



SOCIAL SECURITY

The Commissioner

February 20, 2019

The Honorable Roy Blunt
Chairman, Subcommittee on Labor, Health and
Human Services, Education, and
Related Agencies
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This letter transmits our agency's report on the Disability Hearings Backlog as requested in the conference report accompanying the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Public Law 115-245).

We are sending similar letters to Senators Shelby, Leahy, and Murray, and Representatives Lowey, Granger, DeLauro, and Cole.

If there are any questions, please have your staff contact Tiffany Flick, Acting Associate Commissioner for the Office of Budget, at (410) 965-3501.

Sincerely,

Nancy A. Berryhill
Acting Commissioner

Enclosure

Compassionate And REsponsive Service (CARES) Plan: 2018-2019 Update

Executive Summary

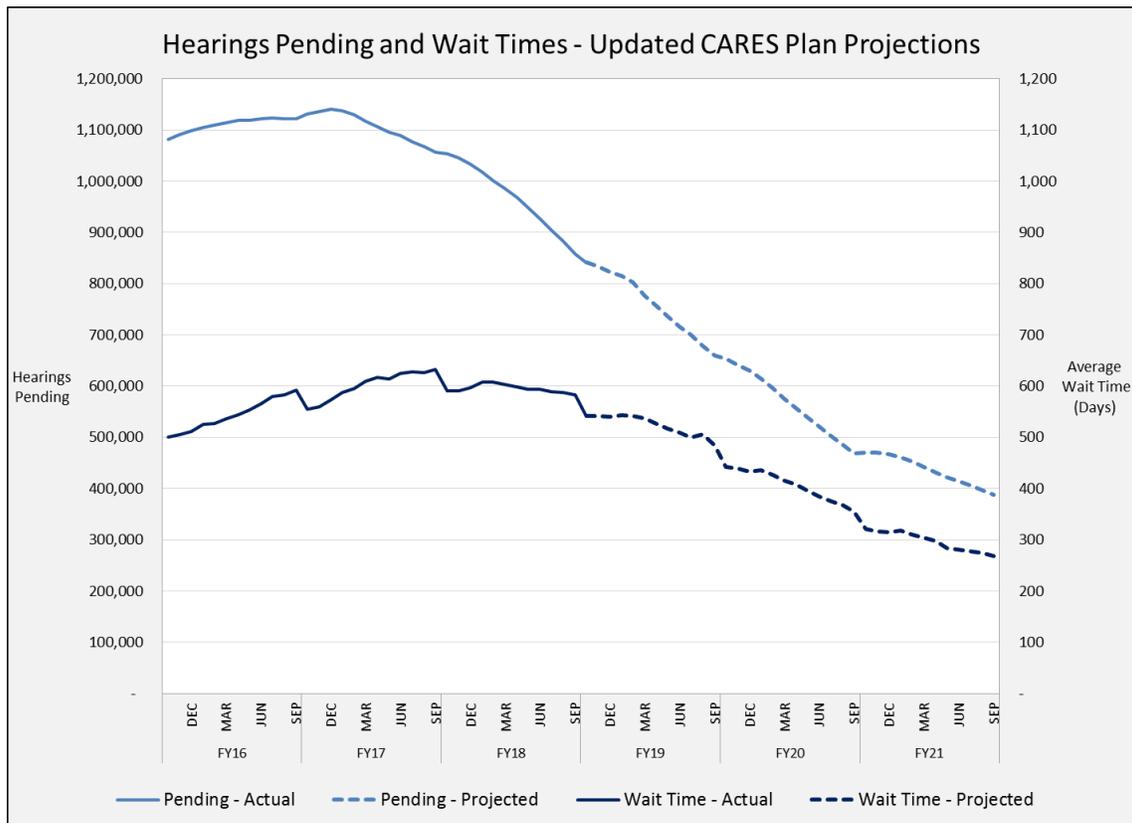
Eliminating the hearings backlog and reducing the wait time to 270 days remains our agency's most critical priority. We continue to make sustained progress towards this goal. Over the last three years, Congress has provided \$290 million in special funding dedicated to reduce the hearings backlog. Through this extraordinary support, we accelerated our plan to eliminate the hearings backlog and reduce the average wait time to 270 days by the end of fiscal year (FY) 2021, one year earlier than projected in previous plans. Our progress stems from implementing improvements to the hearings business process, modernizing our information technology (IT) infrastructure, implementing important policy changes, and rallying our workforce to improve our ability to serve the public.

The 2018-2019 CARES Plan Update provides the latest information on continuing activities designed to reduce wait times and eliminate the hearings backlog. Since 2016, we hired close to 600 administrative law judges (ALJ), and in FY 2018, we hired over 500 decision writers and over 170 other support staff in the hearings operation.

We have reduced the number of pending hearing requests each consecutive month since January 2017. In early March 2018, hearings pending dropped below 1 million for the first time since October 2014. In August 2018, we reduced the number of people waiting for a hearing decision to under 900,000 for the first time since December 2013. As of December 17, 2018, there are under 810,000 people waiting for a hearing decision.

2018 Year in Review

In FY 2018, the hearings operation expected to receive 581,600 requests for a hearing, but actually received less--567,911. We exceeded our budgeted dispositions target for FY 2018, which was 737,500 dispositions, closing instead 765,554 cases. As a result, we ended the fiscal year with approximately 42,000 fewer people waiting for a hearing decision than we expected. We attribute two-thirds of this reduction to completing more dispositions than expected, and the remaining third is attributable to receiving fewer requests for hearing. A combination of increased productivity, resource levels, and increased efficiency have allowed us to reduce the pending by almost 25 percent since December 2016, when it reached a peak of 1,141,234.



As we have noted in earlier iterations of the CARES Plan, the backlog is not simply the total number of cases pending, but rather the share of our total pending that keeps the average wait time above 270 days. Of the 858,383 hearings pending at the end of FY 2018, we consider 460,164 “backlogged.”

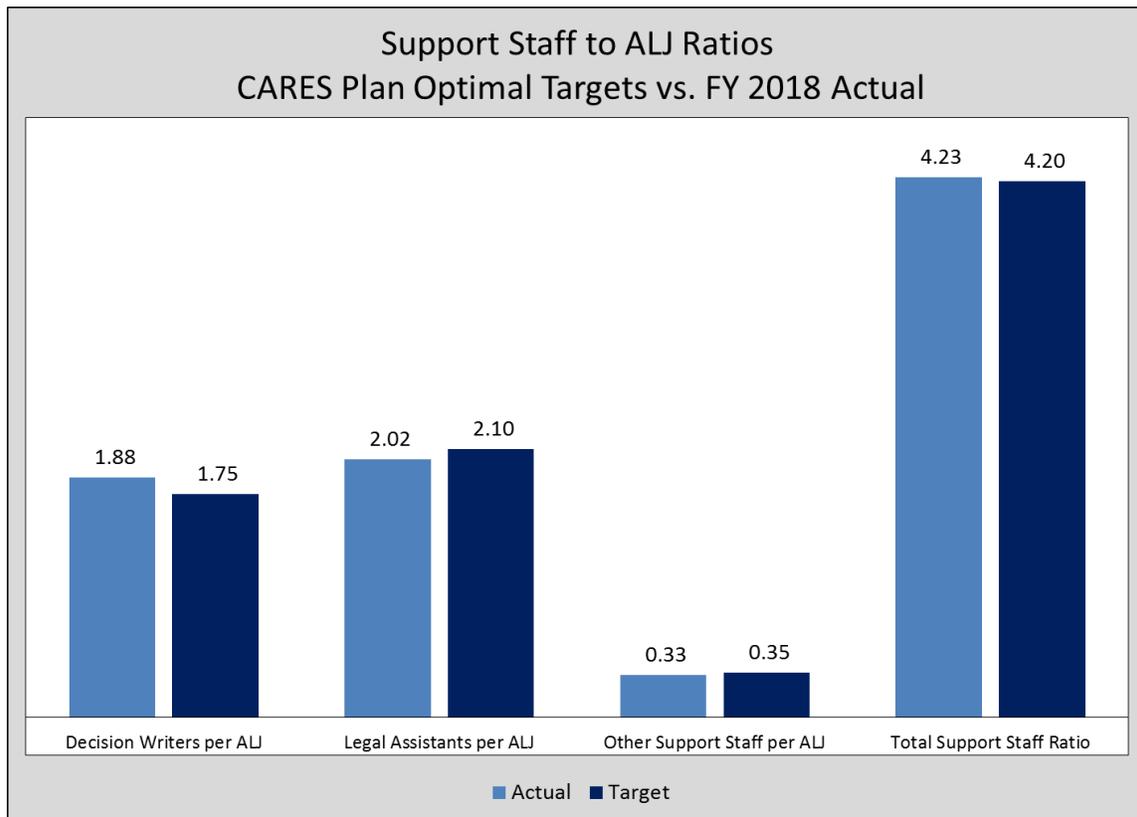
The decrease in pending hearings that began in FY 2017 is a leading indicator to a reduction in wait time. We began to reduce the average wait time and average age of pending in FY 2018. Wait time, also known as processing time, is the length of time from when a claimant files a hearing request to when we mail the final decision notice. We base the average wait time on all dispositions in a certain period, such as a month or year. We projected average wait time to hover around 600 days through FY 2018 and then begin a sustained decline at the beginning of FY 2019. We realized this projection in FY 2018 as we ended the fiscal year at an average of 595 days pending, and 582 days for the month of September.

Workforce Report

With the dedicated funding received from the Consolidated Appropriations Acts in 2017 and 2018, we began hiring and training frontline staff and allocated resources to priority workloads. With these additional resources, we were able to increase decisional capacity, issue more decisions, and decrease our pending month after month. As a result, we reached our FY 2018 goal by reducing our hearings pending level to below 900,000 cases for the first time since December 2013.

In addition, we were able to reduce our support staff shortage and limit the growth in our queue of hearing decisions that were waiting to be written. Generally, we consider approximately 30,000 cases pending in our decision writing queue to be a reasonable level to ensure timely delivery of a hearing decision. At the beginning of FY 2018, approximately 75,000 ALJ decisions were waiting in queue, and we projected we would end FY 2018 with nearly 100,000 cases pending in the decision writing queue. However, by increasing our support staff resources, we limited growth in the decision writing queue and ended the year with approximately

73,000 cases pending for decision writing. As depicted in the chart below, we were able to achieve our target support staff to ALJ ratio of 4.2:1 with the additional resources provided.

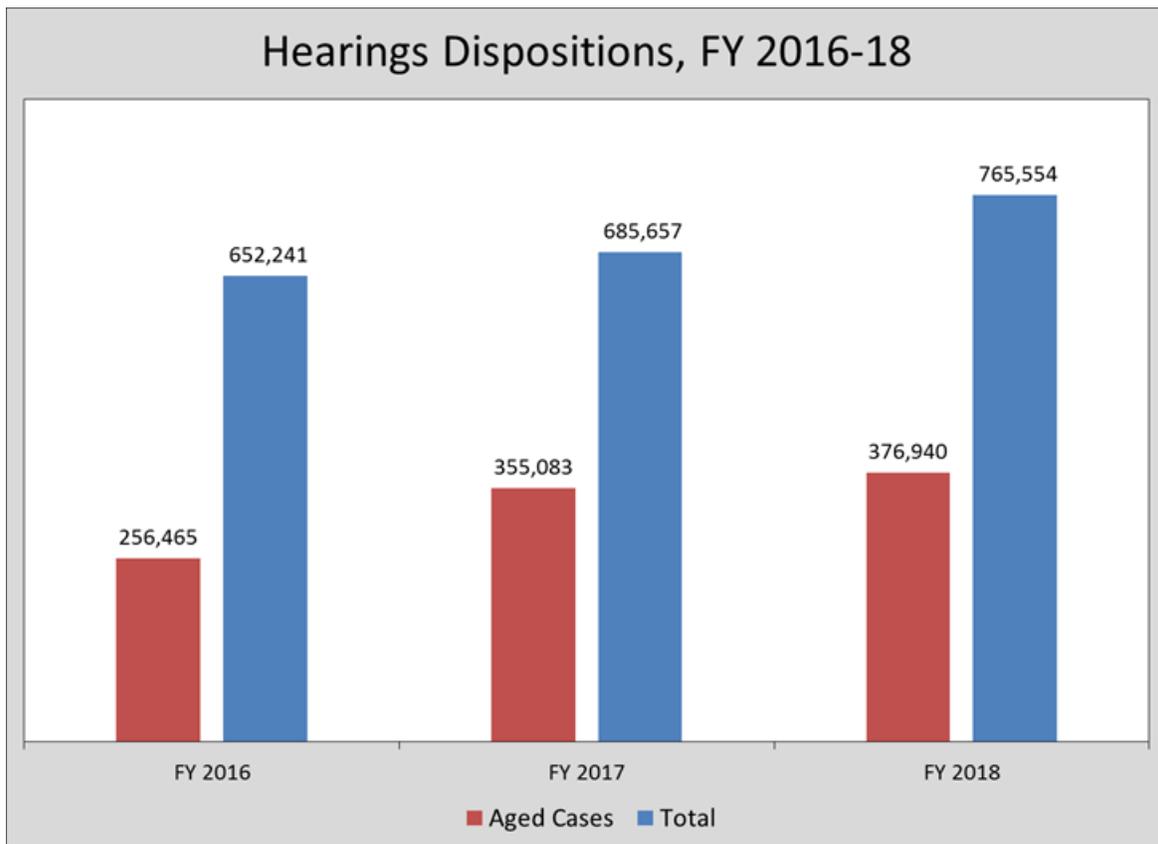


Note: The CARES Plan Optimal Targets represent optimal long term staffing needs. The FY 2018 actual ratios above represent final staffing data that incorporates adjustments to staffing records made after the close of the fiscal year and after finalizing the end of year CARES Quarterly Milestones for Workload, Staffing, and Obligations report.

Notable Updates

The 2018-2019 CARES Plan Update continues to highlight our multifaceted approach for eliminating the hearings backlog, improving timeliness, and ensuring quality and policy compliance in our hearing decisions. In addition to increasing our decisional capacity, we continue to implement tactical strategies, pursue policy and regulatory changes, where appropriate, and invest in technology to modernize our IT infrastructure and case processing systems. We have also added information about our ongoing focus on organizational and employee accountability and oversight.

A core principle of our plan in eliminating the hearings backlog is to reduce service disparities in wait times across the Nation. Accordingly, we continue to build and expand our national workload management capabilities and capacity by dynamically aligning available resources, regardless of location, to areas of the country where the greatest need exists. As a national program, we must be flexible and proactive in moving hearings workloads across geographic boundaries and aligning available resources based on workload disparities. Thus, in FY 2017 and FY 2018, we made considerable progress with our efforts to reduce our overall hearings pending by addressing our oldest cases and focusing on wait time imbalances. As the following chart shows, we have increased the number of both aged cases and total cases closed for three straight years.



In addition, through our national workload management approach and monitoring, we were able to effectively and quickly redirect hearings workloads in natural disaster situations, helping to continue service delivery to affected members of the public.

[Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019](#)

As part of the explanatory statement accompanying the Department of Defense and Labor, Health and Human Services, and Education, 2019 and Continuing Appropriations Act, 2019, we were asked to submit a report to the Committees on Appropriations on potential administrative changes our agency has taken and could take to streamline the disability determination and adjudication process. Several of our initiatives outlined in this CARES Plan Update reflect our efforts in this area.

Initiatives of particular note are our Pre-Hearing Development Contacts, Proactive Analysis and Triage for Hearings, and the Voluntary Standby List. These initiatives aid in preserving the non-adversarial manner of hearings and ensure that unrepresented claimants are not disadvantaged. In addition, we plan to create a national cadre of medical experts and vocational experts to ease scheduling of experts and prevent hearing rescheduling and postponements.

We have also updated many of our decision writing tools and templates. Specifically, in FY 2018, we developed and implemented an updated Decision Writing Instruction tool for ALJs and an updated decisional template for adult fully favorable decisions.

Further, in the last three fiscal years, we have focused staffing resources exclusively on direct service positions and have focused some hires in centralized units. We continue to look for ways to support our hearings operation more efficiently through sharing services and co-locating offices, when possible.

We revised many of our Hearings, Appeals, and Litigation Law (HALLEX) sections to improve the efficiency and effectiveness of our hearing process. In the past year, those policy revisions included:

- Updating the procedures in HALLEX I-3-6-10, “Protests of a Prior Decision,” and HALLEX I-3-6-10, “Protests of a Prior Decision,” to clarify the protest process for agency components. In addition, we clarified the procedures involved when the Appeals Council takes own motion review;
- Revising HALLEX I-1-1-3, “Maintaining and Providing Representative Referral Lists,” HALLEX I-2-1-80, “The Right to Representation,” HALLEX I-2-1-75, “Prehearing Conference,” and “Claimant Waives the Right to Appear at the Hearing,” to clarify the procedures related to a claimant’s right to representation, a claimant’s waiver of his or her right to appear at a hearing, as well as to update the policy related to the hearing office’s staff responsibilities in notifying a claimant of his or her right to representation;
- Clarifying HALLEX I-2-0-5, “Hearing Office Chief Administrative Law Judge, Administrative Law Judge, and Hearing Office Staff Responsibilities,” to identify the responsibilities of the hearing office staff. This update also includes a revised section referencing the ALJ’s responsibilities when providing instruction to an assisting decision writer; and
- Updating HALLEX I-2-6-52, “Opening Statement” and HALLEX I-2-6-78, “Closing the Hearing,” to revise the procedures for the opening and closing statements at hearings conducted by an ALJ.

Moreover, in an ongoing effort, our Office of Appellate Operations in concert with our Office of the Chief Administrative Law Judge, reviews every exhibit and sample in HALLEX including forms and letters to ensure policy compliance.

We continue to examine ways to streamline and improve the efficiency of the disability adjudication process while maintaining the integrity of our disability programs. We will continue to engage with our ALJs and other stakeholders to evaluate and implement any additional changes.

For more details on the aforementioned initiatives, please refer to the remainder of this CARES Plan Update. This 2018-2019 CARES Plan Update provides information for ongoing and completed initiatives laid out in previous versions, along with new initiatives that began in FY 2018 and initiatives planned for FY 2019. The CARES Plan remains a living document and will be modified and updated as appropriate.

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Section 1: 2018-2019 CARES Plan Initiatives *at a Glance*

Business Process Efficiencies

- ◆ Proactive Analysis and Triage for Hearings
- ◆ Pre-Hearing Development Contacts
- ◆ Centralized Medical and Vocational Expert Resources
- ◆ Voluntary Standby List
- ◆ Centralized Scheduling Units
- ◆ Updating Decision Writing Tools and Templates *New*

Information Technology Innovations and Investments

- ◆ Hearings and Appeals Case Processing System
- ◆ Duplicate Identifying Process Product
- ◆ Expand Video Hearings Capacity
- ◆ Electronic Folder Functionality for Non-Disability Hearings
- ◆ Expand Natural Language Processing Quality Assurance Tools (Insight)

Accountability and Oversight Focus

- ◆ Developing Productivity Metrics Across the Office of Hearings Operations *New*

Completed CARES Initiatives

- ◆ Optimized Hearing Office and Case Assistance Center Model (aka Virtual Hallway)
- ◆ Move from Office-Based to National-Based First-In First-Out Model
- ◆ Hearing Office Oversight Protocol
- ◆ Special Review Cadre
- ◆ Labor/Management Relations Training for OHO Supervisors
- ◆ Collaboration with Office of Quality Review
- ◆ Appeals Council Remand Reduction Strategy
- ◆ Create Falls Church National Case Assistance Center
- ◆ Outreach and Education to Reduce Postponements
- ◆ All Hands on Deck Writing Assistance
- ◆ iAppeals for the Appeals Council

Section 2: Full Description of CARES Initiatives

In this section, we provide descriptions of our tactical initiatives and actionable strategies.

BUSINESS PROCESS EFFICIENCIES

We continue to look for opportunities to make the hearings and appeals process more efficient while ensuring that we issue quality decisions. We are always looking at ways to streamline our processes, eliminate duplication of efforts, and efficiently use our limited resources to provide better and faster service to the public. Focusing on business process efficiencies has been a key driver throughout the CARES plan as these efforts are fundamental to our overall ability to improve service to the public.

Business Process Efficiencies – At a Glance

- ◆ Proactive Analysis and Triage for Hearings (PATH)
- ◆ Pre-Hearing Development Contacts (PHDC)
- ◆ Centralized Medical and Vocational Expert Resources
- ◆ Voluntary Standby List
- ◆ Centralized Scheduling Units
- ◆ Updating Decision Writing Tools and Templates *New*

Business Process Efficiencies – Details

- **PATH** – We introduced PATH in the 2017 Updated CARES and Anomaly Plan. PATH combines previous data analytic use from SmartMands and the National Adjudication Team (NAT) initiatives, and it incorporates robust use of naïve Bayes classification to triage cases that may not need a hearing. The PATH initiative establishes procedural rules for hearings and helps us to identify cases that are most likely to result in a fully favorable decision before scheduling the case for a hearing before an administrative law judge (ALJ). PATH cases are screened either through an informal remand to the prior level via the SmartMands process or an on-the-record decision prepared by a Senior Attorney in the NAT. In fiscal year (FY) 2018, we continued to refine the PATH model, ‘refreshing’ the model more frequently (every two months) to identify potential cases faster. In FY 2019, we are resuming the NAT review of cases identified by the PATH triage model. We suspended the NAT in FY 2017 and FY 2018 as part of our “All Hands on Deck” efforts to address the backlog in decision writing cases. We are also continuing to refine the PATH model and plan to incorporate the PATH triage tool into our modernized case processing system, Hearings and Appeals Case Processing System (HACPS).
- **PHDC** – PHDCs are pre-hearing contacts with unrepresented claimants conducted early in the process by specially trained hearing office staff, who explain the hearings process to better prepare unrepresented claimants for their hearing. The PHDC initiative ensures that unrepresented claimants are not disadvantaged. We expanded our original Pre-Hearing Conferences (PHC) program in order to increase the number of PHDCs we conduct for unrepresented claimants. During the PHDCs, we update claimant contact information, explain the claimant’s right to representation, and obtain appropriate authorizations and information to acquire updated medical evidence. We started conducting PHDCs for two cohorts: all continuing disability review (CDR) claimants between the ages of 18 and 25 and all unrepresented claimants in 12 offices with high populations of unrepresented claimants and higher than national average postponement rates. In FY 2018, of the 11,657 claimants in both cohorts, we successfully reached claimants 55 percent of the time. In the 12 offices conducting PHDCs for all unrepresented claimants, the postponement rate was approximately 25 percent in FY 2018, as compared to approximately 60 percent in FY 2017. We expect this important customer service initiative to result in overall reductions in postponements for unrepresented claimants. In FY 2019, we will continue expanding PHDCs to hearing

offices for all CDR cases and all unrepresented claimants, giving priority to those offices with the highest populations of unrepresented claimants and postponement rates.

- **Centralized Medical and Vocational Expert Resources** – We introduced this initiative in the 2017 Updated CARES and Anomaly Plan and we began our efforts in FY 2018. Through this effort, we plan to create national cadres of medical experts (ME) and vocational experts (VE) to facilitate scheduling of experts via video or teleconference and prevent hearing postponements and rescheduling when a scheduled ME or VE is unexpectedly unavailable. In addition, we will be able to provide centralized ME resources for unique medical specialties that would otherwise be difficult to find in many local jurisdictions.
- **Voluntary Standby List** – We introduced this initiative in the 2017 Updated CARES and Anomaly Plan. The voluntary standby list creates the opportunity for claimants to have their hearings sooner by filling empty hearing slots on short notice by waiving the required 75-day notice. We expect to increase flexibilities with scheduling hearings by filling every available hearing timeslot. In FY 2018, we implemented and reviewed a draft business process for the voluntary standby list in two offices – Wichita, Kansas and Salt Lake City, Utah. We expanded to 14 additional offices in October 2018, and we will expand to more offices in FY 2019. The voluntary standby list initiative preserves the non-adversarial manner of hearings while also potentially reducing wait time for a hearing decision for claimants who volunteer to participate.
- **Centralized Scheduling Units** – We introduced this initiative in the 2017 CARES Updated Anomaly Plan as ‘Shared Scheduling Services’ and now refer to this initiative as Centralized Scheduling Units (CSU). The CSU initiative centralizes administrative work and further streamlines the disability determination and adjudication process. We tested a centralized model for scheduling in three offices in the Kansas City Region by pooling support staff resources from hearing offices in close geographic proximity. Based on the results of the test, we refined our business process, realized resource savings, and improved communication. We began ramping up this initiative in FY 2018, developing centralized scheduling staff in each region that will schedule hearings across multiple offices, maximizing hearing room use between offices while freeing up employees to focus on critical workloads. We plan to expand CSUs throughout the nation, creating a CSU in each region by the end of FY 2019.
- **Updating Decision Writing Tools and Templates** – In FY 2018, we developed this initiative as part of our approach to ensuring policy compliance and national consistency in the tools our employees use to make and prepare decision drafts. We developed and implemented an updated Decision Writing Instruction (DWI) tool for ALJs and an updated decisional template for adult fully favorable decisions in FY 2018. In FY 2019, we will focus on updating additional decision writing templates and enhancing the capabilities in DWI. We will incorporate all updated templates and the DWI tool into HACPS for national use. We have incorporated the DWI into our HALLEX to ensure policy compliance and consistency. This tool improves the efficiency and effectiveness of the hearing process.

INFORMATION TECHNOLOGY (IT) INNOVATIONS AND INVESTMENTS

We have invested in key technology innovations in order to provide faster, streamlined, and more efficient IT tools for our employees, external stakeholders, and the public. In addition, three of these initiatives are also part of the agency’s overall IT Modernization effort to create a modern and cohesive disability claims process from initial claim through appeals level.

IT Innovations and Investments – At a Glance

- ◆ Hearings and Appeals Case Processing Systems (HACPS)
- ◆ Duplicate Identifying Process (DIP) Product
- ◆ Expand Video Hearings Capacity
- ◆ Electronic Folder Functionality for Non-Disability Hearings
- ◆ Expand Natural Language Processing (NLP) Quality Assurance Tools (Insight)

IT Innovations and Investments – Details

- **HACPS** – The HACPS is a modern case processing system for hearings and appeals level cases that will improve case processing, decisional quality, and efficiency. In June and September 2018, we deployed our first two system functionalities across the nation. In FY 2019, we will continue to develop and deploy functions of the system and have planned releases throughout the year.
- **DIP Product** – In FY 2017, we developed a proof of concept model using machine-learning processing to scan case files automatically and identify possible duplicate medical evidence in the electronic claims file. We tested the proof of concept in three hearing offices and determined that the technology identified duplicate medical evidence as needed. In FY 2018, we completed procurement efforts to secure a vendor for DIP. In FY 2019, we will begin testing and deploying an off-the-shelf product into our business process to identify duplicate medical evidence.
- **Expand Video Hearings Capacity** – Expanding video hearing capacity has been a consistent effort within the CARES Plan, and currently, we have over 2,100 public facing locations where a claimant can go for a video hearing. By expanding our video hearings network, we have improved our service delivery capability by maximizing our ability to balance workloads nationally and provide more timely service to claimants in offices with the longest wait times. In addition, we have refreshed or replaced video equipment across the Office of Hearings Operations (OHO) since 2016.

Under the rulemaking process, we are also proposing to revise our rules to explain that the agency retains the right to determine how parties and witnesses will appear at a hearing before an ALJ at the hearing level and before a disability hearing officer (DHO) at the reconsideration level for CDRs. At both levels, we propose to schedule the parties to a hearing to appear by video teleconference, in person, or, in limited circumstances, by telephone; and that parties to a hearing will not have the option to opt out of appearing by the manner of hearing we choose. We are currently evaluating public comments on the proposed rule.

- **Electronic Folder Functionality for Non-Disability Hearings** – We introduced this initiative, originally titled the ‘Expansion of the Non-Disability Pilot to Improve Case Readiness’ in the 2017 Updated CARES and Anomaly Plan to ensure all the workloads in the hearings operation are processed electronically. In FY 2018, we developed the future electronic business process for non-disability cases. In FY 2019, we will incorporate non-disability hearings cases into an electronic business process to make this workload accessible nationally.
- **Expand NLP Quality Assurance Tools (Insight)** - In FY 2017, we began testing the inline quality review tool (Insight) for decision writers that uses NLP to scan a draft decision for language that could indicate an error. Insight enhances the accuracy of hearing decisions by providing real-time feedback on policy compliance. Through the special anomaly funding received in FY 2017, we expanded Insight into the hearings level from the Appeals Council and completed expansion to all hearing offices in August 2018. We will continue to monitor data for trends and consider them when we are revising training materials and creating other quality feedback tools.

ACCOUNTABILITY AND OVERSIGHT FOCUS

Consistent with the Office of Management and Budget’s April 2017 memorandum (M-17-22), Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce, we are focusing on oversight of our processes and accountability across the organization. In this 2018-2019 CARES Plan Update, we are including information about our accountability and oversight efforts to encourage a high quality, productive workforce to ensure we meet the needs of the claimants we serve.

Accountability and Oversight Focus – At a Glance

- ◆ Developing Productivity Metrics Across the Office of Hearings Operations (OHO) *New*

Accountability and Oversight Focus – Details

- **Developing Productivity Metrics Across OHO** – As part of our responsibility to serve our claimants in a timely, efficient, and policy compliant manner, we must consistently balance performance with quality in our operation. In FY 2018, we introduced the Decision Writer Productivity Index to assess the performance of all of our attorney advisor and paralegal decision writers. We began FY 2019 with a minimum expectation of 95 percent productivity after raising the expectation from 70 percent to 80 percent in FY 2018. In FY 2019, we will continue to expand the use of additional productivity metrics for other OHO positions.

Section 3: Completed CARES Initiatives

We have pursued each CARES initiative as an effort to help us reduce our level of hearings pending and the average wait time. The Office of Hearings Operations' (OHO) Office of the Deputy Commissioner monitors each initiative against its expected outcomes, proposed targets, and expected timelines. The following update closes out the CARES initiatives that we consider complete in fiscal year (FY) 2018. In addition, we discuss any initiative we have changed as circumstances necessitate or ended because it is not providing the expected efficiencies or outcome.

Completed CARES Initiatives – At a Glance

- ◆ Optimized Hearing Office and Case Assistance Center Model (aka Virtual Hallway)
- ◆ Move from Office-Based to National-Based First-In First-Out (FIFO) Model
- ◆ Hearing Office Oversight Protocol (HOP)
- ◆ Special Review Cadre (SRC)
- ◆ Labor/Management Relations Training for OHO Supervisors
- ◆ Collaboration with Office of Quality Review (OQR)
- ◆ Appeals Council (AC) Remand Reduction Strategy
- ◆ Create Falls Church National Case Assistance Center (NCAC)
- ◆ Outreach and Education to Reduce Postponements
- ◆ All Hands on Deck Writing Assistance
- ◆ iAppeals for the AC

Completed CARES Initiatives - Details

- **Optimized Hearing Office and Case Assistance Center Model (aka Virtual Hallway)** – In FY 2016, we paired NCAC and Regional Case Assistance Centers with a smaller universe of hearing offices and National Hearing Centers to build teams in a “Virtual Hallway.” In FY 2017, we piloted and began implementation of collaborative technologies (e.g., Skype videoconferencing, softphone) to improve support staff efficiency and information sharing between offices. In FY 2018, we added new users throughout the fiscal year and now we consider these collaborative technologies part of our regular business in OHO. Through this initiative, we improved communication between offices, making the interaction between workload assistance centers and hearing offices more effective.

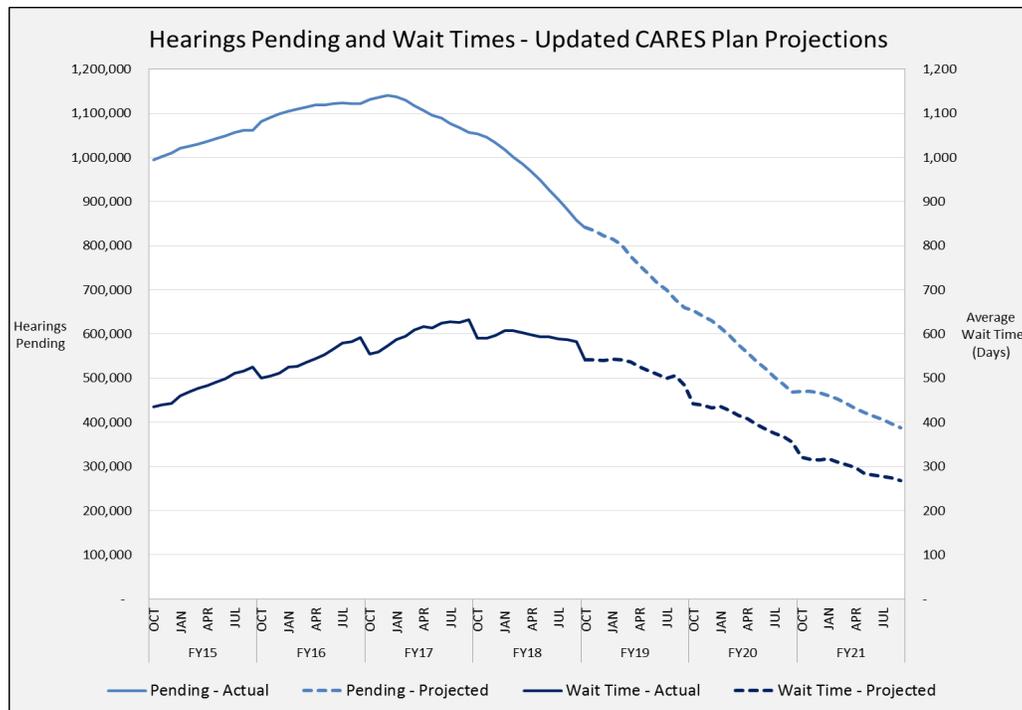
- **Move from Office-Based to National-Based FIFO Model** – We introduced this initiative in the 2017 Updated CARES and Anomaly Plan as an effort to determine the best methods of FIFO workload assignment by sharing resources across the country and matching up resource availability. We tested this methodology in the Seattle Region with the first stage of our process when the hearing office first gets the case. While we did not implement due to resource and automation issues, we plan to incorporate the best practices learned from this effort into the future Hearings and Appeals Case Processing System.
- **HOP** – We introduced this initiative in the 2017 Updated CARES and Anomaly Plan, and developed and implemented the HOP review concept in FY 2018. Through HOP, we review hearing office organizational health across the hearings operation and assist struggling offices. We ensure adherence to proper management and administrative policies, yielding improvements in our hearing offices. In FY 2018, we conducted HOP reviews in the Seattle and New York Regional Offices and delivered action plans for both regions. In FY 2019, we integrated HOP into our business process, and we plan to conduct HOP reviews on a schedule recommended by the Office of the Chief Administrative Law Judge (OCALJ) and approved by the Office of the Deputy Commissioner.
- **SRC** – We introduced this initiative in the 2017 CARES Plan, and we developed and implemented the SRC in FY 2018. The SRC is a centralized virtual unit of 10 ALJs and other staff that process fraud redetermination cases in order to increase timeliness, accuracy, and consistency when reviewing and adjudicating cases involving alleged fraud. The SRC started receiving cases in March 2018 and received 895 fraud redetermination cases in FY 2018. As these cases often require special handling and tailored review protocols, we expect this cadre will continue to increase efficiencies in processing these types of cases.
- **Labor/Management Relations Training for OHO Supervisors** – We introduced this initiative in the 2017 Updated CARES and Anomaly Plan. We developed and conducted labor/management relations training for all OHO supervisors in FY 2018. Through this training, all OHO supervisors are now familiar with union contracts and various labor management protocols.
- **Collaboration with OQR** – We began this effort in March 2016 with OQR staff drafting dismissals, providing outreach to unrepresented claimants, preparing analysis of aged cases and non-disability cases, and reviewing Proactive Analysis and Triage for Hearings (PATH) cases. Through this initiative, we expected to improve case analysis for aged cases to support a faster decision by the ALJ. We completed this iteration of OQR support for the hearings operation in September 2017. In sum, OQR staff completed the following activities for the hearings operation:
 - Drafted 1,865 dismissals;
 - Completed outreach to 8,166 unrepresented claimants;
 - Reviewed and provided analysis for 3,372 non-disability cases;
 - Reviewed and provided analysis for 5,960 aged cases; and
 - Reviewed 1,194 PATH cases.
- **AC Remand Reduction Strategy** – We introduced this CARES initiative in the 2017 Updated CARES and Anomaly Plan. Under Social Security regulations, when the AC grants a request for review, it will either issue a decision or remand the case to an ALJ. Through this initiative, we encouraged the AC to issue decisions in cases where it could conduct any additional development necessary and resolve any outstanding issues rather than remanding cases back to the hearings level. In late FY 2017, we trained AC adjudicators and staff to identify cases the AC could resolve without remanding. We saw an increase of 736 AC decisions between FY 2017 and FY 2018. The AC has incorporated this effort into its normal business process.
- **Create Falls Church NCAC** – We introduced this initiative in the 2017 Updated CARES and Anomaly Plan. In an effort to increase our decisional capacity, we established a new NCAC in Falls Church, Virginia by reassigning 48 full-time employees from the Office of Appellate Operations (which includes the AC), to

OALJ for hearing-level decision writing. In FY 2018, the Falls Church NCAC was fully functional and wrote 7,897 decisions.

- ***Outreach and Education to Reduce Postponements*** – We introduced this effort in the 2017 Updated CARES and Anomaly Plan to increase our decisional capacity by reducing postponements. In FY 2018, we reviewed data to focus training our regions to address the most common occurrences of postponed hearings when claimants or representatives are unavailable by improving external communication and internal training. Additionally, efforts to improve triage through the Pre-Hearing Development Contacts program improved communication and training regarding proper coding for postponements overall. Through this and other targeted pre-hearing triage initiatives, we expect to see decreased postponements over time, leading to increased hearings held and increased dispositions.
- ***All Hands on Deck Writing Assistance*** – In an effort to increase our decisional capacity, we introduced this initiative in the 2017 Updated CARES and Anomaly Plan to focus on the backlog of written decisions following a hearing. During FY 2018, we used our agency’s headquarters, regional, management, and quality review staff with decision writing experience to assist temporarily with the writing backlog. Additionally, we directed our Senior Attorney corps to focus primarily on writing decisions. In FY 2018, Senior Attorneys wrote 100,696 decisions and headquarters, regional, management and quality review participants wrote 13,411 decisions for a total of 114,107. Beginning in FY 2019, with the decision writing backlog stabilized, we began efforts to return the quality review staff to inline quality work, and reinstated the National Adjudication Team to review cases for possible on-the-record decisions. We expect to continue reducing All Hands on Deck writing assistance throughout FY 2019.
- ***iAppeals for the AC*** – We developed an online tool that allows claimants and representatives to electronically file requests for AC review and submit other written arguments and evidence for cases pending at the AC. This tool will allow for consistent use of online services for all Social Security applications and appeals, and simplifies the request for review process. The tool was rolled out in June 2018 and as of September 30, 2018, we had 18,886 submissions of AC iAppeals.

Section 4: Definition of Success

Since introducing the CARES Plan in January 2016, our goal has been to reduce the disability hearings pending to a reasonable level and reduce the national average wait time for a hearing decision to 270 days. The success of this plan has always depended on adequate and sustained funding to maintain our necessary resource levels, and continued support from Congress through dedicated funding has us on track to meet our goal by fiscal year (FY) 2021.



As we move forward into FY 2019, we must continue our momentum incorporating new initiatives as appropriate to ensure we are prepared to address any future backlogs in service delivery for the hearings operation. Consistent messaging of our mission to deliver timely service to the public, as equally as possible, has fostered a culture of collaborative efforts to balance workloads nationally for the hearings operation. A few examples of the improved collaborative culture include, but are not limited to:

- Reintroducing regional goals and improving monthly workload communication with regions, which reintroduced accountability for each region each month and resulted in better tactical decisions for balancing work;
- Refining reports for regions to follow workloads more closely, being able to focus regions on critical workloads with more useful information to make better decisions;
- Investing in our case processing systems to meet the needs of our current business process;
- Expanding abilities for regional and headquarters staff to assist with case processing, increasing our decisional capacity as needed with an “All Hands On Deck” approach; and
- Ensuring policy and process consistency in the Office of Hearings Operations.

In FY 2019, we will continue to reduce the hearings backlog while enhancing this collaborative culture with our employees across the Nation.