



Office *of the* Inspector General

SOCIAL SECURITY ADMINISTRATION

Audit Report

The Social Security Administration's
Use of Insight Software to Identify
Potential Anomalies in Hearing
Decisions

A-12-18-50353 | April 2019

MEMORANDUM

Date: April 19, 2019

Refer To:

To: The Commissioner

From: Inspector General

Subject: The Social Security Administration's Use of Insight Software to Identify Potential Anomalies in Hearing Decisions (A-12-18-50353)

The attached final report presents the results of the Office of Audit's review. The objective was to assess the Social Security Administration's use of Insight software to identify potential anomalies in hearing decisions.

If you wish to discuss the final report, please call me or have your staff contact Rona Lawson, Assistant Inspector General for Audit, 410-965-9700.



Gail S. Ennis

Attachment

The Social Security Administration's Use of Insight Software to Identify Potential Anomalies in Hearing Decisions

A-12-18-50353



April 2019

Office of Audit Report Summary

Objective

To assess the Social Security Administration's (SSA) use of Insight software to identify potential anomalies in hearing decisions.

Background

Staff in SSA's Office of Appellate Operations (OAO) developed Insight to flag potential errors in hearing decisions issued by administrative law judges (ALJ) in the Office of Hearings Operations (OHO). OAO analysts use Insight to analyze hearing decisions, and make recommendations to OAO adjudicators to affirm, modify, reverse, or remand ALJ hearing decisions. OAO's goal for Insight is to improve the quality, consistency, and timeliness of the disability adjudication process.

Within OHO, Insight offers case-specific information, tools, and quality feedback designed to assist ALJs and decision writers draft high-quality decisions. In SSA's *Compassionate And Responsive Service* plan, which was developed to help address the growing hearings backlog, the Agency stated Insight should improve the quality of draft hearing decisions, thus decreasing the number of cases OAO remands to OHO.

Findings

SSA uses Insight to identify potential anomalies—that is, policy compliance and internal consistency errors—in hearing decisions. However, beyond two OAO studies and OHO usage statistics, SSA was not regularly tracking management information to determine whether Insight was meeting its goals. In addition, OHO made Insight use mandatory for its decision writers for fully favorable decisions, while its use remained voluntary for OAO users. OHO plans to expand the use of Insight further and integrate it into all compatible electronic decisional templates in FY 2020.

Also, some users reported accuracy issues with the quality flags Insight identified. Further, OAO had not consulted with the Office of Retirement and Disability Policy—the policy lead for SSA that is expected to work with other SSA departments to ensure program policy is consistent—about whether the quality flags Insight generated adequately identified policy compliance errors in hearing-level decisions.

Recommendations

We recommend SSA:

1. Develop metrics to determine whether Insight is achieving its goals.
2. Determine whether Insight should be made mandatory for OAO analysts.
3. Ensure the Office of Retirement and Disability Policy reviews the Insight flags to ensure policy compliance.

SSA agreed with our recommendations.

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ABBREVIATIONS

AAJ	Administrative Appeals Judge
ALJ	Administrative Law Judge
CARES	Compassionate and REsponsive Service
C.F.R.	Code of Federal Regulations
FY	Fiscal Year
GAO	Government Accountability Office
HALLEX	Hearings, Appeals and Litigation Law Manual
OAO	Office of Appellate Operations
OHO	Office of Hearings Operations
OIG	Office of the Inspector General
POMS	Program Operations Manual System
SSA	Social Security Administration
U.S.C.	United States Code

OBJECTIVE

Our objective was to assess the Social Security Administration’s (SSA) use of Insight software to identify potential anomalies in hearing decisions.

BACKGROUND

If a claimant disagrees with SSA’s initial disability determination, he/she can appeal that determination.¹ In most cases, there are four levels of review: (1) reconsideration by the disability determination services, (2) hearing by an administrative law judge (ALJ), (3) review by the Appeals Council, and (4) review by the Federal courts.²

ALJs in SSA’s Office of Hearings Operations (OHO) conduct hearings and Administrative Appeals Judges (AAJ) in the Office of Appellate Operations (OAO) conduct Appeals Council reviews. If a claimant is dissatisfied with the ALJ hearing decision, the claimant may request that the Appeals Council review it. The Appeals Council may deny or dismiss the request for review or it may grant the request and either issue a decision³ or remand the case to an ALJ. Additionally, OAO reviews a sample of OHO decisions that were not appealed to determine whether they are factually and legally supported. OAO uses this and other quality review data to provide feedback to adjudicators,⁴ improve training, and clarify policies and procedures.

Insight

OAO staff initially developed Insight,⁵ a Web-based program that uses natural language processing and artificial intelligence technologies, to flag potential policy compliance or internal consistency errors in hearing-level decisions. Insight also has a collection of tools, such as an analysis template generator, to assist in reviewing the cases (see Appendix B). OAO’s goal for Insight is to improve the quality, consistency, and timeliness of its adjudication process. According to OAO, Insight software was designed to

- extract information from the text of a disability hearing-level decision,

¹ See Appendix A for SSA’s process for evaluating disability.

² 20 C.F.R. §§ 404.900(a) and 416.1400(a) (govinfo.gov 2018); SSA, *POMS*, DI 12005.000 (February 15, 2018), DI 12010.000 (April 11, 2018), DI 12020.000 (September 20, 2011), and SI 04005.010 (September 9, 2011).

³ A claimant who disagrees with the final decision can file a civil action in Federal court. See 20 C.F.R. §§ 404.900, 416.1400, 404.981, and 416.1481 (govinfo.gov 2018).

⁴ AAJs and appeals officers adjudicate cases in OAO. AAJs can issue favorable, partially favorable, or unfavorable decisions, denials of review of decisions, dismissals, or orders of remand; while appeals officers can issue denials of review of decisions. SSA, *HALLEX*, vol. 1, ch.1-3-2, sec.1-3-2-5 (February 23, 2015) and 20 C.F.R. § 422.205 (govinfo.gov 2018).

⁵ After its release, SSA’s Office of Analytics and Improvements took over responsibility of Insight from OAO.

- analyze the hearing-level decision for potential quality issues (mainly internal inconsistencies and policy compliance issues), and
- present decision-specific reference information to the user.

For example, OAO analysts can use Insight to extract from the hearing-level decision information about whether the claimant's alleged impairment was severe.⁶ The analyst can use Insight tools to review policy guidelines relating to severe impairments, and then determine whether the hearing-level decision followed the policy guidelines. Based on the feedback from the Insight program, the analyst can then prepare recommendation(s) to an adjudicator to affirm, modify, reverse, or remand the ALJ's decision.

Within OHO,⁷ Insight similarly offers case-specific information, tools, and quality feedback designed to assist ALJs and decision writers to draft high quality decisions. OHO aims to reduce the number of remands by identifying potential policy compliance or internal consistency errors that can be corrected before ALJs issue their decisions.

CARES Plan

The average processing time for a hearing increased 27 percent from 426 days at the end of Fiscal Year (FY) 2010 to 543 days at the end of FY 2016. Moreover, during the same period, the pending hearings backlog grew 59 percent, from 705,367 cases at the end of FY 2010 to 1,122,014 at the end of FY 2016. As a result, in January 2016, SSA issued the Compassionate And REsponsive Service (CARES) plan to help address the growing hearings backlog. The CARES plan provides a framework of initiatives designed to reduce pending hearings and wait times.⁸ According to the CARES plan, SSA's information technology improvements will help remove inefficiencies in its case processing systems, drive policy compliance and consistency across offices, and/or provide self-service options that allow the Agency to provide customer choice and direct staff away from manual workloads. Furthermore, SSA will measure the success of any information technology investment in the hearings and appeals process against the extent to which that investment helps reduce the wait times for its customers and eliminate the number of backlogged cases.⁹

⁶ SSA evaluates the severity of impairments at Step 2 of its 5-step sequential evaluation process, see Appendix A.

⁷ Insight's phased rollout began with the hearing offices in Richmond and Norfolk, Virginia; Wilkes-Barre, Pennsylvania; Washington, DC; and the Falls Church, Virginia, National Hearing Center. According to SSA, it was expanded in increments to additional offices until rollout to all hearing office decision writers was completed by the end of FY 2018.

⁸ As of January 2019, 779,069 cases were pending, and the average wait time was 532 days.

⁹ SSA, *Leading the Hearings and Appeals Process into the Future, A Plan for Compassionate And REsponsive Service*, p. 10 (January 13, 2016).

Insight is part of SSA’s CARES Information Technology Innovations and Investments initiative. In the updated 2017 CARES plan,¹⁰ SSA stated it would expand Insight use to the hearings level. SSA expects the quality of draft hearing decisions to improve, thus decreasing the number of remands by OAO.

Government Accountability Office Report

In a December 2017 report, the Government Accountability Office (GAO)¹¹ stated,

SSA continues to develop and implement initiatives aimed at improving hearing decisions, without evaluating the potential for overlap with existing quality assurance reviews. For example, . . . SSA is using computer algorithms for natural language processing to analyze the text of disability decisions and flag potential errors. SSA officials said that natural language processing could be used to identify cases for further review, similar to its current selective reviews, and that decision writers could use the tool to conduct their own reviews of their draft decisions. SSA officials informed GAO at that time that they do not anticipate much overlap between the use of natural language processing and OAO’s pre-effectuation reviews.¹² However, there could be potential for overlap with regional inline reviews, which also review decisions drafted by decision writers.

Methodology

We analyzed the management information OAO and OHO gathered on Insight. We also gathered information—using a survey—from OAO analysts, ALJs, decision writers, quality review specialists,¹³ and others who had access to and/or used Insight. We interviewed OAO and OHO employees who track Insight metrics. We also viewed a demonstration of Insight. See Appendix C for additional information on our scope and methodology.

¹⁰ SSA, *2017 Updated Compassionate And REsponsive Service and Anomaly Plan*, p. 13 (September 2017). SSA updated the CARES plan to build on the initiatives laid out in the 2016 plan, incorporates lessons learned, and introduce new initiatives.

¹¹ GAO, *Social Security Disability: Additional Measures and Evaluation Needed to Enhance Accuracy and Consistency of Hearings Decisions*, GAO-18-37, pp. 41-42 (December 2017).

¹² Since FY 2011, OAO’s Division of Quality has conducted pre-effectuation reviews of randomly selected favorable hearing decisions before any payments were made to claimants. As part of the pre-effectuation review process, the Division of Quality may affirm, modify, or reverse the decision or dismissal, or remand the case to an ALJ for further proceedings. We noted in a February 2017 report that, under the pre-effectuation review process, SSA reviewed 1.6 percent of favorable OHO allowances in FYs 2014 and 2015; see SSA, OIG, *Pre-effectuation Reviews of Favorable Hearing Decisions*, A-12-15-50015, p. 1, Table 1 (February 2017).

¹³ A quality review specialist performs quality-based examinations of decision drafts prepared by decision writers to be issued by ALJs and/or attorney-advisers.

RESULTS OF REVIEW

In January 2017, OAO began piloting Insight to identify policy compliance and internal consistency errors in hearing-level decisions. After Insight was released OAO-wide, OAO conducted a 5-month study that concluded analysts who used Insight identified more policy compliance and internal consistency errors, had shorter case processing times, and had less rework on their cases. However, while OAO concluded Insight was beneficial, its use was not made mandatory. Furthermore, OAO had not tracked whether Insight continued meeting its goals.

On September 26, 2017, OHO began a phased rollout of Insight at five hearing sites for fully favorable decisions and completed the rollout to all hearing offices in September 2018. However, we could not determine whether Insight improved the quality of draft hearing decisions or reduced the number of remands because of limited information tracked during the OHO phased rollout. In addition, OAO had not consulted with the Office of Retirement and Disability Policy about whether the quality flags Insight generated adequately identified policy-compliance errors in hearing-level decisions.

OAO Use of Insight

OAO began an Insight pilot in January 2017 in three of its disability branches and one quality review branch. Participation in the pilot was voluntary. According to OAO, 46 analysts (83 percent of the total who were given access) used Insight in varying degrees in their review of 660 hearing-level decisions.¹⁴ Nearly all pilot participants reported they understood the Insight flags that were created to identify potential policy compliance errors in hearing-level decisions. Most respondents said the feedback flags were accurate and useful. More than 70 percent indicated they will use Insight if it is available in the future.¹⁵ In August 2017, SSA made Insight available to all OAO analysts and adjudicators for voluntary use.

After Insight's release to all OAO analysts and adjudicators, OAO conducted two studies in FY 2018 that concluded employees who used Insight had identified more errors in cases, shortened case processing time, contributed to a lower adjudicator return rate¹⁶ than resulted from non-Insight users, and use was correlated with better quality performance.

¹⁴ Insight is used on fully favorable or unfavorable hearing-level decisions. As of November 2018, it was not being used on partially favorable decisions or dismissals.

¹⁵ SSA, *Office of Appellate Operations Executive Director's Broadcast*, June 23, 2017.

¹⁶ This refers to cases AAJs or appeals officers returned to OAO analysts for further work due to quality issues.

For 1 study, OAO looked at data that involved about 50,000 requests for review and quality review cases during the first 5 months in which all OAO analysts had the option of using the Insight suite of tools. According to the study,

- analysts used Insight 55 to 60 percent of the time;
- adjudicators used Insight about 25 percent of the time;
- users recorded an average of 0.9 errors per case, slightly higher than the 0.7 errors per case recorded by non-users (that is, Insight users identified more policy compliance and internal consistency errors than non-Insight users);
- users' average processing time was reduced 4.7 days per case;¹⁷ and
- 21.5 percent of non-Insight users' cases were returned for quality issues by an AAJ or appeals officer for further work—compared to 12.6 percent for Insight users' cases.

A second study looked at two quality flags. The objectives of each case study were to

- re-evaluate the accuracy (precision) of Insight's flagging of this quality issue,
- evaluate OAO's quality performance for this quality issue,
- evaluate Insight's impact on OAO's quality performance for this quality issue, and
- provide observations (based on the study results) on OAO performance and recommendations to improve performance.

The study concluded Insight use was correlated with better quality performance and its precision in identifying these quality issues was greater than 86 percent. Although the results of the OAO studies showed the benefits of Insight, as of February 2019, SSA had no plans to make using Insight mandatory for OAO.

According to *Federal Internal Control Standards*, management should define objectives in measurable terms so performance toward achieving those objectives can be assessed. Measurable objectives should also be stated in quantitative or qualitative form that permits reasonable, consistent measurement.¹⁸ Furthermore, management should establish and operate monitoring activities to continually monitor the internal control system and results.¹⁹ According to OAO, it created management-information reports to assess Insight's performance during the first 5 months of its release. However, OAO had not tracked Insight's performance since then because of the significant resources needed to manually update these reports. OAO is planning

¹⁷ This processing time reduction was after filtering out the added processing time associated with medical support staff referrals, critical case status, and two AAJ actions. SSA's Office of Analytics, Review, and Oversight policy requires that two AAJs sign off on favorable, unfavorable, and remand decisions.

¹⁸ GAO, *Federal Internal Control Standards*, GAO-14-704G, section 6.04, p. 35 (September 2014).

¹⁹ GAO, *Federal Internal Control Standards*, GAO-14-704G, section 16.01, p. 65 (September 2014).

to update these reports once resources become available in FY 2019. Without periodic updates on Insight, SSA cannot determine whether it is meeting the program’s goals.

OHO Use of Insight

Although OAO developed Insight for use in its cases, on September 26, 2017, OHO began a phased rollout of Insight at five hearing sites for fully favorable decisions. OHO’s goal was to improve the quality of hearing-level decisions thereby reducing the number of OAO remands. However, because SSA tracked limited information during the phased rollout, we could not determine whether the use of Insight improved the quality of draft decisions or reduced the number of remands. Although SSA’s CARES plan states expanding Insight to OHO would likely improve in-line quality and thus decrease the number of remands,²⁰ in February 2019—in its feedback on the preliminary results of our review—SSA informed us that Insight cannot guarantee a reduction in remands as there are many factors that determine whether OAO remands a case. As of February 2019, the Agency had not updated its CARES plan.

Phased Rollout

During the phased rollout, OHO tracked Insight use and errors flagged. Specifically, between April and August 2018, employees used Insight 6,636 times (see Table 1).²¹

**Table 1: OHO Use of Insight Program
(Between April and August 2018)**

Offices	Number of Times Insight Was Used	Percent
Initial Sites ²²	2,877	43.4%
Other Sites ²³	3,759	56.6%
Total	6,636²⁴	

²⁰ SSA, *2017 Updated Compassionate And REsponsive Service and Anomaly Plan*, p. 13 (September 2017).

²¹ Before April 2018, OHO management was tracking Insight’s daily use. However, the usage data could not be attributed to an individual user unless Web server logs were parsed manually. Therefore, OHO considers April 8, 2018 to be the first date Insight usage data by individual user were available in a reportable format.

²² This included Richmond and Norfolk, Virginia; Wilkes-Barre, Pennsylvania; Washington, DC; and the Falls Church, Virginia National Hearing Center.

²³ This included quality review specialists, National Case Assistance Centers, National Hearing Centers, and Regional Case Assistance Center in Wilkes-Barre.

²⁴ If an employee runs Insight multiple times on the same decision, each occurrence was counted by SSA as a separate item in the usage report.

SSA also tracked the number of errors in draft hearing decisions that Insight flagged during the same period (see Figure 1).

Figure 1: Top Five Insight Flags During OHO Phased Rollout (April Through August 2018)

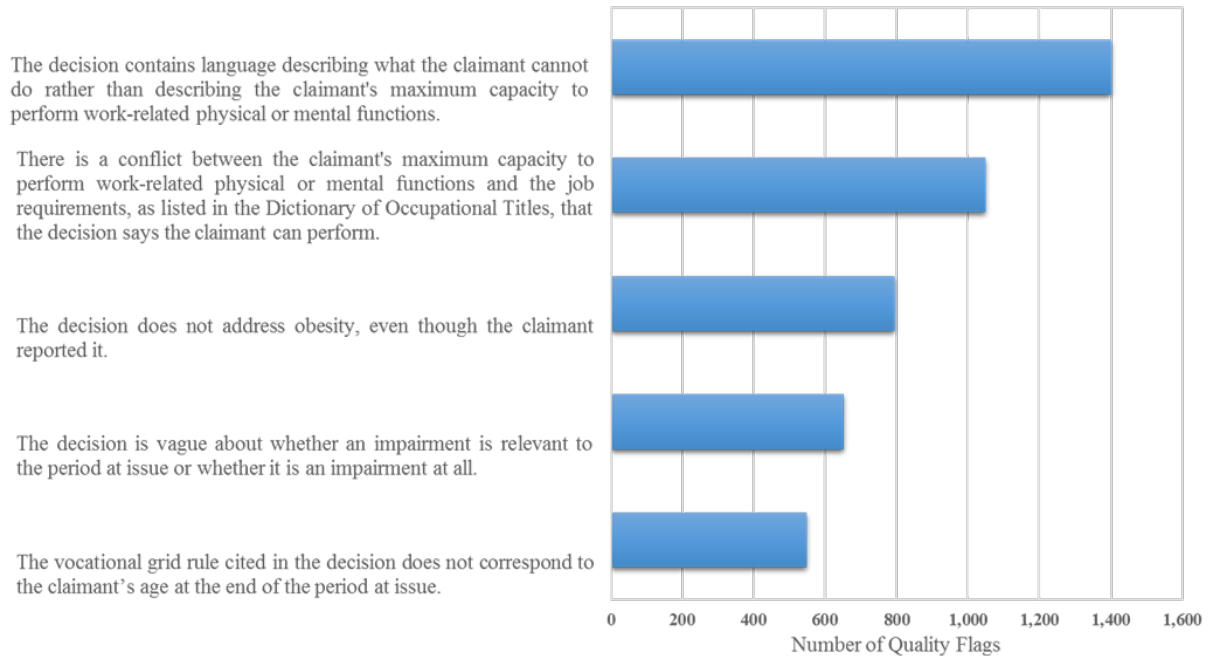


Figure 1 shows the top five types and frequency of quality flags Insight identified for the cases in which writers used the program to review draft decisions; however, OHO did not measure the difference in quality of decisions for Insight users versus non-users. For example, unlike the OAO metrics, OHO did not show whether Insight use increased, reduced, or had no effect on the error-identification rates. In addition, OHO had not created management information reports to track whether Insight was reducing the number of cases remanded by OAO. Therefore, we could not determine whether the use of Insight reduced the number of remands or otherwise improved hearing-level decisions.

The Agency plans to create new metric reports with the version of Insight it released to users in December 2018. The Agency anticipates gathering metrics on the number of times Insight users update decisions based on quality flags, qualitative feedback from Insight users surveyed on the usefulness of the tool, and comparisons of hearing cases to determine the quality of decisions written with Insight versus the quality of decisions written without Insight. However, for the Agency to meet the goals in the CARES plan, it would also need to track the number of remands as part of its new metric reports to determine whether Insight use decreased the number of OAO remanded decisions to OHO. Although SSA had not updated its CARES plan since 2017, it informed us in February 2019 that Insight cannot guarantee a reduction in remands.

Nation-wide Release

SSA completed the national rollout of Insight to all decision writers in September 2018. OHO and the Office of Systems worked together to develop a roadmap for deploying Insight at the hearing offices. The roadmap described the following milestones.²⁵

- Integrate, validate, and expand the fully favorable template²⁶ into Insight.²⁷
- National rollout of Insight in OHO.

As of the date of our review, the Agency had spent over \$3.4 million to support the version of Insight that was used at OAO and the hearing sites during the phased rollout as well as to develop an enterprise-ready version of Insight that was implemented nationwide at the end of Calendar Year 2018.²⁸ SSA rolled the software out in stages to ensure the program did not overwhelm the Agency's system infrastructure. Decision writers nationwide received Insight training in August and September 2018 to prepare for its release. Unlike the implementation of Insight in OAO, where Insight's use was voluntary, OHO required that all decision writers use Insight for fully favorable decisions. In addition, SSA plans to update its systems to support additional use of the program and conduct analysis to determine whether there is greater value with the use of Insight than without it. Further, SSA plans to perform a policy review of quality flags this fiscal year. Based on the results of these activities, OHO plans to require that employees also use Insight for unfavorable decisions.²⁹ Lastly, in April 2019, SSA informed us that OHO plans to expand the use of Insight further and integrate it into all compatible electronic decisional templates in FY 2020.

Office of the Inspector General Survey Results

We gathered information from Insight users in OAO and OHO to determine whether the tool assisted them when they reviewed decisions. We sent a survey to 633 OAO and OHO employees who had access to Insight, asking about their experience with the program. Of those, 302 responded to the questionnaire (a 48-percent response rate).

²⁵ Since the national rollout, OHO updated its roadmap with the Agency's plans for the program for FYs 2019 through 2022.

²⁶ The new fully favorable template was an initiative separate from Insight.

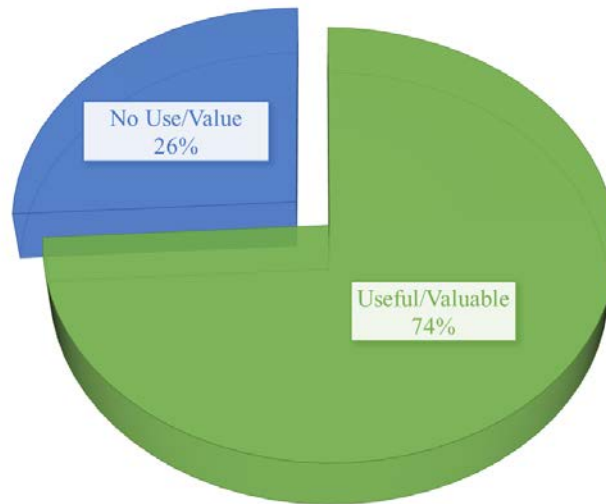
²⁷ According to SSA, to reduce the time it takes to review a decision, while maintaining the Agency's commitment to quality, the Office of the Chief ALJ substantially revised the fully favorable template to focus writers on the key points of analysis.

²⁸ SSA had not estimated the costs to maintain Insight after it completed implementation.

²⁹ OHO noted the following exceptions: paper cases; partially favorable cases; drug addiction and alcoholism materiality cases; dismissals; decisions created without using the Findings Integrated Templates or Hearings and Appeals Case Processing System.

Overall, 274 of the employees had used Insight at least once, while 28 had not used the program. In addition, about 74 percent agreed the program was useful and valuable when they were reviewing decisions, while about 26 percent disagreed (see Figure 2).

Figure 2: Insight Users Who Found the Program Useful and Valuable



Insight users provided specific comments about their experience with the program.³⁰ Sixty-seven users explained that Insight helped with their decision reviews. For instance, one user explained Insight was a useful tool for decision writers to improve quality, but it was unlikely to improve case processing times. This was due to structural issues since Insight provided most of its feedback after the case was already completed, and making changes required rewriting a portion of the decision thereby adding to the processing time. Another user stated that, even though it had not significantly changed his processing time or approach to case analysis, it had improved the quality of his work as it had spotted issues with hearing-level decisions he had missed.

However, 71 users thought Insight had some accuracy issues or quality flags needed to be improved.³¹ Insight flags quality issues in a hearing decision and offers users hyperlinks to relevant policies to help them more quickly review those policies as they evaluate the quality flag issue. These quality flag hyperlinks were assembled by OAO subject matter experts and were reviewed by different OAO teams to validate the data. In addition, the Agency collects feedback from users on the accuracy of quality flags through the Insight program, support email

³⁰ See Appendix D or more details on comments provided by Insight users.

³¹ Insight offers the user an option to provide feedback to the program developers so the Agency can keep improving the program. SSA informed us in November 2018 that feedback rates have been “fairly minimal.”

box, and customer engagement activities, including site visits, end user discussions, and a feedback message board.³²

In November 2018, SSA informed us that the accuracy of the Insight flags was a key priority. However, SSA’s Office of Retirement and Disability Policy—the policy lead for the Agency that is expected to work collaboratively with other SSA departments to ensure program policy is consistent—had not reviewed Insight’s quality flags to ensure they were accurate and consistent with Agency disability policies.³³ In our survey, one user stated he identified a few legal errors in a hearing decision, but Insight had not identified errors in that decision. Another user stated that, in a fully favorable decision, Insight flagged a residual functional capacity³⁴ error despite compliance with OAO feedback. The Agency stated it had no immediate plans to consult with the Office of Retirement and Disability Policy for its existing quality flags, but they had begun taking steps to collaborate in these areas. Having the Office of Retirement and Disability Policy review Insight’s flags would further refine the accuracy of the flags. In November 2018, SSA informed us that it will continually study and improve the accuracy of Insight as it continues developing the software. SSA will also continue working with stakeholders to refine training and “. . . messaging on the precise meaning and limitations of each quality flag, so that users fully understand what Insight is and is not telling them. This should . . . improve perceptions of accuracy.”

Users made other comments, such as Insight

- quality flags were not material to their review,
- was not adding value to their review,
- was not available for all cases, and
- was used mainly as a tool to double check work.

³² The message board is a commercial Web-based platform that facilitates crowdsourcing, allowing users to propose, evaluate, vote on, and/or add to ideas for improving Insight.

³³ The Office of Retirement and Disability Policy’s mission is to create, streamline, simplify, and advance program policy that is responsive to SSA’s components, other entities, and the public.

³⁴ 20 C.F.R. §§ 404.1545 and 416.945 (govinfo.gov 2018). An individual’s impairment(s), and any related symptoms, such as pain, may cause physical and mental limitations that affect what he/she can do in a work setting. The residual functional capacity is the most the individual can still do despite these limitations. SSA assesses the residual functional capacity based on all relevant evidence in the case record.

CONCLUSIONS

SSA uses Insight to identify potential anomalies—that is, policy compliance and internal consistency errors—in hearing decisions. However, beyond two OAO studies and some OHO usage statistics, SSA was not regularly tracking management information to determine whether Insight was meeting its goals. In addition, OHO made Insight usage mandatory for its decision writers for fully favorable decisions, while it remained voluntary for OAO users.

In our survey, some users reported accuracy issues with the quality flags identified by Insight. Further, OAO had not consulted with the Office of Retirement and Disability Policy—the policy lead for SSA that is expected to work collaboratively with other SSA departments to ensure program policy is consistent—about whether the quality flags generated by Insight were adequate when identifying policy compliance errors in hearing-level decisions.

RECOMMENDATIONS

We recommend SSA

1. Develop metrics to determine whether Insight is achieving its goals.
2. Determine whether Insight should be made mandatory for OAO analysts.
3. Ensure the Office of Retirement and Disability Policy reviews the Insight flags to ensure policy compliance.

AGENCY RESPONSE

SSA agreed with our recommendations, see Appendix E.



Rona Lawson
Assistant Inspector General for Audit

Appendix A – THE SOCIAL SECURITY ADMINISTRATION’S PROCESS FOR EVALUATING DISABILITY

The Social Security Administration (SSA) has a 5-Step sequential process for evaluating disability for adults that generally follows the definition of disability in the *Social Security Act* and regulations (Figure A–1).¹ An individual is considered disabled under SSA’s regulations if he/she cannot engage in substantial gainful activity² because of a medically determinable physical or mental impairment that can be expected to result in death or has lasted, or can be expected to last, for a continuous period of not less than 12 months.³

At Step 1, SSA considers whether the claimant is still performing substantial gainful activity. If the claimant is not performing substantial gainful activity, the claim is sent for a medical determination of disability. When the claim is initially developed, the adjudicator concurrently requests all the evidence needed for consideration at Steps 2 through 5 of the sequential evaluation process.⁴

At Step 2, SSA determines whether the claimant has a medically determinable impairment and whether such medically determinable impairment is severe.⁵ If a claimant has a medically determinable severe impairment, the Agency proceeds to Step 3 of the sequential evaluation process and considers the Listings of Impairments. If the severity of the impairment meets or medically equals a specific Listing, the individual is found disabled.

¹ SSA uses a different standard to evaluate disability for Supplemental Security Income applicants under age 18. 20 C.F.R. § 416.924 (govinfo.gov 2018).

² 20 C.F.R. §§ 404.1572 and 416.972 (govinfo.gov 2018). Substantial gainful activity is the performance of significant physical and/or mental activities in work for pay or profit or in work of a type generally performed for pay or profit. As of 2018, “countable earnings” of employees indicate substantial gainful activity and “countable income” of the self-employed is “substantial” if the amount averages more than \$1,180 per month for non-blind individuals or \$1,970 for blind individuals. SSA, POMS, DI 10501.015 (October 20, 2017).

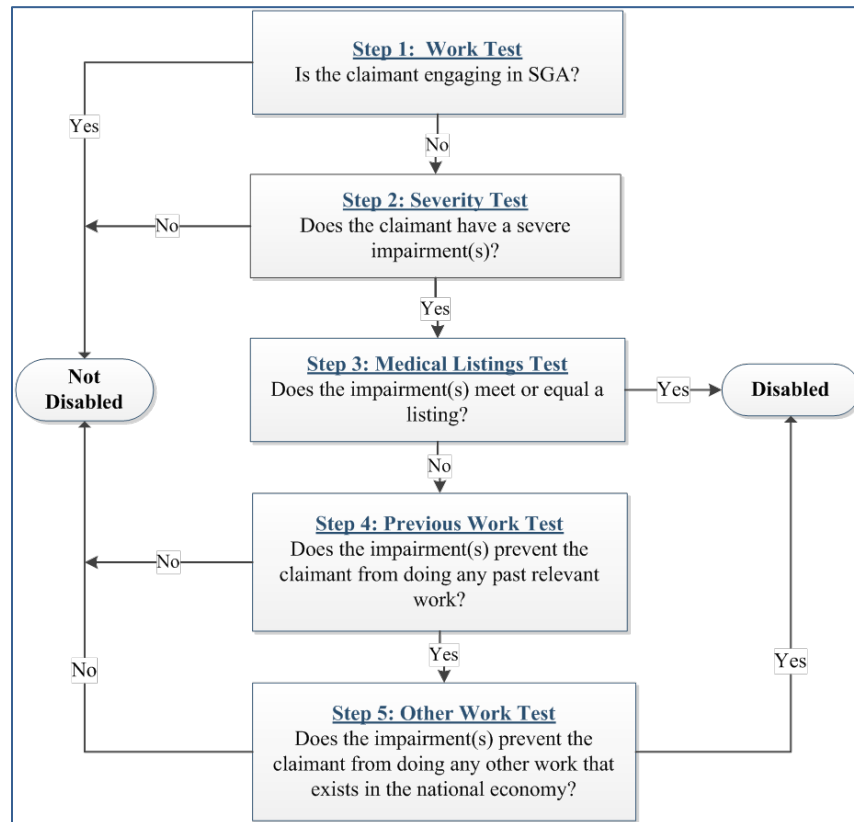
³ *Social Security Act* § 223(d)(1)(A), 42 U.S.C. § 423(d)(1)(A), and § 1614(a)(3)(A), 42 U.S.C. § 1382c(a)(3)(A), 20 C.F.R. §§ 404.1520 and 416.920 (govinfo.gov 2018).

⁴ If the claimant disagrees with the Agency’s initial disability determination, he/she can appeal within 60 days of the date the claimant receives notice of the determination, which is presumed to be within 5 days of the date on the notice unless the claimant demonstrates otherwise. In most cases, there are four levels of review, including (1) reconsideration by the disability determination services, (2) hearing by an administrative law judge, (3) review by the Appeals Council, and (4) review by the Federal courts. 20 C.F.R. §§ 404.900(a) and 416.1400(a) (govinfo.gov 2018); SSA, POMS, DI 12005.000 (February 15, 2018), DI 12010.000 (April 11, 2018), DI 12020.000 (September 20, 2011), and SI 04005.010 (September 9, 2011).

⁵ 20 C.F.R. §§ 404.1521 and 416.921 (govinfo.gov 2018). An impairment or combination of impairments is not severe if it does not significantly limit an individual’s physical or mental ability to do basic work activities.

If the individual’s impairment does not meet or medically equal a listing, the Agency proceeds to Step 4, where it determines whether the claimant can perform past relevant work, considering his/her residual functional capacity⁶ and the physical and mental demands of the work he/she did. If the claimant can perform past relevant work, the claim is denied. If the claimant cannot perform past relevant work, at Step 5, the Agency determines whether the claimant can perform any other work, considering his/her residual functional capacity, age, education, and past work experience. If the claimant cannot perform any other work, SSA finds him/her disabled.⁷

Figure A–1: SSA’s 5-Step Sequential Evaluation for Determining Disability for Adults



⁶ 20 C.F.R. §§ 404.1545(a)(1) and 416.945(a)(1) (govinfo.gov 2018). An individual’s impairment(s), and any related symptoms, such as pain, may cause physical and mental limitations that affect what he/she can do in a work setting. The residual functional capacity is the most the individual can still do despite these limitations. SSA assesses the residual functional capacity based on all relevant evidence in the case record.

⁷ SSA has another sequential process for evaluating whether a disabled beneficiary’s disability continues, which includes a step for considering the Listings. 20 C.F.R. §§ 404.1594(f) and 416.994(b)(5) (govinfo.gov 2018).

Appendix B – INSIGHT

According to the Social Security Administration (SSA), Insight is a Web application that offers a variety of case-specific information and tools designed to help analysts and adjudicators complete their casework better, faster, and more easily. Insight was designed to

- extract information from the free text of disability hearing decisions,
- analyze the hearing-level decision for potential quality issues (mainly internal inconsistencies and policy compliance issues), and
- present decision-specific reference information to the user.

Insight Case Summary

Insight’s case summary section automatically populates facts about the case, such as claim type (that is, Title II—Old-Age, Survivors and Disability Insurance, Title XVI—Supplemental Security Income, or both) disposition type (favorable, unfavorable, dismissal), claimant’s date of birth, alleged onset date,¹ date of filing, date last insured,² and disposition date (see Figure B-1)

Figure B–1: Insight Case Summary

Case Summary

Claim(s): T2 DIB

Disposition Type(s): Unfavorable

DOB: 04/26/1969

AOD: 03/10/2015

DOF: 03/10/2015 (T2 DIB)

DLI: 06/30/2018

Disp. Date: 01/13/2017

Request for Review Info: Filing Deadline: 03/20/2017 (1 day added due to deadline falling on a Sunday)

SSO code for the claimant zip code in the decision (52806): [691](#)

Age at Start of PAI: 45-y-10-m / younger individual age 45-49 (start of PAI: 03/10/2015)

Age at End of PAI: 47-y-8-m / younger individual age 45-49 (end of PAI: 01/13/2017)

Claimant Weight Analysis (Based on Disability Report Self-Reporting): Overweight (BMI = 27.432 for height [62 in] & weight [150.0 lb])

Circuit: 8

- [AR 88-6\(8\) - Levins v. Califano: Definition of an Inmate of a Public Institution](#)
- [AR 98-5\(8\) - State of Minnesota v. Aofel: Coverage for Employees Under a Federal-State Section 218 Agreement or Modification and Ac](#)

¹ In Disability Insurance claims and adult Supplemental Security Income disability claims, the Alleged Onset Date is always the date the claimant alleges he or she became unable to work because of his or her medical condition, whether or not that date appears to be appropriate.

² Date Last Insured is the last day of the quarter a claimant meets insured status for disability or blindness.

Beyond populating facts (that is, claim types, dates filed, etc.), the generator adds calculated values including the following.

- Request for review timely filing deadline date, including compensating for Federal holidays and weekends. It will also output an alert if the SSA data about the receipt date of the request for review suggests it was untimely filed.
- Social security office code based on claimant ZIP code in the decision.
- Claimant’s relevant ages at the start and end of the period at issue.
- Claimant body mass index based on self-reported height and weight.
- Relevant acquiesce ruling links, which explain how SSA will apply a court ruling, by a U.S. Court of Appeals that is at variance with SSA’s national policies for adjudicating claims.

Analysis Template Generator

Insight can also, at the click of a button, generate an analysis template document that is automatically populated with information about the case and its decision (see Figure B-2). According to SSA, it saves the user time eliminating the need to manually type this information.

Figure B–2: Template Created by Insight

RECOMMENDATION:

===

ISSUES:

CONTENTIONS:

ADDITIONAL EV:

Background:

Claim(s): T2 CDB

Disposition Type(s): Unfavorable

DOB: 03/08/1991

DOF: 05/20/2013 (T2 CDB)

AOD: 09/01/2011

Disp. Date: 11/02/2015

DLI: 09/30/2013 (remote)

Circuit: 9

RR Timely: No (RR Filing Deadline: 01/06/2016; ARPS RR Filing Date: 11/02/2016)

Age at Start of PAI: 20-y-5-m / younger individual age 18-44 (start of PAI: 09/01/2011)

Age at End of PAI: 22-y-0-m / younger individual age 18-44 (end of PAI: 03/08/2013)

Findings:

S1: No period of SGA

S2: Severe MDI(s) (MDIs: post-traumatic stress syndrome (PTSD), major depressive disorder (MDD), generalized anxiety disorder (GAD), and degenerative disc disease (DDD))

S3: Does Not Meet/Equal Listing(s)

RFC: Light Exertion

S4: Has No PRW

S5: Can Perform Other Work (MVR(s) Cited: 202.20)

Appendix C – SCOPE AND METHODOLOGY

To accomplish our objective, we:

- Reviewed previous Office of the Inspector General reports and Government Accountability Office reports.
- Interviewed employees in the Offices of Appellate Operations (OAO) and Hearings Operations (OHO) to discuss their plan and oversight of the Insight software.
- Interviewed Insight project owners in OAO and OHO.
- Obtained information related to tests and test results for the Insight pilot.
- Received a demonstration of the Insight software.
- Surveyed OAO and OHO employees who were eligible to use the Insight software during the OAO pilot and OHO phased rollout.
- Analyzed survey results, and provided those results to OAO.

We conducted our review from January through November 2018 in Arlington, Virginia. The entities reviewed were OAO under the Office of the Deputy Commissioner for Analytics, Review, and Oversight and OHO under the Office of the Deputy Commissioner for Hearings Operations. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix D– OFFICE OF THE INSPECTOR GENERAL SURVEY OF POTENTIAL INSIGHT USERS

We gathered information from Insight users in the Office of Appellate Operations (OAO) and the Office of Hearings Operations (OHO) to determine whether the tool assisted them when reviewing decisions. Specifically, we sent a survey to 633 employees, and 302 responded (about 48-percent response rate).

Table D–1: Are you aware of the Insight software and what it does?

	OAO	OHO	Total
Yes	222	76	298
No	4	0	4
Total	226	76	302

Table D–2: Did you receive any training on how to use the Insight software?

	OAO	OHO	Total
Yes	196	62	258
No	30	14	44
Total	226	76	302

Table D–3: Have you examined at least one case using the Insight software?

	OAO	OHO	Total
Yes	204	70	274
No	22	6	28
Total	226	76	302

Table D–4: For those that said “Yes” to the previous question, how often do you use Insight to review cases?

	OAO	OHO	Total
In all your cases	74	13	87
In most of your cases	88	18	106
In a few of your cases	18	16	34
On a case by case basis	24	23	47
Total	204	70	274

Table D–5: Do you understand the potential policy compliance errors or internal inconsistencies being described?

	OA0	OHO	Total
Yes	201	68	269
No	3	2	5
Total	204	70	274

Table D–6: Do you find the potential policy compliance errors or internal inconsistencies being described to be accurate?

	OA0	OHO	Total
Yes	163	56	219
No	41	14	55
Total	204	70	274

Table D–7: Was there a method for submitting feedback on the Insight software in areas that you felt needed improvement?

	OA0	OHO	Total
Yes	135	42	177
No	69	28	97
Total	204	70	274

Table D–8: Did you provide any feedback on problem areas that you experienced while using Insight?

	OA0	OHO	Total
Yes	65	32	97
No	139	38	177
Total	204	70	274

Table D–9: How does using Insight affect your case processing time?

	OAo	OHO	Total
Faster	75	7	82
No Change	66	32	98
Slower	15	16	31
Other¹	48	15	63
Total	204	70	274

Table D–10: Overall, did you find Insight's flags for potential policy compliance errors or internal inconsistencies within a hearing-level decision case to be useful / valuable for your case analysis?

	OAo	OHO	Total
Yes	155	48	203
No	49	22	71
Total	204	70	274

Table D–11: Please describe anything else you would like to share about your usage of the Insight software.

User Comments	OAo	OHO	Total
Quality flags need to be improved/Information was not accurate	59	12	71
Found program useful and valuable	52	15	67
Quality flags were not material	41	8	49
Other comments ²	35	18	53
Program did not add value to the decision review	26	8	34
Program was not available for all cases	20	3	23
Used mainly to double check analysis	13	2	15
Program should be used by ALJs	0	8	8
Program should be use by the hearing level staff	5	2	7
Total³	251	76	327

¹ Some respondents mentioned that they did not use it often enough to know how it affected their processing time. Others mentioned how it affected their case analysis process but not their processing time.

² Issues outside Insight capabilities such as searching the claimant’s file for a different alleged onset date, helping ALJs write their instructions, ALJ hiring process, etc.

³ Some user’s comments were counted more than once if it related to more than one category.

Appendix E – AGENCY COMMENTS



SOCIAL SECURITY

MEMORANDUM

Date: April 10, 2019

Refer To: S1J-3

To: Gale S. Ennis
Inspector General

Stephanie Hall

From: Stephanie Hall
Acting Deputy Chief of Staff

Subject: Office of the Inspector General Draft Report, "The Social Security Administration's Use of Insight Software to Identify Potential Anomalies in Hearing Decisions" (A-12-18-50353) -- INFORMATION

Thank you for the opportunity to review the draft report. Please see our attached comments.

Please let me know if we can be of further assistance. You may direct staff inquiries to Trae Sommer at (410) 965-9102.

SSA COMMENTS ON THE OFFICE OF THE INSPECTOR GENERAL (OIG) DRAFT REPORT, "THE SOCIAL SECURITY ADMINISTRATION'S USE OF INSIGHT SOFTWARE TO IDENTIFY POTENTIAL ANOMALIES IN HEARING DECISIONS"(A-12-18-50353)

GENERAL COMMENTS

We continue to implement Insight as part of our Compassionate And REsponsive Service plan and our commitment to innovate and modernize our information technology infrastructure. Insight serves as a valuable quality assurance measure that provides pre-decisional tools to enhance the efficiency of decision writing and case adjudication at the hearings level. As we follow our multi-year Insight development roadmap, we will establish the management information infrastructure necessary to provide additional feedback on its effectiveness and ensure policy compliance.

Below are our responses to the recommendations.

Recommendation 1

Develop metrics to determine whether Insight is achieving its goals.

Response

We agree.

Recommendation 2

Determine whether Insight should be made mandatory for OAO analysts.

Response

We agree.

Recommendation 3

Ensure the Office of Retirement and Disability Policy reviews the Insight flags to ensure policy compliance.

Response

We agree.

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