

*Congressional Response Report*

Reasons for Hearing-related Delays

June 2, 2017

The Honorable Sam Johnson  
Chairman, Subcommittee on  
Social Security  
Committee on Ways and Means  
House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In a November 17, 2016 letter, you asked that we review hearing offices that have high no-show and postponement rates and determine the following.

1. How many days in advance is a hearing scheduled, and how are claimants notified?
2. How often claimants fail to appear for hearings and what happens when such an event occurs?
3. Under what conditions a claimant can postpone or reschedule a hearing, and how often hearings are postponed?
4. Is there a relationship between scheduling or notification, and failure to show or postponements?
5. What areas of the country have the highest no-show and postponement rates, what hearing offices have abnormally high or low no-show or postponement rates, and what are the drivers for these outliers?
6. Has the preconference pilot successfully reduced no-show and postponement rates, and how this experience varied for hearing offices with different wait times?
7. Are there other steps SSA could take to reduce delays due to claimant postponements or no-shows?

My office is committed to combating fraud, waste, and abuse in SSA's operations and programs. Thank you for bringing your concerns to my attention. The report highlights various facts pertaining to the issues raised in your letter. To ensure SSA is aware of the information provided to your office, we are forwarding a copy of this report to the Agency.

Page 2 – The Honorable Sam Johnson

If you have any questions concerning this matter, please call me or have your staff contact Walter Bayer, Congressional and Intragovernmental Liaison, at (202) 358-6319.

Sincerely,

*Gale Stallworth Stone*

Gale Stallworth Stone  
Acting Inspector General

Enclosure

cc:

Nancy A. Berryhill

# Reasons for Hearing-related Delays

A-05-17-50268



June 2017

Office of Audit Report Summary

## Objective

To answer questions from the Chairman, House of Representatives, Social Security Subcommittee, regarding Social Security Administration (SSA) hearing office no-show and postponement rates. Specifically, he requested that we provide information on the (1) hearing scheduling process; (2) volume, location, and reasons for claimant delays; (3) role of the Pre-Hearing Conference Initiative pilot in reducing claimant delays; and (4) steps the Agency could take to reduce such delays.

## Background

On November 17, 2016, we received a letter from the Chairman of the Subcommittee on Social Security, House Ways and Means Committee, asking how claimants who fail to appear or postpone scheduled hearings affected SSA's hearings backlog. The Chairman had seven specific questions. The Chairman also noted that claimants who fail to appear or postpone their scheduled hearings without good reason not only delay the processing of their own cases, they use scarce resources. As of March 2017, about 1.1 million claimants were awaiting a hearing decision.

## Conclusions

SSA had policies in place to ensure consistency in the hearing scheduling process and handle hearing no-show and postponement requests. For hearings scheduled May 1, 2017 or later, hearing offices send a notice of hearing to the claimant and representative at least 75 days before the date set for the hearing (20 days previously). According to SSA, for the 573,450 hearings held in Fiscal Year (FY) 2016, an average of 76 days elapsed between the hearing scheduled date and the hearing held date.

In FY 2016, the national hearing no-show rate was 9 percent. The New York, New York, Hearing Office had the highest no-show rate at 15.9 percent while the Franklin, Tennessee, Hearing Office had the lowest no-show rate at 1.2 percent.

In FY 2016, the national postponement rate was 8 percent. The Anchorage, Alaska, Hearing Office had the highest postponement rate at 20.4 percent while the Ponce, Puerto Rico, Hearing Office had the lowest postponement rate at 2.7 percent.

Our interviews with office managers representing hearing offices with the highest no-show and postponement rates identified a large number of unrepresented claimants and a transient clientele as reasons for no-shows and postponements.

The objective of the Pre-Hearing Conference Expansion pilot was to expand the use of pre-hearing conferences that explain the hearing process to unrepresented claimants and better prepare them for their hearings. In January 2017, the Office of Disability Adjudication and Review (ODAR) suspended the pilot to focus on the decision-writing backlog. Our interviews with ODAR management provided mixed reviews on the pilot's success in reducing claimant delays.

Finally, hearing office managers we interviewed suggested steps SSA could consider to reduce delays caused by claimant postponements or no-shows, including using stronger language in the hearing notice to show the consequences for failing to appear at the hearing and requiring claimants to decide whether they want representation before scheduling a hearing.

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## **ABBREVIATIONS**

ALJ	Administrative Law Judge
C.F.R.	Code of Federal Regulations
CPMS	Case Processing and Management System
FY	Fiscal Year
HALLEX	Hearings, Appeals and Litigation Law Manual
MI	Management Information
NHC	National Hearing Center
ODAR	Office of Disability Adjudication and Review
OIG	Office of the Inspector General
SSA	Social Security Administration
VTC	Video Teleconferencing

## **Form**

HA-504	<i>Acknowledgment of Notice of Hearing</i>
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## **OBJECTIVE**

Our objective was to answer questions from the Chairman, House of Representatives, Social Security Subcommittee, regarding Social Security Administration (SSA) hearing office no-show and postponement rates. Specifically, he requested that we provide information on the (1) hearing scheduling process; (2) volume, location, and reasons for claimant delays; (3) role of the Pre-Hearing Conference Initiative pilot in reducing claimant delays; and (4) steps the Agency could take to reduce such delays.

## **BACKGROUND**

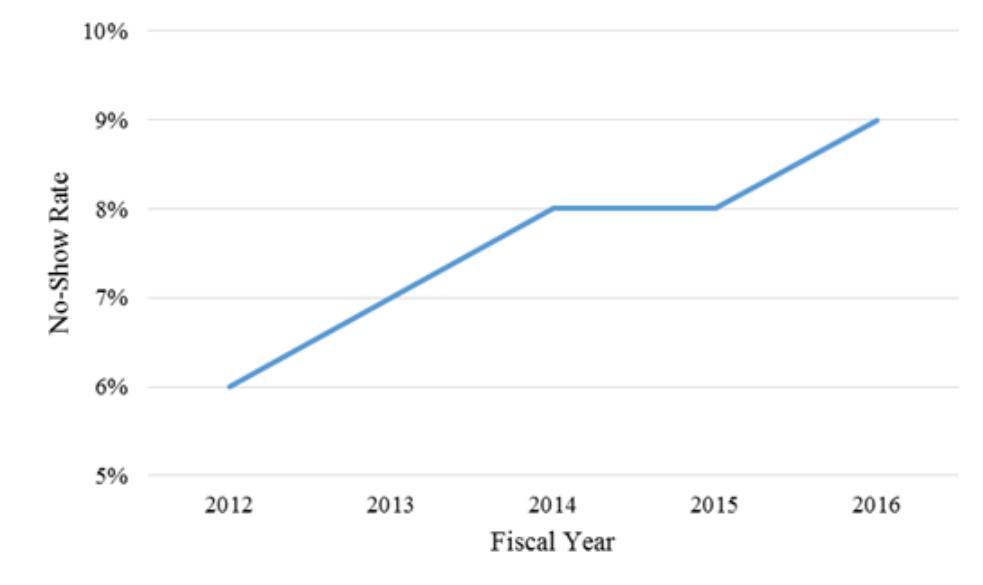
On November 17, 2016, we received a letter from the Chairman of the Subcommittee on Social Security, Committee on Ways and Means, House of Representatives, asking how claimants who fail to appear or postpone scheduled hearings affect SSA's hearings backlog. The Chairman had seven specific questions. See Appendix A for the letter. The Chairman also noted that claimants who fail to appear for, or postpone, their scheduled hearings without good reason not only delay the processing of their own cases, they use scarce resources. As of March 2017, about 1.1 million claimants were awaiting a hearing decision.

The national hearing no-show rate was 9 percent in Fiscal Year (FY) 2016, an increase from 6 percent in FY 2012.<sup>1</sup> Figure 1 reflects national hearing no-show rates from FYs 2012 through 2016.

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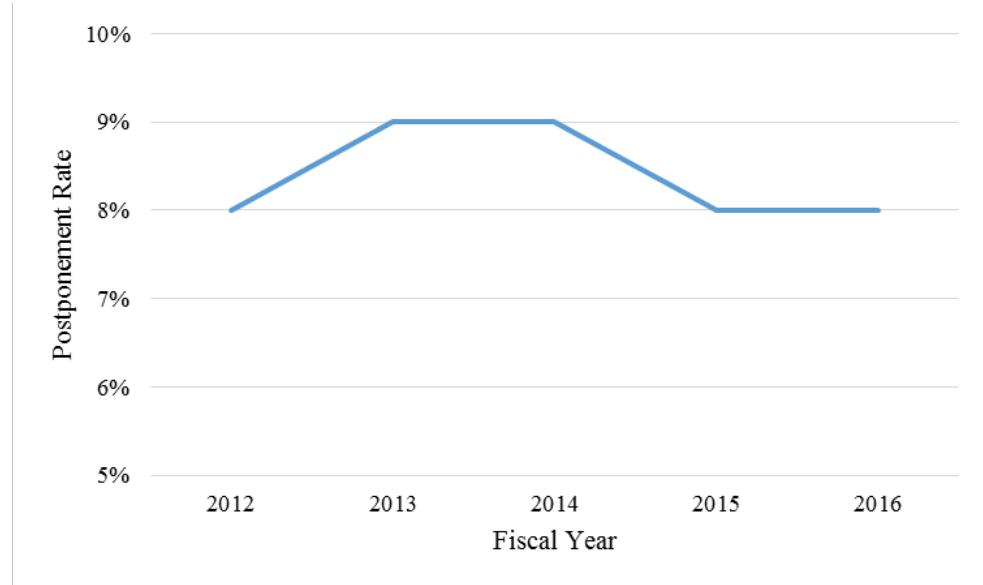
<sup>1</sup> The Case Processing and Management System (CPMS) Management Information (MI) did not include no-show rates for these offices. The Agency provided no show rates and the formula used to calculate the rate, which was defined as scheduled hearings divided by the number of no-shows for an office. In FY 2016, there were 793,754 scheduled hearings and 71,205 total no-shows, so the national no-show rate was 9 percent.

**Figure 1: National Hearing No-Show Rates for FYs 2012 Through 2016**



With respect to national hearing postponement rates, Figure 2 reflects that the national hearing postponement rate was 8 to 9 percent between FYs 2012 and 2016.<sup>2</sup>

**Figure 2: National Hearing Postponement Rates for FY 2012 Through 2016**



<sup>2</sup> The CPMS MI produced postponement rate data for hearing offices and the National Hearing Centers (NHC). The formula to calculate the postponement rate was scheduled hearings divided by the number of postponements for an office. In FY 2016, there were 793,754 scheduled hearings and 64,497 total postponements, so the national postponement rate was 8 percent.

## **RESULTS OF REVIEW**

### **Question 1: How many days in advance is a hearing scheduled? How are claimants notified?**

According to SSA, for the 573,450 hearings held in FY 2016, an average of 76 days elapsed between the hearing scheduled date and the hearing held date.

SSA regulations previously required that the hearing office send a hearing notice to the claimant and any appointed representative at least 20 days before the scheduled hearing, unless the claimant waived the right to advance notice.<sup>3</sup> For hearings scheduled May 1, 2017 or later, the notification requirement increased to 75 days before the scheduled hearing.<sup>4</sup>

The hearing office sends a Form HA-504, *Acknowledgment of Notice of Hearing*, to the claimant and any representative. The hearing office contacts<sup>5</sup> claimants or representatives who do not return the Form within 7 days to determine whether they plan to attend the hearing.<sup>6</sup>

If the claimant or representative has received the hearing notice and plans to attend the scheduled hearing, the hearing office staff asks him/her to return the acknowledgment form confirming the intent to appear. Claimants who object to the time or place of a hearing must notify SSA no later than 5 days before the hearing date or 30 days after receiving notice of the hearing, whichever is earlier.<sup>7</sup> If the claimant or representative received the notice of hearing and would like to reschedule the hearing, the administrative law judge (ALJ) must consider whether there is good cause to postpone the hearing.<sup>8</sup> If the claimant or representative states he/she did not receive the

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<sup>3</sup> 20 C.F.R. §§ 404.938(a) and 416.1438(a) (2016). SSA, *HALLEX*, vol. I, ch. I-2-3, sec. I-2-3-15 (August 8, 2016).

<sup>4</sup> 20 C.F.R. §§ 404.935(a), 404.938(a), 404.939, and 404.949 (2017). 20 C.F.R. §§ 416.1435(a), 416.1438(a), 416.1439, and 416.1449 (2017). SSA, *HALLEX*, vol. I, ch. I-2-3, sec. I-2-3-15 (May 1, 2017). Subject to exceptions, the new regulations also require that a claimant or representative submit all evidence, objections, or written statements at least 5 business days before the date of the hearing. This regulation is referred to as the “5-day requirement.”

<sup>5</sup> 20 C.F.R. §§ 404.938 and 416.1438 (2017). SSA must mail or give notice by personal service, unless the claimant indicated in writing that he/she did not wish to receive this notice.

<sup>6</sup> SSA, *HALLEX*, vol. I, ch. I-2-3, sec. I-2-3-20 (May 1, 2017). If hearing office staff intends to give notice by telephone, *HALLEX* requires that staff personally speak to the claimant or representative and document the contact to satisfy the notification requirement.

<sup>7</sup> 20 C.F.R. §§ 404.936(e) and 416.1436(e) (2017). Additionally, the claimant must state the reason(s) for the objection and time and place he/she wants the hearing to be held. SSA will reschedule the hearing if the administrative law judge finds the claimant had good cause for changing the time or place of the scheduled hearing.

<sup>8</sup> 20 C.F.R. §§ 404.936(f) and 416.1436(f) (2017).

notice, the hearing office will verify the address and send a new notice by certified mail with return receipt requested.<sup>9</sup>

## **Question 2: How often do claimants fail to show for hearings? When a claimant does not show, what happens?**

According to CPMS MI, the no-show rate was 9 percent in FY 2016. An ALJ may dismiss a hearing request when neither the claimant nor the appointed representative appears at the time and place of a scheduled hearing and neither shows good cause for the absence.<sup>10</sup> When the claimant or representative shows good cause for the absence, the ALJ may grant a postponement.

Good cause for failure to appear at a scheduled hearing generally exists when

1. the claimant did not receive proper notification of the scheduled hearing;
2. an unforeseeable event occurred that did not provide the claimant or appointed representative enough time to notify the ALJ and request a postponement before the scheduled hearing; or
3. the appointed representative withdrew representation shortly before the scheduled hearing (approximately 1 week or less before the scheduled hearing), or appeared at the hearing and withdrew as representative, and the record does not indicate the claimant was aware the representative would not be appearing at the hearing on his/her behalf.<sup>11</sup>

## **Question 3: Under what conditions can a claimant postpone or reschedule a hearing? How often are hearings postponed?**

According to CPMS MI, in FY 2016, the national postponement rate was 8 percent. To reschedule a hearing, the ALJ must first determine whether evidence in the record shows the claimant was properly notified of the time and place for the hearing. If the record does not show there was proper notification, the ALJ must reschedule the hearing and provide proper notification of the rescheduled hearing. In addition, if the ALJ finds there is good cause, the ALJ will notify the claimant of the rescheduled hearing.<sup>12</sup>

If the claimant asks to postpone the hearing to obtain representation and it is the first request, the ALJ will typically grant the requested postponement. The ALJ will obtain an *Acknowledgement of Postponement in Order to Obtain Representative* from the claimant with his/her witnessed

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<sup>9</sup> SSA, HALLEX, vol. I, ch. I-2-3, sec. I-2-3-20 (May 1, 2017).

<sup>10</sup> 20 C.F.R. §§ 404.957 and 416.1457 (2017). An ALJ may generally dismiss a hearing request based on failure to appear, except when a parent or guardian appears at the hearing on behalf of a claimant who is a minor. SSA, HALLEX, vol. I, ch. I-2-4, sec. I-2-4-25 (May 1, 2017).

<sup>11</sup> SSA, HALLEX, vol. I, ch. I-2-4, sec. I-2-4-25 (May 1, 2017).

<sup>12</sup> See Footnote 11.

signature.<sup>13</sup> The ALJ advises the claimant that only one postponement is usually permitted to obtain representation, unless he/she shows good cause for an additional postponement.<sup>14</sup>

In some cases, an appointed representative will appear at the scheduled hearing and withdraw if the claimant fails to appear. If the claimant fails to appear and notifies the hearing office he/she was aware the representative was going to withdraw, the ALJ may dismiss the hearing request. However, if the claimant did not notify the hearing office that he/she was aware the representative was going to withdraw at the hearing, the ALJ must develop good cause for failure to appear. The ALJ will generally find good cause and reschedule the hearing if the claimant believed the representative was appearing on his/her behalf.<sup>15</sup>

#### **Question 4: Is there a relationship between scheduling or notification, and failure to show or postponements?**

We did not identify a relationship between hearing scheduling and no-shows or postponements. The Office of Disability Adjudication and Review's (ODAR) hearing scheduling process is the same for all hearing offices and claimants. However, there may be circumstances with the hearing notification that could result in a no-show or postponement. For example, ODAR managers from offices we interviewed attributed higher no-show and postponement rates to a large number of unrepresented claimants. Some of these unrepresented claimants change their address without notifying the hearing office; therefore, they do not receive the hearing notification. Accordingly, they would fail to appear for the hearing. The data available for this review reflected that the main reason for postponements was for claimants to seek a representative.

#### **Question 5: What areas of the country have the highest no-show and postponement rates? Please identify any hearing offices with abnormally high or low no-show or postponement rates and the drivers for these outliers?**

According to FY 2016 CPMS MI data, the Dallas and Kansas City Regions had the highest no-show rates while the Seattle Region had the highest postponement rate. Table 1 reflects the no-show and postponement rates in FY 2016 for each region and the NHC.<sup>16</sup>

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<sup>13</sup> SSA, *HALLEX*, vol. I, ch. I-2-6, sec. I-2-6-52 (May 4, 2015).

<sup>14</sup> See Footnote 13.

<sup>15</sup> SSA, *HALLEX*, vol. I, ch. I-2-4, sec. I-2-4-25 (May 1, 2017).

<sup>16</sup> The NHCs are part of SSA's strategy to address the pending hearings backlog and reduce case processing time by increasing adjudicatory capacity and efficiency with a focus on an electronic hearings process.

**Table 1: No-show and Postponement Rates in FY 2016 by Region**

Region	No-show Rate	Postponement Rate
<b>1 Boston</b>	9%	10%
<b>2 New York</b>	9%	10%
<b>3 Philadelphia</b>	9%	9%
<b>4 Atlanta</b>	9%	7%
<b>5 Chicago</b>	8%	7%
<b>6 Dallas</b>	10%	9%
<b>7 Kansas City</b>	10%	8%
<b>8 Denver</b>	7%	10%
<b>9 San Francisco</b>	9%	7%
<b>10 Seattle</b>	8%	12%
<b>NHCs</b>	9%	10%

The New York, New York, Hearing Office had the highest no-show rate in FY 2016 (see Table 2). Conversely, the Franklin, Tennessee, Hearing Office had the lowest no-show rate in FY 2016 (see Table 3).

**Table 2: The Five Hearing Offices that Had the Highest No-show Rates in FY 2016**

Hearing Office	No-show Rate
New York, New York	15.9%
Washington, District of Columbia	15.7%
Shreveport, Louisiana	13.9%
Memphis, Tennessee	13.9%
Los Angeles Downtown, California	13.8%

**Table 3: The Five Hearing Offices that Had the Lowest No-show Rates in FY 2016**

Hearing Office	No-show Rate
Franklin, Tennessee	1.2%
Ponce, Puerto Rico	1.9%
Pasadena, California	2.3%
San Juan, Puerto Rico	2.4%
Macon, Georgia	2.7%

The Anchorage, Alaska, Hearing Office had the highest postponement rate in FY 2016 (see Table 4). Conversely, the Ponce, Puerto Rico, Hearing Office had the lowest postponement rate in FY 2016 (see Table 5).

**Table 4: The Four Hearing Offices and One NHC that Had the Highest Postponement Rates in FY 2016**

Hearing Office/NHC	Postponement Rate
Anchorage, Alaska	20.4%
Seattle, Washington	16.5%
NHC St. Louis, Missouri	16.0%
Newark, New Jersey	14.8%
Billings, Montana	13.6%

**Table 5: The Five Hearing Offices that Had the Lowest Postponement Rates in FY 2016**

Hearing Office	Postponement Rate
Ponce, Puerto Rico	2.7%
San Juan, Puerto Rico	3.3%
Chattanooga, Tennessee	3.4%
Peoria, Illinois	3.7%
McAlester, Oklahoma	3.9%

We contacted the offices that had the highest and lowest FY 2016 no-show and postponement rates to learn about the drivers for these outliers. The offices with the highest no-show rates stated that a large number of unrepresented claimants in their service area, a transient clientele, geographic location, and limited staffing for follow-up hearing reminders drove the high no-show rate. Conversely, offices that had the lowest no-show rates stated they had a low number of unrepresented claimants in their service area. These offices also stated they focused on follow-up reminders to claimants or representatives before the hearing to ensure they appeared at the hearing.

Offices in large urban areas that had the highest no-show rates in FY 2016 attributed this to local government requirements on filing for Federal programs. For example, managers at the New York, New York, and Los Angeles Downtown, California, Hearing Offices stated city or county welfare programs require that applicants apply for Social Security benefit programs. They stated that many claimants file for benefits to satisfy this requirement and do not intend to appear at their hearings.

The offices that had the highest postponement rates in FY 2016 stated that drivers included a large number of unrepresented claimants in the service area, incomplete and untimely medical evidence, and a transient clientele. Conversely, offices that had the lowest postponement rates in FY 2016 indicated they focused on follow-up reminders to claimants or representatives before the hearing to ensure they showed up the day of the hearing and asked for documentation when a claimant or representative requested a hearing postponement.

## **Question 6: Has the preconference pilot successfully reduced no-show and postponement rates? How has this experience varied for hearing offices with different wait times?**

The Pre-Hearing Conference Expansion pilot is one of the initiatives in ODAR's January 2016 *Compassionate And REsponsive Service* plan.<sup>17</sup> The objective of this initiative is to expand the use of pre-hearing conferences that explain the hearing process to unrepresented claimants and better prepare them for their hearings. As of January 2017, at least 35 offices were participating in the pilot. However, in January 2017, ODAR suspended the pilot to better address the decision-writing backlog. According to SSA, the hearings operation is short 500 to 600 decision writers due to the staff hiring freeze in FY 2016, which resulted in an increase in the decision-writing pending from 35,000 cases at the beginning of FY 2017 to 55,000 cases at the end of April 2017. ODAR managers stated they were monitoring the decision-writing backlog and may return to the Pre-Hearing Conference Expansion pilot if it is determined to be the best use of ODAR resources.

Hearing office managers we interviewed indicated mixed results on whether the Pre-Hearing Conference Expansion pilot reduced no-show and postponement rates. Managers at some hearing offices stated they did not have sufficient staff to dedicate to the pilot or find the pilot helpful. Other managers found the pilot helpful in reducing hearing postponements.

ODAR captured limited data for five offices from the phase 1 pilot, which began in May 2015. ODAR was starting to capture data from the phase 2 pilot offices in January 2017 when ODAR put the pilot on hold. As a result of the limited data collected, ODAR stated it was too early to gauge the extent that the Pre-Hearing Conference Expansion pilot reduced no-shows and postponements at all pilot offices.

## **Question 7: Are there other steps SSA could take to reduce delays due to claimant postponements or no-shows?**

Managers at the offices we interviewed suggested several steps that SSA could consider to reduce delays caused by claimant postponements or no-shows, including the following.<sup>18</sup>

- Use stronger language in the hearing notice so claimants understand that, by failing to appear for the hearing, they forego their rights for future hearings.

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<sup>17</sup> We discussed the Pre-Hearing Conference Expansion initiatives in our September 2016 report, *Compassionate And REsponsive Service Plan to Reduce Pending Hearings* (A-05-16-50167).

<sup>18</sup> OIG did not validate the impact these steps could have on reducing claimant postponements or no-shows.

- Put the burden on claimants to notify hearing offices of address changes.<sup>19</sup> By not providing SSA with updated address information, the claimant appears to indicate that he/she is not interested in pursuing the claim.
- Ensure SSA systems interface so address changes reported to field offices are available to hearing office staff.
- Require that claimants decide whether they want a representative before ODAR schedules a hearing.
- Dedicate staff to contacting claimants to reduce the incidence of claimant no-shows at hearings.
- Give ALJs more authority on reporting claimant representatives who are not taking responsibility for representing claimants.<sup>20</sup> For example, there are representatives who appear at hearings unprepared.
- Ensure sufficient staff hiring.

In addition, a prior Office of the Inspector General (OIG) report encouraged ODAR to consider limiting the number of times it offers claimant representatives specific dates and times before it schedules a hearing to improve the timeliness of hearings.<sup>21</sup>

## CONCLUSIONS

SSA has policies in place to ensure consistency in the hearing scheduling process and for handling hearing no-show and postponement requests. SSA made a change regarding notification of upcoming hearings. For hearings held May 1, 2017 or later, the ALJ or hearing office staff must send a notice of hearing to the claimant and representative at least 75 days before the hearing. When a no-show does occur, in cases where the claimant or representative can show good cause, the ALJ may grant a postponement. According to SSA, for the 573,450 hearings held in FY 2016, an average of 76 days elapsed between the hearing scheduled date and the hearing held date.

In FY 2016, the Dallas and Kansas City Regions had the highest no-show rates while the Seattle Region had the highest postponement rate. ODAR managers cited unrepresented claimants as one of the reasons for no-shows and postponements. Offices with the highest no-show rates stated that a large number of unrepresented claimants in their service area was a main reason for

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<sup>19</sup> 20 C.F.R. § 416.708(a) (2017). Supplemental Security Income recipients and applicants awaiting a final determination on their application must report a change of address.

<sup>20</sup> 20 C.F.R. §§ 404.1745 and 416.1545 (2017) provide existing authority regarding representative conduct and violations of requirements, rules, or standards.

<sup>21</sup> SSA, OIG, *Office of Disability Adjudication and Review's Process for Scheduling Hearings When Cases are in "Ready to Schedule" Status* (A-08-12-21293), August 2012.

high no-show rates. Conversely, offices with the lowest no-show rates stated they had a low number of unrepresented claimants in their service area. With respect to offices with the highest postponement rates in FY 2016, they cited a transient clientele as one of the reasons for high postponement rates. Offices with the lowest postponement rates in FY 2016 indicated they focused on follow-up reminders to claimants or representatives before the hearing to ensure they show up on the day of the hearing.

Finally, hearing office managers we interviewed suggested steps SSA could consider to reduce delays caused by claimant postponements or no-shows, including using stronger language in the hearing notice to show the consequences for failing to appear at the hearing and requiring claimants to decide whether they want representation before scheduling a hearing.



Rona Lawson  
Assistant Inspector General for Audit

# *APPENDICES*

## **Appendix A – CONGRESSIONAL REQUEST LETTER**

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### **COMMITTEE ON WAYS AND MEANS**

**U.S. HOUSE OF REPRESENTATIVES**  
WASHINGTON, DC 20515

November 17, 2016

The Honorable Gale Stallworth Stone  
Acting Inspector General  
Social Security Administration  
6401 Security Boulevard  
Altmeyer Building, Suite 300  
Baltimore, MD 21235

Dear Ms. Stone:

I want to better understand how claimants postponing, or failing to show for scheduled hearings impacts the Social Security Administration's (SSA's) hearings backlog. Claimants who fail to show up for their scheduled hearings without good reason not only delay the processing of their own cases, but also use resources that could be used by other cases. When a hearing is postponed, it costs the office three hearing slots – one for the hearing that didn't take place, one for the rescheduled hearing, and one for the hearing that could have been completed for another claimant. With over 1.1 million claimants waiting for a hearing, Americans can't afford unnecessary delays.

To learn more about these delays, I request that your office conduct a review of hearing offices that have high no show and postponement rates and that responds to the following:

1. How many days in advance is a hearing scheduled? How are claimants notified?
2. How often do claimants fail to show for hearings? When a claimant does not show, what happens?
3. Under what conditions can a claimant postpone or reschedule a hearing? How often are hearings postponed?
4. Is there a relationship between scheduling or notification, and failure to show or postponements?
5. What areas of the country have the highest no show and postponement rates? Please identify any hearing offices with abnormally high or low no show or postponement rates and the drivers for these outliers.
6. Has the preconference pilot successfully reduced no show and postponement rates? How has this experience varied for hearing offices with different wait times?

7. Are there other steps the SSA could take to reduce delays due to claimant postponements or no shows?

Thank you for your prompt attention to this request. Should you or your staff have any questions, please contact Amy Shuart, the Social Security Subcommittee Staff Director, at (202) 225-9263.

Sincerely,



Sam Johnson  
Chairman  
Subcommittee on Social Security

## **Appendix B – SCOPE AND METHODOLOGY**

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To achieve our objective, we:

- Reviewed applicable sections of the *Social Security Act* and the Social Security Administration's (SSA) regulations.
- Reviewed applicable sections of SSA's Hearings, Appeals, and Litigation Law Manual.
- Reviewed applicable sections of SSA's Program Operations Manual System.
- Interviewed management officials in the Office of Disability Adjudication and Review (ODAR) to understand the calculation of no-show and postponement rates as well as the status of the Pre-Hearing Conference Expansion initiative pilot.
- Reviewed available management information from ODAR's Case Processing and Management System (CPMS).
- Interviewed chief administrative law judges, hearing office directors, and an administrative officer from hearing offices and a National Hearing Center with the highest and lowest no-show and postponement rates in Fiscal Year 2016.

We found that the management information data from CPMS were sufficiently reliable to meet our objective. We conducted our review between December 2016 and May 2017 in Chicago, Illinois. The principal entity reviewed was SSA's ODAR. 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 findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## MISSION

By conducting independent and objective audits, evaluations, and investigations, the Office of the Inspector General (OIG) inspires public confidence in the integrity and security of the Social Security Administration's (SSA) programs and operations and protects them against fraud, waste, and abuse. We provide timely, useful, and reliable information and advice to Administration officials, Congress, and the public.

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**Mail:** Social Security Fraud Hotline  
P.O. Box 17785  
Baltimore, Maryland 21235

**FAX:** 410-597-0118

**Telephone:** 1-800-269-0271 from 10:00 a.m. to 4:00 p.m. Eastern Standard Time

**TTY:** 1-866-501-2101 for the deaf or hard of hearing