

Report Summary

Social Security Administration Office of the Inspector General

October 2008



Objective

Our objective was to address the request of Congressman Wayne T. Gilchrest regarding claimant complaints of poor customer service and improper handling of claims at the Dover Hearing Office. The Congressman requested information on complaints related to (1) requests for excessive and redundant medical evidence; (2) unwarranted dismissals; (3) improper handling of terminal illness, medically critical, and dire need claims; and (4) inappropriate comments at hearings.

Background

To remedy public complaints of alleged unfair treatment at hearing offices, all Social Security Administration claimants have the right to (1) request a review by the Appeals Council (AC) and/or (2) file an *Unfair Treatment Complaint* with the Office of the Chief Administrative Law Judge.

To view the full report, visit <http://www.ssa.gov/oig/ADO/BEPDF/A-12-08-28080.pdf>

Congressional Response Report: Customer Service Issues at the Dover Hearing Office (A-12-08-28080)

Our Findings

The Office of Disability Adjudication and Review (ODAR) has been aware of complaints about unsatisfactory service at the Dover Hearing Office for at least 2 years. We believe SSA could have been more proactive after the Congressman's office sent ODAR the names and Social Security numbers of 111 constituents with complaints related to Dover Hearing Office. About half of these 111 claims had been appealed or a second request for hearing had been filed. The Congressman's office also provided us with an additional 49 allegations, and we found that 39 of the allegations related to medical, credibility and procedural issues, which would normally be addressed under the AC process. The remaining 10 allegations related to bias or misconduct, which would normally be referred to OCALJ's *Unfair Treatment Complaint* process. In this case, the majority of the 49 claims had been appealed or a second request for hearing had been filed. A separate quality assurance review of the Dover workload found that the dispositions had been accurately processed. However, we also found that SSA did not adequately track the *Unfair Treatment Complaints*, could not determine relevant trends, could be timelier in acknowledging the receipts of complaints, and needed to ensure information regarding the complaint process was accurate and publicized in hearing offices. The Commissioner and ODAR have stated the Agency is committed to improving the *Unfair Treatment Complaint* process and a number of improvements have occurred or are underway.

Our Conclusion

ODAR needs to ensure all the claimants' and Congressman's concerns are appropriately and timely addressed by the Appeals Council or the *Unfair Treatment Complaint* process and that the status of this process is shared with the Congressman's office or the claimants. To assist with this process, we have shared the claimant information in our possession. Moreover, ODAR needs to ensure that planned improvements to the *Unfair Treatment Complaint* process take place.