

# The Social Security Administration's Efforts to Eliminate the Hearings Backlog

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### Objective

To assess the Social Security Administration's (SSA) efforts to eliminate the pending hearings backlog and improve hearing timeliness.

### Background

In May 2007, SSA announced a plan to eliminate the backlog of hearing requests and prevent its recurrence. The backlog reduction plan centered on (1) improving hearing office procedures, (2) increasing adjudicatory capacity, and (3) increasing efficiency through automation and improving business processes. The hearings backlog reduction plan included 38 initiatives.

When the Agency announced its plan in May 2007, SSA's pending level was 743,800 cases. The average processing time (APT) in Fiscal Year (FY) 2007 was 512 days. SSA's goal was to reduce the number of pending hearings to 466,000 and APT to 270 days by the end of FY 2013.

### Findings

SSA efforts have not been successful in eliminating the pending hearings backlog nor reducing APT to 270 days. As of March 2015, SSA had about 1 million claims awaiting a decision, and the APT was approximately 450 days. We have identified four factors that contributed to this worsening situation: (1) an increase in hearing requests, (2) a decrease in administrative law judge (ALJ) productivity, (3) a decrease in senior attorney adjudicator decisions, and (4) a recent decrease in the number of available ALJs.

Of the 38 hearing backlog initiatives from 2007, 18 (47 percent) were ongoing, such as hiring new ALJs and reducing aged cases. Seventeen (45 percent) had been accomplished. For instance, SSA successfully created five new National Hearing Centers. However, SSA was unable to accomplish three (8 percent) initiatives. For instance, SSA canceled its e-pulling and auto-scheduling initiatives. SSA managers we interviewed stated the most important initiative was hiring additional ALJs. They also cited initiatives related to electronic processing, aged cases, video hearings, and ALJ productivity for their effectiveness.

At the time of our audit, the Agency had not published a long-term, multi-year strategy to address the pending hearings backlog and APT increase. The Agency Performance Plan for FY 2016 has an annual timeliness goal for the FY, but it is not part of a public, long-term strategy, and it lacks a goal for pending hearings. After our draft report, the Agency shared a new tactical plan focused on reducing pending hearings. The Agency was still finalizing performance measures related to this new tactical plan. SSA should also examine how other agencies have defined, measured, and addressed their claims backlogs.

### Recommendations

1. Ensure the new pending hearings tactical plan is integrated into the next strategic plan document, which should also provide the public with information on the Agency's long-term pending hearings and related timeliness goals, as well as an updated definition of what constitutes a hearings backlog.
2. Publish and implement annual goals that align with achieving the tactical and strategic plans, which could entail examining how other agencies established goals to address their backlogs.

The Agency agreed with our recommendations.