases well before FY 2020 ends.<sup>4</sup>

With hearings held on 87.9 percent of aged cases, we are currently on track to meet the third quarter milestone for holding hearings for aged cases, contingent on the percentage of claimants who accept telephone hearings and the length of time our hearing offices remains closed.

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<sup>4</sup> Effective March 17, we took steps to protect the public and our employees from COVID-19. At this time, we are still assessing how the COVID-19 pandemic will impact our workload performance ([and hiring] where appropriate).

# Key Milestones

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We have identified quarterly milestones to assess our progress toward completing the hearings pending goal.

Milestone Summary		
Key Milestone	Milestone Due Date	Milestone Status
<b>FY 2020</b>		
Transfer 100 percent of aged cases that will be heard by ALJs in assisting offices	Q1	Complete
Schedule 98 percent of aged cases	Q2	Not Met
Hold hearings on 98 percent of aged cases	Q3	On-Track
Decide 98 percent of aged cases	Q4	
<b>FY 2021</b>		
Transfer 100 percent of aged cases that will be heard by ALJs in assisting offices	Q1	
Schedule 98 percent of aged cases	Q2	
Hold hearings on 98 percent of aged cases	Q3	
Decide 98 percent of aged cases	Q4	

# Key Indicators

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## **Primary Indicator:** Aged Cases

- FY 2020 Target: Decide 98 percent of cases that begin the fiscal year 270 days old or older (decide ~237,000 cases).
- FYTD 2020 Results: 77.0 percent of aged cases decided.

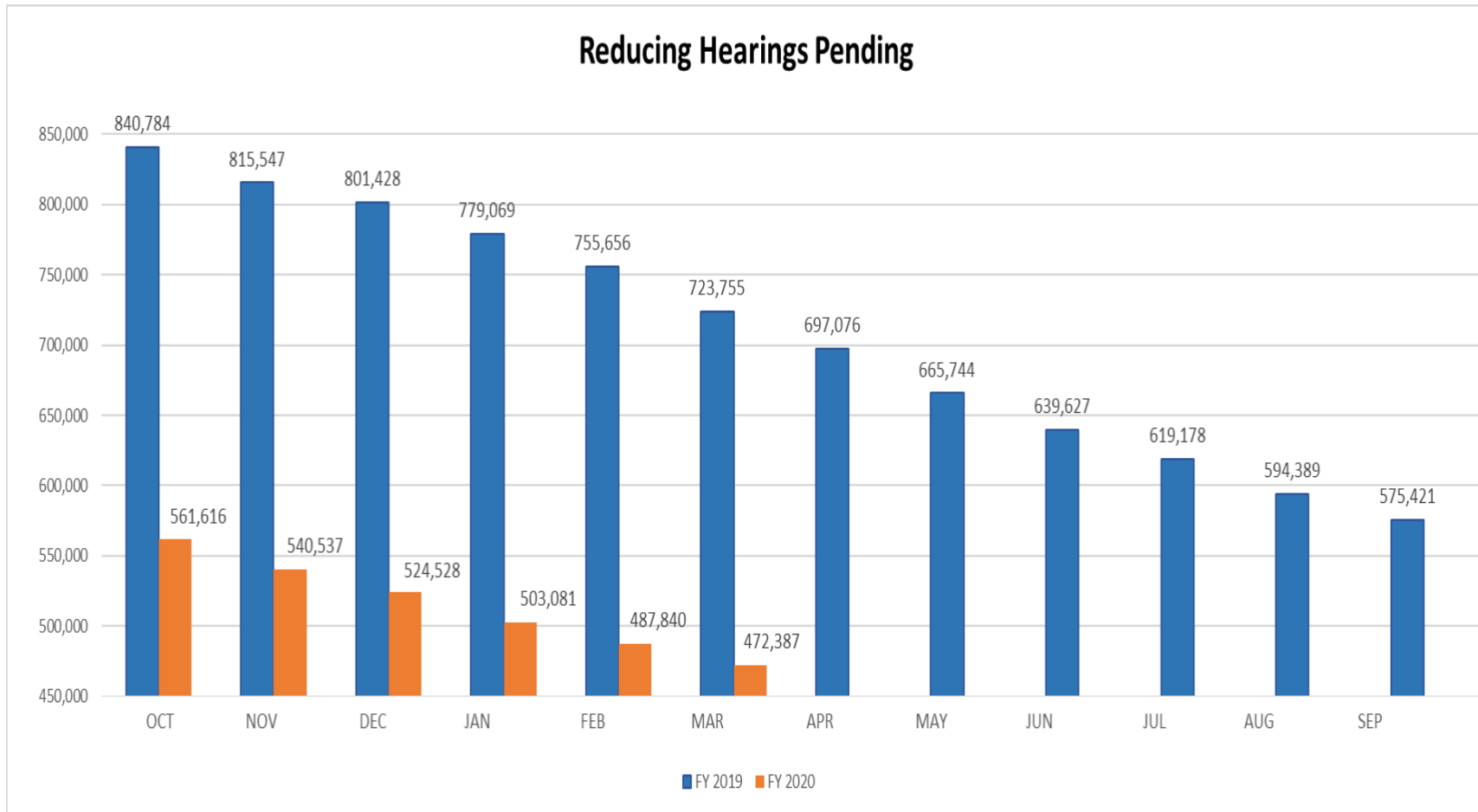
## Quarterly Targets

	FY 2020 Target	FY 2020 Results
Q1	25 percent of aged cases decided	46.8 percent of aged cases decided
Q2	50 percent of aged cases decided	77.0 percent of aged cases decided
Q3	75 percent of aged cases decided	TBD
Q4	98 percent of aged cases decided	TBD

# Key Indicators

## Secondary Indicator: Hearings Pending

- FY 2020 Target: 352,000
- FYTD 2020 Results: 472,387

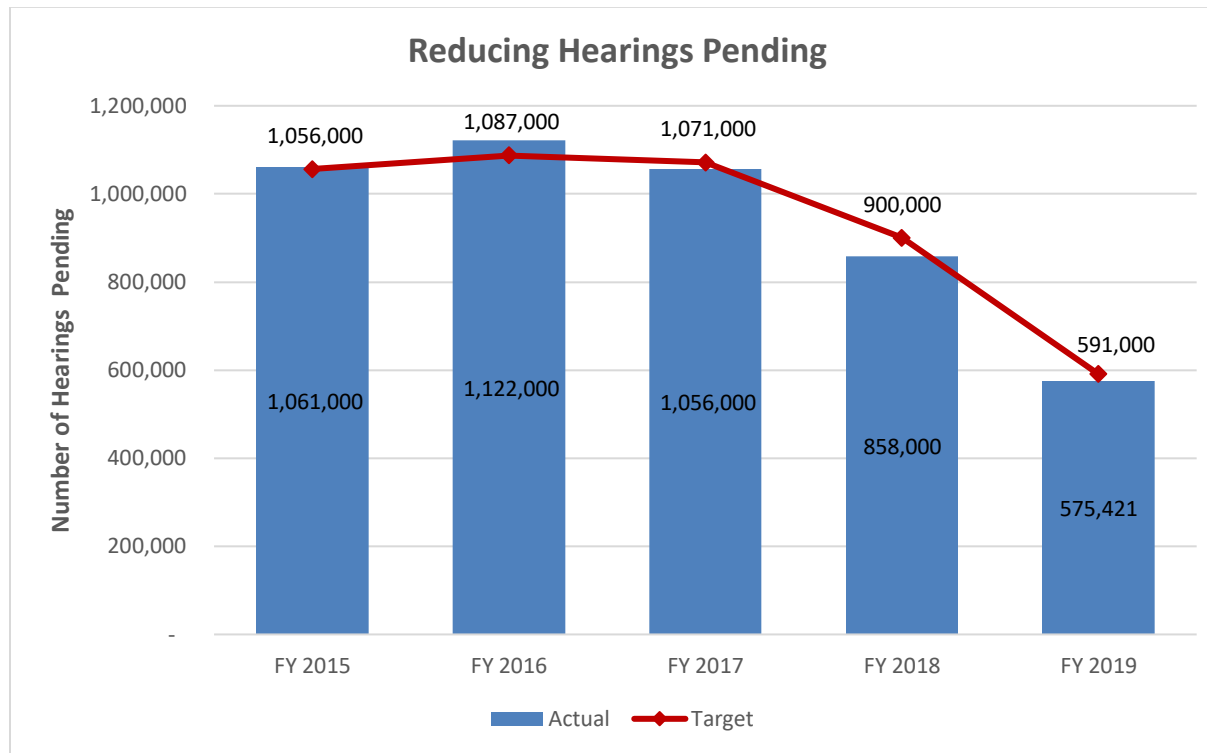


# Key Indicators

## Historical Data

Reduction in hearings pending<sup>5</sup> - The reduction in cases pending for a hearing before an ALJ.

- FY 2020 Target: We plan to reduce our pending to 352,000.
- FY 2021 Target: We plan to reduce our pending to 259,000.

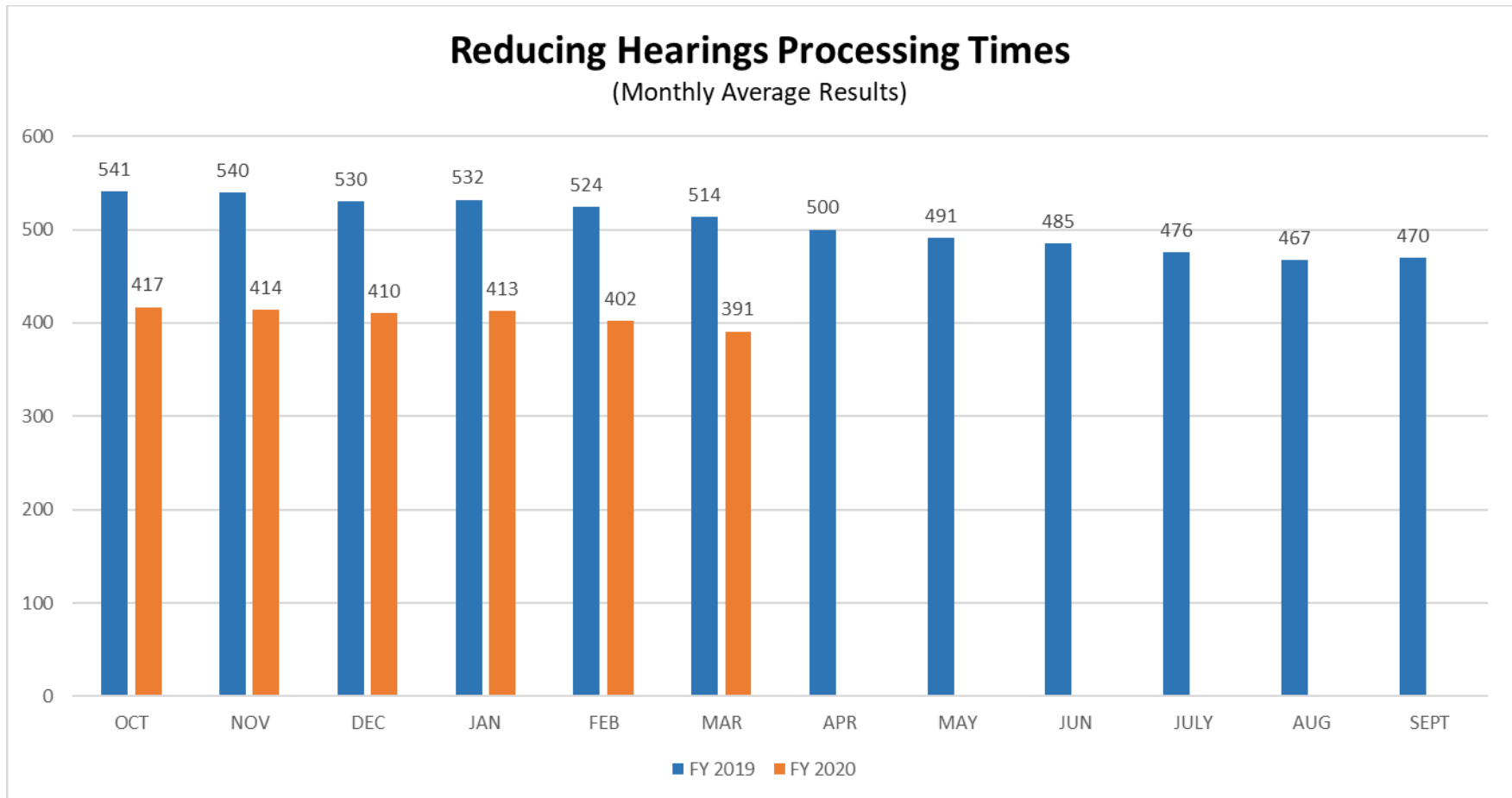


<sup>5</sup> This target is also a budgeted workload measure (BWM) and as such are estimates. BWM estimates are updated each year with the President's Budget. The FY 2021 target will be finalized with the FY 2021 enacted appropriation.

# Key Indicators

## **Secondary Indicator:** Hearings Average Processing Time

- FY 2020 Target: 380 days
- FYTD 2020 Results: 408 days



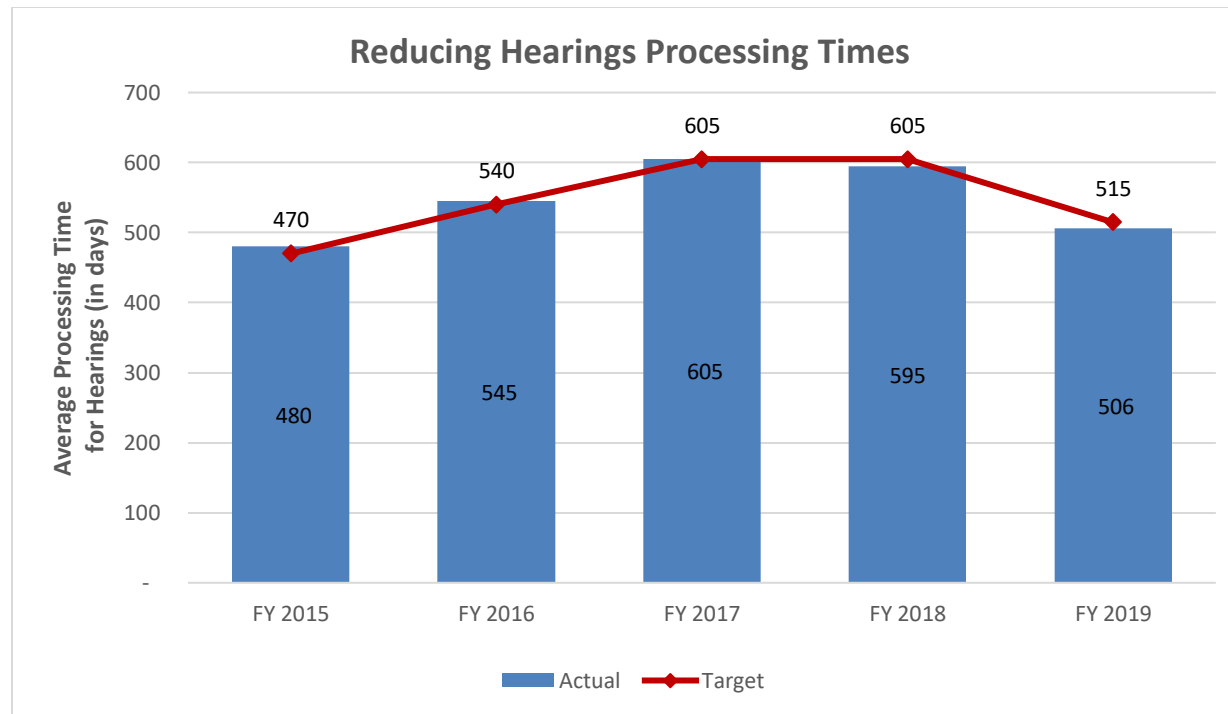
# Key Indicators

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## Historical Data

Reduction in APT<sup>6</sup> - The reduction in the average time a claimant waits from the date the hearing request to the date the hearing decision is issued.

- FY 2020 Target: We plan to reduce our APT to 380 days.
- FY 2021 Target: We plan to reduce our APT to 260 days.



<sup>6</sup> This target is also a BWM and as such are estimates. BWM estimates are updated each year with the President's Budget. The FY 2021 target will be finalized with the FY 2021 enacted appropriation.

# Assumptions and Risks

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We have identified the following assumptions for accomplishing the goal. We have also identified the following risks that could affect our progress along with mitigation plans to address these risks.

## Assumptions

Normal levels of ALJ and support staff attrition

Normal operations of our facilities throughout the year

Steady pipeline of disability claim receipts without any dramatic increase

Funding for overtime and replacement hiring as needed

## Key Risks

## Mitigation

High levels of attrition

With sufficient budgetary resources, we can replace ALJs and support staff accordingly.

Catastrophic events that force closure of our facilities

We can move work to other hearing offices to avoid ceasing services in an affected area; however, postponements of some hearings would be unavoidable.

Significant increase in disability claim receipts due to factors outside of our control

We would maximize effective use of overtime and move work to other hearing offices to balance workloads.



# Data Accuracy and Reliability

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Our hearings workload data comes from our Case Processing Management System (CPMS) and is accurate and reliable. CPMS has been reviewed and validated by auditors who have endorsed its quality and reliability.

Our Target Age Summary report allows us to isolate cases that are 270 days old or older and track their progress through the identified APG milestones. This report shows each region and office's progress toward the goal.

The Disability Adjudication Reporting Tool (DART) provides similar data as the Target Age Summary report, but with more detail, including a listing of all current aged cases that can be sorted by various factors such as filing date, region, office, or status, to name a few. DART will help us identify specific problem cases, so we can give them individualized attention to ensure they are processed timely.

# Additional Information

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## Stakeholders

**Congress:** Our Office of Hearings Operations meets with Congressional committees quarterly to discuss our CARES Plan and associated initiatives, and we use their feedback on the plan to evaluate and improve our programs. Many of the initiatives detailed in the CARES Plan have a direct impact on our ability to hear and decide cases timely.

**Claimant Representatives:** We interact with claimant representatives through the National Association of Disability Representatives and National Organization of Social Security Claimants' Representatives in order to resolve questions they have about our program or current business processes.

**Claimant Advocacy and Disability Advocacy Organizations:** These organizations advocate for the rights of the disabled and individuals who apply for disability.

**Labor Union Organizations:** These organizations represent our employees and ALJs. They provide input to our Office of Hearings Operations leadership.