
**OFFICE OF
THE INSPECTOR GENERAL**

SOCIAL SECURITY ADMINISTRATION

**PERFORMANCE MEASURE REVIEW:
RELIABILITY OF THE DATA USED
TO MEASURE THE HEARING PROCESS**

May 2001 A-02-98-91003

AUDIT REPORT



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- Review and make recommendations regarding existing and proposed legislation and regulations relating to agency programs and operations.
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SOCIAL SECURITY

Office of the Inspector General

MEMORANDUM

Date: May 16, 2001

Refer To:

To: Larry G. Massanari
Acting Commissioner
of Social Security

cc:
Inspector General

Subject: Performance Measure Review: Reliability of the Data Used to Measure the Hearing Process (A-02-98-91003)

The Government Performance and Results Act (GPRA) of 1993¹, requires the Social Security Administration (SSA) to develop performance indicators that assess the relevant service levels and outcomes of each program activity. GPRA also requires disclosure of the processes used to verify and validate the measured values used to report on program performance. SSA is committed to ensuring the importance of verifying and validating performance measures, and the Office of the Inspector General audits of the performance measures are a means to achieve this. The objective of this audit was to assess the reliability of SSA's Fiscal Year (FY) 1998 performance measurement data for the following GPRA performance indicators related to the hearing process:

	<u>FY 1998 Goal</u>	<u>FY 1998 Actual</u>
• Number of hearings pending;	393,085	384,313
• Hearing processing time (days); and	338	341
• Percent of hearing decisions made and notices sent within 120 days of filing.	13	14

BACKGROUND

SSA offers two long-term disability programs. Disability Insurance (DI) is authorized under title II of the Social Security Act (Act). Through the DI program, eligible workers receive monthly benefits if they are found to have a disability that prevents them from engaging in substantial gainful activity (SGA) and which will last at least 12 months or result in death. Supplemental Security Income (SSI) is authorized under title XVI of the Act and provides monthly payments to disabled individuals based on financial need, in addition to meeting the same medical requirements as the DI program.

¹ Public Law 103-62

To establish eligibility, the claimant must file a disability application with SSA. SSA then forwards the medical file to the Disability Determination Service (DDS) office that serves the area where the claimant resides. DDS obtains and reviews the medical information in order to determine eligibility. Once DDS staff completes their work, they input their determination into their computer system (National Disability Determination Services System), which is then transmitted to SSA's computer systems. The claimant is notified of the determination. The decision notice contains instructions on how to file an appeal. The claimant has 60 days from the date the notice is received to file a written appeal for both title II and title XVI denials.

Appeal Process

The following is a summary of the appeals process:

1. The claimant requests that SSA reconsider its initial determination;
2. If the claimant is dissatisfied with the reconsidered determination, the claimant may request a hearing before an Administrative Law Judge (ALJ) in the Office of Hearings and Appeals (OHA). The request must be made within 60 days from the date the reconsideration determination is received. A claimant does not have to receive a denial to appeal. For example, a claimant who received a partially favorable result may want to appeal;
3. If the claimant is dissatisfied with the ALJ's decision or dismissal, he/she may request an Appeals Council review. The Appeals Council may deny or dismiss the request for review or grant the review, and either issue a decision or remand the case to an ALJ; and
4. If the claimant is unsatisfied with the Commissioner's final decision, then he or she may appeal to Federal District Court. If a decision is not final, a claimant generally may not file an appeal in Federal district court. Moreover, a claimant may appeal a partially or fully favorable decision.

The timeliness of the hearing process (step two above) is measured by SSA and reported as a GPRA performance measure. The following steps describe the hearing process:

1. The claimant requests a hearing by filing a *Request for Hearing by Administrative Law Judge Form, Form HA-501* (Form 501) with SSA. SSA establishes a record in either the Modernized Claims System (MCS) for title II cases or the Supplemental Security Record (SSR) via a 1719b input for title XVI cases;
2. Within 1 business day, the field office (FO) mails the paper Form 501, and the case folder, if available, to the Hearing Office (HO) that has jurisdiction over the case;
3. If the case folder is unavailable at the FO when the hearing request is filed, the Form 501 is sent to the HO with an annotation that the folder has been requested and will be forwarded when it is received in the FO;

4. The HO receives the Form 501 and enters the date that the hearing was requested at the FO and the date that they received the form at the HO into their Hearing Office Tracking System (HOTS). OHA may not process a case without the case folder, but they may enter basic information into HOTS; and
5. In the HO, the case is tracked in HOTS, as it is processed (see Appendix E). A hearing is scheduled and held, and the claimant is mailed a decision.

HOTS tracks the progress of hearing requests in the HO and provides performance data on hearing request processing times and the number of pending and processed cases. The FO and HO computer systems are not linked; therefore no information is entered into HOTS regarding a case until the HO receives the Hearing Request form in the mail.

RESULTS OF REVIEW

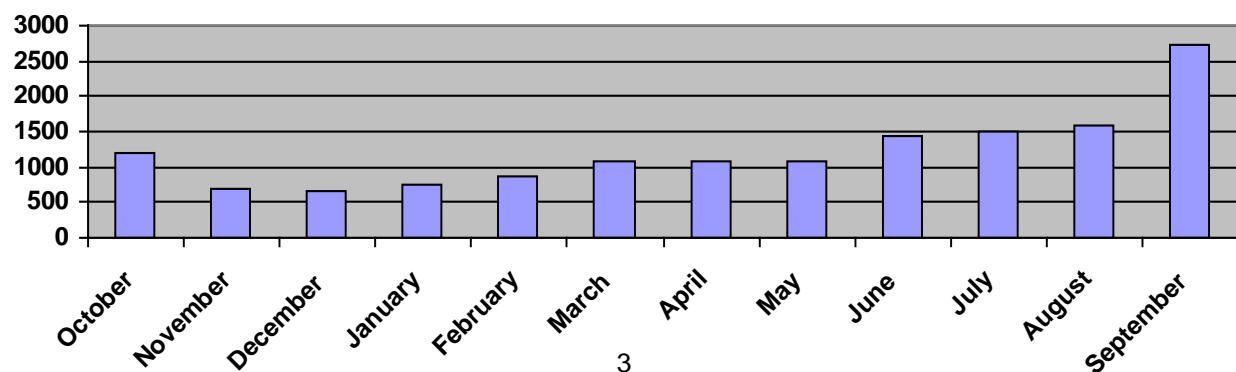
The data used to measure performance of the hearing process was found to be unreliable, because it was incomplete and inaccurate. The system used to measure performance in this area, HOTS, did not contain all of the hearing requests in the year of our review and data within HOTS was found to be incorrect. Additionally, HOTS lacked consistent management controls. These weaknesses do not allow HOTS to produce reliable data for the performance indicators above, which are used to measure hearing performance.

THE DATA IN THE HEARING OFFICE TRACKING SYSTEM WAS INCOMPLETE

For FY 1998, there were 193,995 requests for hearings within SSR that should have also been entered into HOTS. Of these, only 179,283 had a matching HOTS record. This means that 14,712 (7.6 percent) of the hearing requests taken in a FO and entered into SSR were not tracked in HOTS by the end of FY 1998.

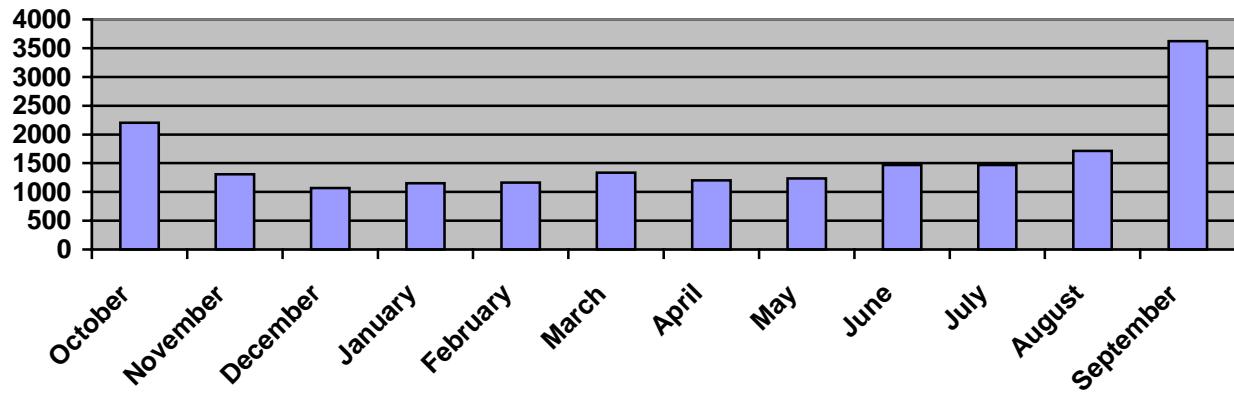
Cases with more recent hearing request dates were more likely to be missing from HOTS than older cases (See Figure 1). This may be attributable to a delay in time—the time between a request for a hearing in a FO and the receipt of the Form 501 in a HO.

Figure 1: SSR Cases Not Recorded in HOTS by Month of Hearing Request Date (FY 1998)



Of the 251,490 hearing requests within MCS for the period of our review, 18,925 (7.5 percent) were missing from HOTS. In these cases, hearing requests were taken in a FO and entered into MCS. They were not subsequently entered into HOTS by the end of FY 1998. Similar to the SSR data, hearing requests that were received later in the FY were more likely not to have a corresponding record in HOTS (See Figure 2).

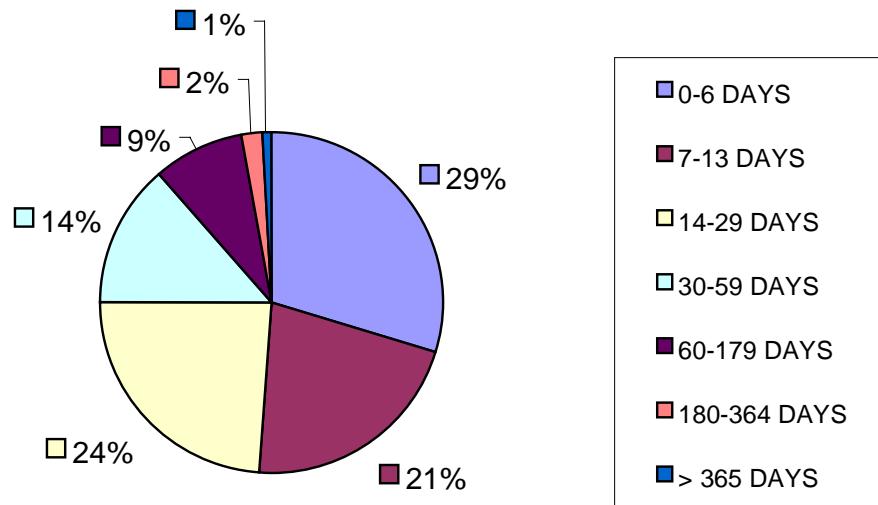
Figure 2: MCS Cases Not Recorded in HOTS by Month of Hearing Request Date (FY 1998)



Hearing Requests Are Not Forwarded In A Timely Manner

Based on discussions with HO staff, we found that there was a significant delay from the time a Form 501 was submitted in a FO to the time it was received by a HO. According to discussions with HO staff, FOs did not forward Forms 501 within 1 day, as required by SSA's Program Operations Manual System (POMS). Our analysis of 163,374 closed cases from a random selection of 42 offices found that 29 percent of the Forms 501 were not entered into HOTS by the HO within 6 days of receipt at the FO. If the policy in POMS was followed and allowing for mail time between offices, all Forms 501 should have arrived and been entered into HOTS within 1 week. Based on the data from HOTS, 71 percent of the forms took a week or more to be entered into HOTS by the HO. Twenty-six percent of the Forms 501 took 30 or more days to be entered into HOTS. (See Figure 3).

Figure 3: Number of Days Between Form 501 Request Date and HOTS Entry (FY 1998)



The longest delay we identified was 1,796 days for a HO to receive the Form 501. This case was not an isolated incident since, according to HOTS, there were 76 Forms 501 that took 1,000 days or more for the HOs to receive from the FOs. Besides slowing down the processing of hearing requests, such delays resulted in inaccurate reporting of performance. SSA's calculation of the number of hearings pending for the year was inaccurate since hearing request forms were received and shown in MCS or SSR but not received by a HO and entered into HOTS. Therefore, some cases with hearing request dates in FY 1998 were not counted as pending cases since they were not forwarded in a timely manner.

We inquired about other causes for the incomplete data in HOTS but were unable to determine any through our analysis of the data or after discussions with FO and OHA staff.

THE DATA IN THE HEARING OFFICE TRACKING SYSTEM WAS INACCURATE

HOTS data was compared to SSR and MCS data to ensure that the recorded hearing request dates in all systems were the same. The hearing request date is used to calculate the timeliness of hearing request processing. Of the 179,283 SSR records with a matching HOTS record, 51,021 (28 percent) records had a different hearing request date in HOTS than in SSR. We also identified discrepancies when we compared hearing request dates in MCS to those in HOTS. Of the 232,565 records that were in both MCS and HOTS, 21,599 (9 percent) had a different hearing request date in HOTS than in MCS.

To validate the hearing request dates in HOTS, we performed additional tests comparing the dates entered into HOTS to the paper Forms 501 that are filed at the FO. We selected a multistage sample of 240 closed cases from 8 of the 42 HOs previously selected (see Appendix A). For 43 of these 240 cases (17.9 percent) either the folder

could not be located or the Form 501 was missing from the folder. We were able to compare the hearing request dates on 197 of the 240 Forms 501 (82.1 percent). HOTS contained the wrong date for 30 of the 197 HO forms (15.2 percent). The differences between the hearing request dates in HOTS and dates on the actual documents were as much as 3 years.

For example, three Forms 501 from two HOs had different hearing request dates in HOTS:

<u>HOTS Dates</u>	<u>Actual Dates</u>
8/13/94	8/13/97
6/25/94	6/25/97
5/19/94	5/19/97

For projection purposes, we took a conservative approach and treated the 43 missing Forms 501 from the 8 HOs as if they were correct. Using the 163,374 cases processed by the 42 HOs in our sample, we estimated that the number of cases where HOTS data differed from Form 501 data was 20,455 (12.5 percent).

From the population of closed cases from 42 HOs extracted from HOTS (163,374), we also requested 45 Forms 501 that HOTS data showed took at least 3 years for the HO to receive from the FO (outlier cases). We were able to test only 23 of the 45 forms (51.1 percent), as 22 forms (48.9 percent) could not be located. Of these 23, 8 Forms 501 (34.8 percent) had a hearing request date different from the date recorded in HOTS.

These inaccuracies in the HOTS data do not allow for a reliable assessment of the hearing processing time in days or the percent of hearing decisions made and notices sent within 120 days.

While we could not identify the cause for all of the inaccurate dates, our analysis found that the manual process of sending Forms 501 with hand-written request dates accounted for inaccuracies within the HOTS data. With the current process, HO staff have to decipher someone else's hand writing and input that date into HOTS without being able to verify the actual date since data from MCS or SSR is not electronically transferred to HOTS.

HOTS LACKED CONSISTENT MANAGEMENT CONTROLS

There is no standardized policy on quality control of data entered into HOTS. Of the 42 Hearing Office Managers (HOM)² we contacted, five indicated that there were no reviews performed on the data entered into HOTS. The other 37 stated that reviews are performed, but the nature and timing of these reviews varied. For instance, some of the HOMs used status reports to identify any potential irregularities, while others reported conducting reviews of the data. The frequency with which these reviews were done ranged from daily to annually.

² In some offices, the position of HOM is referred to as Hearing Office Director.

We also found that standardized training was not provided to staff responsible for HOTS data management. While 41 of the 42 HOMs we contacted reported that all HOTS users in their office receive training, the extent and nature varied considerably. When asked who provides the training, 36 respondents identified the Hearing Office Systems Administrator, 10 reported their office supervisors, and 4 said it was the HOM. There were five respondents who indicated various other responses.³

DURING THE PERIOD OF OUR REVIEW, HEARING PROCESSING TIME WAS BASED ON DATA FOR 1 MONTH

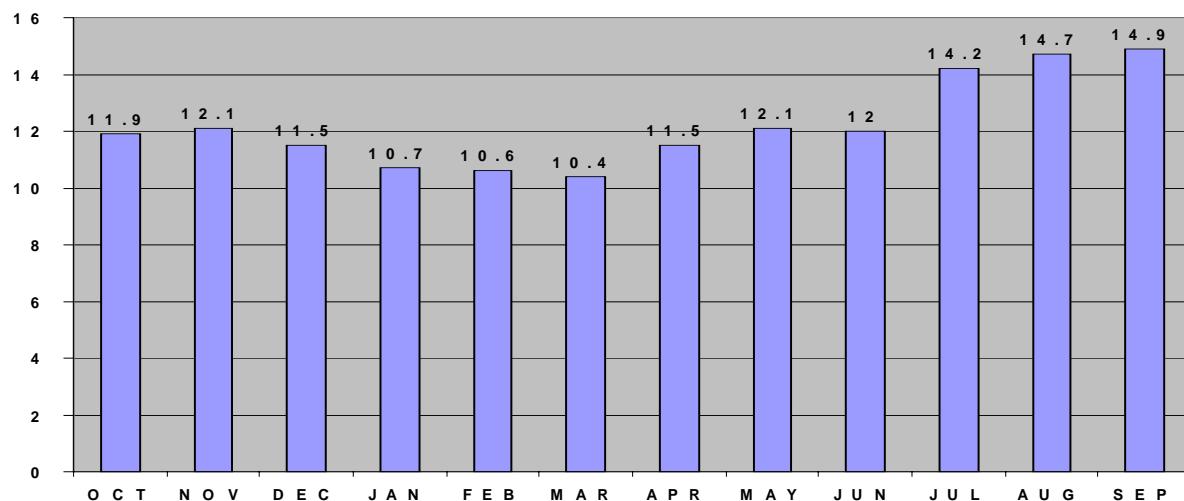
As reported in the FY 1998 Accountability Report, SSA decided cases and had notices sent within 120 days in 14 percent of hearing cases, exceeding its goal of 13 percent. For FY 1998, the performance measures for hearing processing time were calculated using the hearing cases processed in September. Similar to FY 1998, SSA used September data to report processing time performance in FY 1999. Recently, the Agency has decided to change the way it calculates the performance measure. In FY 2000, SSA calculated hearing processing time as an average of cases processed throughout the year.

Using the HOTS data for September 1998 from 42 randomly selected offices, we found that SSA processed 14.9 percent of the hearing requests within 120 days. When the recalculation was conducted using the data for all months in FY 1998, we found that SSA processed 12 percent of its requests in 120 days. This difference highlights that the percent of hearing decisions made and notices sent within 120 days for September did not represent performance for the entire year.

For our sample of 163,374 closed cases, the lowest percent of cases processed within 120 days was in March (10.4 percent) and the highest was in September (14.9 percent) (See Figure 4). These figures include dismissals which, according to HOMs, constitute approximately 10 percent of their office workload and take a shorter time to process than other cases. Given the monthly differences we agree with SSA's decision to redefine the method of calculating processing time by using the entire year's data.

³ Question 3 in the HOM survey dealing with who provides HOTS training was an open-ended question which allowed for multiple responses. Some of the HOMs did provide multiple responses, consequently, the total number of all responses is greater than the 42 HOMs contacted.

Figure 4: Percent of Hearing Decisions Made and Notices Sent within 120 Days by Month (FY 1998)



CONCLUSION AND RECOMMENDATIONS

The HOTS is not a reliable source of performance data for the hearing process. We found the data within HOTS to be incomplete and inaccurate. There was a lack of consistent training of staff entering data and a lack of consistent review of the data itself. One of the main causes of the weaknesses in the system was due to the manual process of forwarding Forms 501 from FOs to HOs. Accordingly, we recommend that SSA take the following corrective actions to improve the collection of the data used to measure OHA performance:

1. Perform a complete review of the process from the initial taking of the Forms 501 in the FOs until it is input into HOTS to ensure that data within HOTS is completely and accurately captured in a timely manner;
2. Ensure that data is automatically transferred from MCS and SSR to HOTS to eliminate the need for the manual input of hearing request dates from the Forms 501 into HOTS;
3. Establish consistent quality assurance reviews of the data within HOTS; and
4. Develop and present to all staff responsible for HOTS data management a standardized HOTS training course to ensure consistent and accurate entry of data into HOTS.

AGENCY COMMENTS

In response to our draft report, SSA agreed in principle with all of our recommendations. SSA agreed to perform a complete review of the hearing process from the initial taking of the Form 501 in the FO until it is input into HOTS to ensure that data are completely and accurately captured in a timely manner. SSA also agreed to present a standardized HOTS training course to all staff responsible for HOTS data management.

SSA indicated that, at the present time, data on hearing request dates from the Forms 501 are automatically propagated from MCS to HOTS with the ability for modification/correction if deemed necessary by the user. A similar interface with MSSICS instead of the SSR is being planned. This planning has been deferred pending migration/consolidation of the existing HOTS system on each HO IWS/LAN server to the mainframe environment.

SSA also stated that quality assurance reviews of HOTS data have been required of each HO for a number of years. OIM sends a report to each HO instructing local management to verify the data against what is contained in HOTS and to take corrective action, as necessary. Nevertheless, SSA began internal discussions on April 30, 2001 to review this process for improvement and more consistent results.

Additionally, SSA made comments on the methodology of our review. First, the Agency believes if we had provided a fuller description of the methodology used, it would have been more beneficial in identifying strengths and weaknesses in its HOTS data-entry process. Second, the Agency questioned our validation of the MCS and SSR data, which was compared to the HOTS data for accuracy. Lastly, there was a question regarding some terminology in our data collection instrument. SSA believed that some language might have been unfamiliar to HOMs and led them to guess at their responses.

OFFICE OF THE INSPECTOR GENERAL RESPONSE

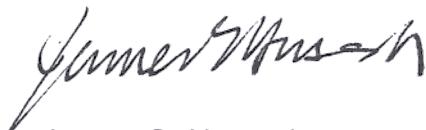
We are pleased SSA agrees with our recommendations and we look forward to receiving an implementation plan detailing the steps the Agency will take to improve the quality of HOTS data. We acknowledge SSA has an automatic transfer of data from MSC to HOTS. In fact, we believe this process may account for the substantially lower incidence of errors found for MCS cases as opposed to SSR cases. Because of this, we encourage a similar process for SSR records being established. Nonetheless, our review indicated that of the 232,565 records that were in both MCS and HOTS, 21,599 (9 percent) had a different hearing request date in HOTS than in MCS. The criteria for modification of the data that is propagated from MCS to HOTS should be reviewed to minimize data errors.

SSA also stated in its comments, that semiannual “reconciliation audits” have been required for a number of years. According to generally accepted standards, “quality assurance reviews” should be performed by a unit external to the process under review.

We believe the Agency will consider the important difference between its semiannual reviews and a quality assurance review.

SSA also stated that more information should have been provided regarding our audit methodology. Although we believe the information provided was sufficient, we have included more details in our Scope and Methodology section.

In our validation of the MCS and SSR data, we compared the hearings request date information on the Forms 501 to the corresponding MCS or OHA query request dates and satisfied ourselves that the information was reliable (see Appendix C, Sample Results section). Additionally, the DCI (see Appendix D) was used in telephone conversations with 42 HOMs. If the terminology were unfamiliar or confusing to the participants this would have been clarified during the course of our interviews and uniformly resolved.



James G. Huse, Jr.

Appendices

APPENDIX A— Scope and Methodology

APPENDIX B— Acronyms

APPENDIX C— Sample Results

APPENDIX D— Data Collection Instrument

APPENDIX E— Flowchart of Request for Hearing Process

APPENDIX F— Agency Comments

APPENDIX G—OIG Contacts and Staff Acknowledgements

Scope and Methodology

To define the hearing process and the systems used to measure performance in this area, discussions were held with the Office of Hearings and Appeals (OHA) personnel. Both programmatic and systems staff were contacted to obtain a full understanding of the processes involved. Further, 42 randomly selected Hearing Office Managers were interviewed using a standardized data collection instrument (DCI). The DCI contained questions that focused on the training of staff responsible for performance data management, the OHA workload, the processing of a *Request for Hearing by Administrative Law Judge Forms, Form HA-501* (Forms 501), the Hearing Office Tracking System (HOTS), and controls over this system. The DCI is included in Appendix D.

To assess the reliability of the data used to measure OHA performance, we extracted 641,286 hearing requests tracked in HOTS in Fiscal Year (FY) 1998. Extracts of all hearings requested in FY 1998 were also obtained from the Modernized Claims System (251,490 MCS records) and the Supplemental Security Record (193,995 SSR records). Our data tests did not include Medicare and Adjudicative Officer Pilot cases, or duplicate records. After fully exploring the impact of the number of cases involved in the Adjudicative Officer pilot project in respect to the universe of cases we were reviewing, we believed that the impact was immaterial to our review. Therefore, we excluded such cases from our data tests, using identifying fields, to extract from the MCS and SSR records only cases that should have been forwarded to the HOs from which we had data. The requests contained in MCS and SSR were compared to the HOTS records to test for the completeness of the data contained in HOTS. We also compared the hearing request dates on 220 of 285 Forms 501 to ensure these dates were accurately entered into HOTS.

We also obtained an extract of 281,114 records from the 42 randomly selected Hearing Offices (HO) for all cases tracked in HOTS in FY 1998, consisting of 163,374 closed and 117,740 pending cases. Our goal was to use the data from the 42 HOs to recalculate the time it took SSA to process hearing requests in FY 1998, and to estimate the number of cases pending. However, because we found that 72,620 records from our universe of 641,286 HOTS cases had request dates differing from the hearing request dates on either MCS or SSR, we could not rely on the HOTS date to calculate the hearing processing time. Additionally, because we found 33,637 hearing request records in either MCS or SSR not recorded in HOTS, we could not use HOTS data to estimate the number of pending cases.

We did use the data from the 42 HOs to determine the number of days it took HOs to receive Forms 501 from field offices (FO). However, we did not test the reliability of the date when the HO received the Forms 501.

To check the accuracy of the hearing request date data within HOTS, a random sample of 8 HOs was selected and 30 Forms 501 were randomly requested from each office.

See Appendix C for the statistical results for this multistage design. We also requested all 45 Forms 501 for cases that, according to HOTS data from 42 randomly sampled HOs, had taken at least 3 years for the HOs to receive from the FOs. Of the requested 285 records, we received 220 Forms 501 (77 percent). The remaining forms were not forwarded because the claimant's folder was purged or missing or the Form 501 was missing from the folder. We compared the hearing request date on the Forms 501 to the dates shown in HOTS to check for accuracy of the HOTS data. We also compared 39 Form 501 request dates to the request dates shown on the MCS record for title II cases or the OHA query¹ for title XVI cases, consisting of 24 HO cases and 15 outlier cases.

The entity audited was the Office of Hearings and Appeals. The audit work was performed in New York, New York and Baltimore, Maryland between July 1998 and February 2000. Our audit was conducted in accordance with generally accepted government auditing standards.

¹ The OHA query provides information on title XVI cases that reflects the date of the original hearing request. At the time of our review, the FO did not have the capability to input the hearing request date into the Modernized Supplemental Security Income Claims System (MSSICS). An updated MSSICS release will reflect the original hearing request date.

Acronyms

ALJ	Administrative Law Judge
DCI	Data Collection Instrument
DDS	Disability Determination Service
DI	Disability Insurance
FO	Field Office
FY	Fiscal Year
GPRA	Government Performance and Results Act
HO	Hearing Office
HOM	Hearing Office Manager
HOTS	Hearing Office Tracking System
MCS	Modernized Claims System
MSSICS	Modernized Supplemental Security Income Claims System
OHA	Office of Hearings and Appeals
OIG	Office of the Inspector General
POMS	Program Operations Manual System
SSA	Social Security Administration
SSR	Supplementary Security Record

Appendix C

Sample Results

To administer our Data Collection Instrument (DCI), we took a random sample of 42 of the 143¹ hearing offices (HO) in the population. During Fiscal Year 1998 these 42 offices tracked 281,114 hearing cases in the Hearing Office Tracking System (HOTS) consisting of 163,374 closed cases and 117,740 pending cases. Our sample results are based on a review of the 163,374 closed HOTS cases. After matching Modernized Claims System (MCS) and Supplemental Security Record (SSR) hearing request data fields to the corresponding HOTS hearing request dates and finding discrepancies, we needed to determine which date, if any, was correct. To test the validity of the dates, we compared the hearing request date from the source document (Form 501) to the corresponding date on the data files.

We used a multistage sampling design. We randomly selected 8 of the 42 offices we selected for our DCI sample and for each of the 8 HOs selected, we randomly selected 30 closed cases to review. We then requested copies of the Forms 501 for the 240 cases in our sample.

We received 197 Forms 501. Of the 197 received, 30 had dates that did not agree with the corresponding HOTS request date. For the 43 missing forms, we treated them as being correct for projection purposes. Additionally, we validated 39 Form 501 request dates (24 HO cases and 15 outlier cases) with the corresponding MCS or Office of Hearings and Appeals (OHA) query request dates. We found three HO cases and three outlier cases with MCS or OHA query request dates different from that on the Form 501.

Location	Hearings	Sample Size	Forms 501 Rec'd	HOTS date error	Projected	Projected Ratio as %
Portland, OR	2,893	30	24	1	96	3.33
Oak Park, MI	5,018	30	28	4	669	13.33
Honolulu, HI	607	30	29	4	81	13.33
Springfield, MA	2,562	30	17	2	171	6.67
Ft. Lauderdale, FL	7,430	30	24	7	1,734	23.33
Phoenix, AZ	3,596	30	26	4	479	13.33
Tulsa, OK	4,703	30	21	4	627	13.33
Madison, WI	290	30	28	4	39	13.33
Total	27,099	240	197	30	3,896	14.38
Overall	163,374				20,455	12.52

We are 90 percent confident that the actual number of HOTS records in error is between 7,724 and 33,186.

¹ At the time of our review there were 143 hearing offices (including satellite offices). As of August 23, 2000, there are 139.

Appendix D

Data Collection Instrument

Date _____

TR DR KF

Name: «FirstName» «LastName»

Phone #: «Phone»

Position: Hearing Office Manager

HO: «HearingOffice»

HOTS Review, Hearing Office Manager Survey
A-02-98-91003

Hello. My name is _____ with the Office of the Inspector General. Emily Lurie said you'd be expecting my call. We are reviewing how the Office of Hearings and Appeals measures its performance through the Hearing Office Tracking System. I would like to ask you some questions about how your office uses HOTS. Your answers will be kept confidential. It should take about an hour. Do you have the time now or would you like to schedule for another time?

Appointment:

Date:_____

Time:_____

1. Does everyone using HOTS in your office receive the HOTS manual?

31 Yes (73.8%)
10 No (23.8%)
1 DK (2.4%)¹

2. Does everyone using HOTS in your office receive HOTS training?

41 Yes (97.6%)
1 No (2.4%) **[SKIP TO QUESTION 7]**

3. If yes, who provides this training?

Title:_____

36 HOSA (85.7%)
10 Supervisor (23.8%)
4 HOM (9.5%)
5 Other (11.9%)²

¹ DK = Don't know

² When percentages do not equal 100, interviewees were allowed to give more than one answer.

4. What does the training consist of?

- 6 Manual (19.3%)
- 18 Depends on job (42.9%)
- 10 General introduction (23.8%)
- 2 In depth, step by step (4.8%)
- 9 One on one (21.4%)
- 4 Group (9.5%)
- 6 Screens (14.3%)
- 30 Changes, updates, reviews, status codes, fields, diary dates, data entry, procedures, scheduling, running reports (71.4%)
- 3 Other (7.1%)

5. Does everyone using HOTS receive similar training?

- 23 Yes (54.8%) **[SKIP TO QUESTION 7]**
- 19 No (45.2%)

6. If training differs, why does it differ? (22 responses)

- 22 Depends on job description (100%)

7. On average, how many Forms 501 does your office receive in a day?

(mean=19.83, range=2 to 107)

8. Does your office receive Forms 501 from any place besides the field offices you serve?

- 19 Yes (45.2%)
- 23 No (54.8%) **[SKIP TO QUESTION 11]**

9. If yes, from where else might your office get Forms 501? (19 responses)

- 9 Layers, representatives (47.4%)
- 5 Claimants (26.3%)
- 10 Other (transfers, Medicare, screening unit, etc.) (52.6%)

10. What percent of Forms 501 do you get from these other sources?

% (mean=11.76, range=1 to 45)

11. How do Forms 501 come into your office?

- 38 Regular mail (90.5%)
- 2 Certified mail (4.8%)
- 5 Other: Specify (11.9%)

12. Who receives the Form 501 when it is sent to your office?

- 27 Master Docket Clerk (64.3%) **[SKIP TO QUESTION 14]**
15 Someone else (35.7%)

13. If someone else, who? (15 responses)

- 13 Mail clerk/receptionist (86.7%)
1 Other (6.7%)
1 DK (6.7%)

14. Please describe what he/she does with the Form 501?

- 14 Opens it (33.3%)
18 Date stamps (42.9%)
11 Gives to MDC (26.2%)
11 Queries (26.2%)
29 Enters into HOTS (69%)
6 Acknowledges receipt to claimant (14.3%)
11 Prepares ALJ file (26.2%)
5 Requests SSA claim folder (11.9%)
9 Stores (21.4%)
6 Assigns to ALJ (14.3%)
4 Other (9.5%)

15. On average, what percent of Forms 501 are received with the case folders?

____% (mean=75.4%, range=0 to 100)

16. On average, how long does it usually take for your office to receive the folder after your office receives the Form 501 from the field office?

____ Number of days (mean=52.45, range=2 to 365)
2 Same day (4.8%)

17. Approximately, for what percent of cases must your office recreate a folder?

____ % (mean=2.18%, range=0 to 30)
2 DK (4.8%)

18. If your office does not receive the folder with the Form 501, does the person entering the data

- 40 start to input data into HOTS while your office waits for the folder? (95.2%)
1 wait to receive the folder before opening a case receipt in HOTS? (2.4%)
1 Other. Please explain. (2.4%)

19. When Forms 501 are inputted into HOTS,

- 5 are they batched? (11.9%)
- 36 are they entered as they come in? (85.7%)
- 1 DK (2.4%)

20. On average, how long after your office receives the Form 501 does someone enter the information into HOTS?

- ___ # of days (mean=1.9, range=1 to 7)
- 22 same day (52.4%)

21. Who is responsible for inputting information from the Form 501 into HOTS?

- 35 MDC (83.3%)
- 4 HO clerk (9.5%)
- 3 Other (7.1%)

22. Are all cases processed the same way?

- 27 Yes (64.3%) **[SKIP TO QUESTION 25]**
- 15 No (35.7%)

23. If no, which cases are processed differently? (15 responses)

- 3 Critical case (20.0%)
- 2 Screening unit cases (13.3%)
- 2 AO pilot (13.3%)
- 10 Other (66.7%)

24. How are they processed differently? (15 responses)

- 7 Given priority (46.7%)
- 6 Given to senior attorney (40.0%)
- 3 specific to pilot (filling out certain forms, etc.) (20.0%)
- 3 Other (20.0%)

25. What happens to the Form 501 after the initial person inputs the data into HOTS?

- 11 Goes in ALJ file (26.2%)
- 18 Goes in SSA file, copy in ALJ file (42.9%)
- 19 Stored for assignment to ALJ (45.2%)
- 6 Assigned to ALJ (14.3%)
- 5 Assigned/given to senior attorney (11.9%)
- 4 Other (9.5%)

26. Does the responsibility for inputting data for a claimant's case

- 39 go from person to person, or (92.9%)
- 2 is one person responsible for the case through disposition? (4.8%)
- 1 Other (2.4%)

27. What date does your office enter as the Request Received date in the HOTS case receipt screen?

- 12 the date listed on the Form 501 that the request for hearing was received at the field office (28.6%)
- 23 the date that the Form 501 was actually received at your hearing office (54.8%)
- 2 the date that you are entering the data into HOTS (default date) (4.8%)
- 2 Other. Explain. (4.8%)
- 3 DK (7.1%)

28. Data is entered into HOTS when the Form 501 is received at the your office. Is there a place in HOTS to record the date that the request for hearing was made at the field office?

- 35 Yes (83.3%)
- 6 No (14.3%) **[SKIP TO QUESTION 30]**
- 1 DK (2.4%)

29. If yes, what is it called? (36 responses)

- 30 Request for hearing, or hearing request (83.3%)
- 4 Request received (11.1%)
- 1 Other (2.8%)
- 1 DK (2.8%)

30. Is the date that your office receives the Form 501 entered into HOTS?

- 37 Yes (88.1%)
- 4 No (9.5%)**[SKIP TO QUESTION 32]**
- 1 DK (2.4%)

31. If yes, what is the name of the field in HOTS? (39 responses)

- 26 Request received (66.7%)
- 6 Claim file received (15.4%)
- 3 Other (7.7%)
- 4 DK (10.3%)

32. If data is entered incorrectly, could a case be routed to the wrong out-of-office location?

- 18 Yes (42.9%)
- 23 No (54.8%) **[SKIP TO QUESTION 35]**
- 1 DK(2.4%)

33. If yes, how long a delay might this cause? (17 responses)

- ___# days (mean=13.7, range=3 to 60)
- 5 Depends (29.4%)
- 2 DK(11.8%)

34. How would you know if this happened? (20 responses)

- 2 One of us would ask for it and not find it so we would trace it. (10.0%)
- 8 The office that received it would call to inquire. (40.0%)
- 3 The office that should have received it would call to inquire. (15.0%)
- 1 We would discover the error during one of our checks. (5.0%)
- 6 Other (30.0%)

35. If a case is permanently transferred out of your office, is it counted as a processed case?

- 2 Yes (4.8%) **[SKIP TO QUESTION 37]**
- 39 No (92.9%)
- 1 DK(2.4%)

36. If no, what are such cases counted as? (38 responses)

- 36 Transfer out (94.7%)
- 2 Other (5.3%)
- 1 DK(2.6%)

37. If a case is permanently transferred into your office, do you

- 3 change the request received date to reflect the date that the case came into your office, (7.1%) **[SKIP TO QUESTION 39]** or
- 33 enter the date the case was transferred in into another field? (78.6%)
- 6 DK(14.3%)

38. What is this field called? (35 responses)

- 12 File received (34.3%)
- 8 Transfer in (22.9%)
- 8 Other (22.9%)
- 7 DK(20.0%)

39. Would a case that is permanently transferred into your office be considered pending from the date it was received at the original HO?

25 Yes (%) **[SKIP TO QUESTION 41]**
16 No (38.1%)
1 DK(2.4%)

40. If no, from what date is it considered pending? (16 responses)

16 Request for Hearing date from FO (100%)

41. Are there some cases that are not considered pending, even though a letter of disposition has not yet been sent to the claimant? (38 responses)

2 Yes (5.3%)
36 No (94.7%) **[SKIP TO QUESTION 43]**

42. If yes, what types of cases are they? (2 responses)

1 "On hold" cases if we receive such instruction from CO (50.0%)
1 Other (50.0%)

43. Are dismissed cases considered "processed" in your monthly activity report?

32 Yes (76.2%)
1 No (2.4%) **[SKIP TO QUESTION 45]**
7 Some dismissals are, some not (16.7%)
1 Other (2.4%)
1 DK(2.4%)

44. What percent of processed cases are dismissals? (41 responses)

— % (mean=9.97%, range=1% to 25%)
4 DK(9.8%)

45. What monthly reports generated by HOTS go to the regional office?

40 MAR (95.2%)
19 03 weekly, daily (45.2%)
9 05 (21.4%)
8 12G (19.0%)
22 Other (52.4%)
1 DK(2.4%)

46. How is data sent to regional office?

- 0 Paper reports (0.0%)
- 40 Electronically (95.2%)
- 2 Other (4.8%)

47. What do Regional Offices do with the data that they receive from the Hearing Offices?

- 1 send the data to the Central Office to do the analysis, or (2.4%)
- 27 analyze the data and send the analysis to the Central Office? (64.3%)
- 3 Other. Specify. (7.1%)
- 11 Don't know. (26.2%)

48. Are there any types of cases that are not counted as processed in the monthly activity reports?

- 16 Yes (38.1%)
- 25 No (59.5%) **[SKIP TO QUESTION 50]**
- 1 DK (2.4%)

49. If yes, what are they? (15 responses)

- 5 Screening unit dismissals (33.3%)
- 2 All dismissals (13.3%)
- 3 Some dismissals (not specific) (20.0%)
- 5 Transfers (33.3%)
- 4 Other (26.7%)

50. How are data entry errors in HOTS corrected? (41 responses)

- 22 Different people have different access to certain fields (53.7%)
- 17 Person entering data makes correction (41.5%)
- 13 Computer assistant (31.7%)
- 10 HOSA (24.4%)
- 2 Supervisor (4.9%)
- 4 MDC (9.8%)
- 2 HOM (4.9%)
- 3 Other (7.3%)

51. If data is entered incorrectly, could a case be routed to the wrong location in your office? (39 responses)

- 22 Yes (56.4%)
- 17 No (43.6%) **[SKIP TO QUESTION 54]**

52. If yes, how long a delay might this cause?

- __ # Days (mean=24.28, range=0 to 365)
4 Same day or less than 1 day (18.2%)
3 Depends (13.6%)

53. How would you know if this happened? (22 responses)

- 6 Someone looking for it or working on it would not find it (27.3%)
12 Person who received it would point it out (54.5%)
7 Other (31.8%)

54. Does anyone in your office ever review the data entered into HOTS?

- 37 Yes (88.1%)
5 No (11.9%) **[SKIP TO QUESTION 58]**

55. If yes, who reviews the data? (37 responses)

- 14 HOM (37.8%)
10 Supervisor (27.0%)
4 MDC (10.8%)
9 Computer assistant (24.3%)
6 HOSA (16.2%)
5 Legal assistant (13.5%)
6 Everyone who works with the file (16.2%)
1 Other (2.7%)

56. How do they review it? (37 responses)

- 16 Run status reports looking for anything strange (43.2%)
9 Conduct audits and locate each file (24.3%)
7 compare folder to HOTS (18.9%)
3 Compare HOTS to CICS (8.1%)
4 Person who gets file checks that HOTS information is correct (10.8%)
7 Other (18.9%)

57. How often do they review it? (37 responses)

- __ #Days (mean=48.21, range= 1 to 365)
9 Periodically (24.3%)

58. Are cases in HOTS ever purged?

- 5 Yes (11.9%)
1 No (2.4%) **[SKIP TO QUESTION 62]**
34 They are archived (81%)
2 DK(4.8%)

59. If yes, how often are they purged or archived? (37 responses)

- # Months (mean=2.23, range=1 to 12)
2 Other (5.4%)
4 DK(10.8%)

60. Which cases are purged or archived? (36 responses)

- 26 All cases closed or closed 1 month (72.2%)
 Cases closed this number of months (mean=2.23, range=1 to 12—for all 35 cases purged or archived)
1 Other (2.8%)

61. Who does the purging or archiving? (37 responses)

- 13 HOSA (35.1%)
20 Computer Assistant (54.1%)
4 Other (10.8%)

62. Was your office provided a list of status codes that you must use in HOTS?

- 41 Yes (97.6%)
0 No (0.0%) **[SKIP TO QUESTION 64]**
1 DK(2.4%)

63. If yes, who provided this list?

- 13 CO (31.0%)
12 RO (28.6%)
4 HOSA or Computer assistant (9.5%)
17 Came with HOTS (40.5%)
7 Other (16.7%)
1 DK(2.4%)

64. Does HOTS keep a record of how long each case is in each status?

- 38 Yes (90.5%)
3 No (7.1%) **[SKIP TO QUESTION 66]**
1 DK(2.4%)

65. If yes, are these dates included in the reports which are transmitted to the Regional Office? (38 responses)

- 14 Yes (36.8%)
22 No (57.9%)
2 DK(5.3%)

66. Can a case be in more than one status at a time?

- 0 Yes (0.0%)
- 42 No (100%)

67. If someone forgets to update a status code and makes the correction later on, what date is linked to this new status code? (41 responses)

- 25 the date of the change (61.0%)
- 9 the date the code should have been changed (22.0%)
- 6 Other Explain. (14.6%)
- 1 DK(2.4%)

68. Is a disposition document written aside from the letter that is sent to the claimant?

- 8 Yes, a separate disposition document is written. (19%)
- 33 No, the letter of disposition sent to the claimant is the only account of the decision made. (78.6%) **[SKIP TO QUESTION 72]**
- 1 DK(2.4%)

69. If yes, what is it called? (15 responses)

- 3 Transmittal (20.0%)
- 12 Decision and cover letter (80.0%)
- 1 Other (6.7%)

70. Is the letter sometimes sent to the claimant before this disposition document is fully prepared and placed in the folder? (11 responses)

- 0 Yes (0.0%)
- 10 No (90.9%) **[SKIP TO QUESTION 72]**
- 1 DK(9.1%)

71. If yes, for what percent of cases might this happen, on average? (no responses)

__ %

72. When is a case considered closed in HOTS?

- 0 When the ALJ makes his/her decision. (0.0%)
- 0 When the letters of disposition are written. (0.0%)
- 1 When the letter of disposition is signed by the ALJ. (2.4%)
- 35 When the letters of disposition are mailed. (83.3%)
- 6 Some other date. Specify. (14.3%)

73. Is there a field in HOTS for the date that the ALJ makes his/her decision?

- 14 Yes (33.3%)
28 No (66.7%) **[SKIP TO QUESTION 75]**

74. If yes, what is it called? (22 responses)

- 20 Status code update (90.9%)
2 Other (9.1%)

75. Is there a field in HOTS for the date that letters of disposition are signed?

- 30 Yes (71.4%)
12 No (28.6%) **[SKIP TO QUESTION 77]**

76. If yes, what is it called? (33 responses)

- 22 "Sign" status code (66.7%)
8 Other (24.2%)
3 DK(9.1%)

77. Is there a field in HOTS for the date that letters of disposition are mailed out?

- 40 Yes (95.2%)
2 No (4.8%) **[SKIP TO QUESTION 79]**

78. If yes, what is it called? (40 responses)

- 24 "Closed" status code date (60.0%)
9 "Mail" status code date (22.5%)
4 Other (10.0%)
3 DK(7.5%)

79. How often are letters of disposition mailed out?

- 31 The day they are written. (73.8%)
3 They are batched. (7.1%)
5 Favorable decisions are held for 2 days; non-favorable are sent out right away (11.9%)
3 Other (7.1%)

80. What happens to the HO folders (not the SSA folders) when a case is closed? (33 responses)

- 24 They are destroyed. (72.7%)
 Number of months that favorable ALJ files are held before they are destroyed. (mean=19.48, range=6 to 36)
 Number of months that non-favorable ALJ files are held before they are destroyed. (mean=20.58, range=6 to 36)
9 They are stored in a closed file cabinet (no further information). (27.3%)

81. In your opinion, what one thing, from hearing request to disposition, do you think causes the biggest delay in the hearing process?

- 7 Short of staff in some areas, too many cases (16.7%)
7 Scheduling problems because of claimants (no-shows, want rep), or ALJ (too busy) (16.7%)
6 No claim file, waiting (14.3%)
7 Work-up by legal assistant (16.7%)
17 Pre and post hearing development, consultative exams, ALJ reviews (40.5%)
8 Other (19.0%)

82. Is there anything that you would change about HOTS?

- 28 Yes (66.7%)
14 No (33.3%) **[THE END.]**

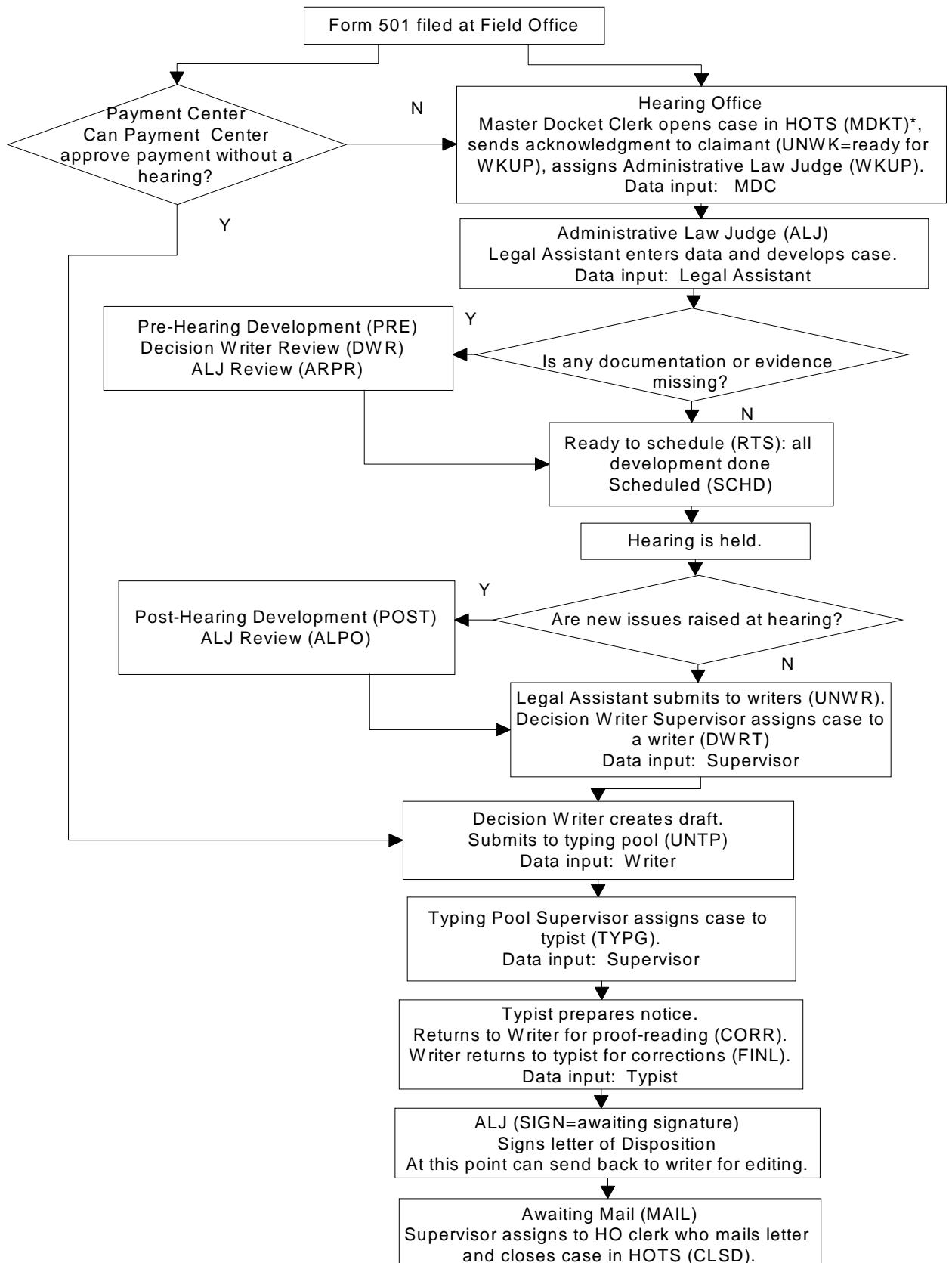
83. If yes, what? (28 responses)

- 7 Should be compatible with FO and SSA systems (CICS) (25.0%)
11 Should allow for noting special cases, pilot cases (more options) (39.3%)
3 Can eliminate some fields and status codes (fewer options) (10.7%)
7 Report screens—should be on screens and by any status or clerk (25.0%)
1 Should report when a hearing is waived (3.6%)
1 Our equipment is bad/old/not working/not enough/etc. (3.6%)
9 Other (32.1%)

[THE END.]

Appendix E

Flowchart of Request for Hearing Process



*This description of the flow of a request for hearing through the Hearing Office Tracking System (HOTS), shows the HOTS status codes in parentheses after a given stage of the hearing process.

Agency Comments



SOCIAL SECURITY

MEMORANDUM

April 18, 2001

Refer To: S1J-3

To: James G. Huse, Jr.
Inspector General

Larry G. Massanari
Acting Commissioner of Social Security

Subject: Office of the Inspector General Draft Report, "Performance Measure Review: Reliability of the Data Used to Measure the Hearing Process" (A-02-98-91003)—INFORMATION

Our comments on the subject draft report are attached. If your staff have any questions, they may contact Robert Berzanski on extension 52675.

Attachment:
SSA Comments

**COMMENTS OF THE SOCIAL SECURITY ADMINISTRATION (SSA) ON THE
OFFICE OF THE INSPECTOR GENERAL DRAFT REPORT, "PERFORMANCE
MEASURE REVIEW: RELIABILITY OF THE DATA USED TO MEASURE THE
HEARING PROCESS" (A-02-98-91003)**

We appreciate the opportunity to comment on the draft report. Following are our comments on the recommendations.

Recommendation 1

Perform a complete review of the process from the initial taking of the Form 501 in the field offices (FO) until it is input into the Hearing Office Tracking System (HOTS) to ensure that data within HOTS is completely and accurately captured in a timely manner.

Comment

We agree. SSA will design and conduct such a review in this fiscal year

Recommendation 2

Ensure that data is automatically transferred from the Modernized Claims System (MCS) and Supplemental Security Income Record (SSR) to HOTS to eliminate the need for the manual input of hearing request dates from the Forms 501 into HOTS.

Comment

Such a transfer of data already exists for MCS. The appropriate MCS data is automatically propagated into HOTS and is available for modification/correction if deemed necessary by the user

The Office of Systems held general planning discussions in reference to implementing a similar interface with the Modernized Supplemental Security Income Claims System (MSSICS) instead of the SSR for Title XVI data. MSSICS transfer of data will then be similar to the MCS transfer. Further planning has been deferred pending migration/consolidation of the existing HOTS system on each Hearing Office (HO) Intelligent Workstation/Local Area Network server to the mainframe environment. The HOTS migration effort is currently in the planning and analysis phase.

Recommendation 3

Establish consistent quality assurance reviews of the data within HOTS.

Comment

Semi-annual HOTS/Case Control System (CCS) reconciliation audits have been required of each HO for a number of years. The Office of Information Management

sends a CCS report to each HO instructing local management to verify the CCS data against HOTS data and to take corrective action, as necessary. Nevertheless, SSA will initiate internal discussions by April 30, 2001 to review this process for improvement and more consistent results, as well as to develop specific detailed instructions for how the review will be conducted.

Recommendation 4

Develop and present to all staff responsible for HOTS data management a standardized HOTS training course to ensure consistent and accurate entry of data into HOTS.

Comment

We agree. SSA will develop options for delivering training by the end of the fiscal year.

Technical Comments

Page 1– BACKGROUND – First paragraph, Change sentence 3 to “Through the DI program, eligible workers receive monthly benefits if they are found to have a disability that prevents them from engaging in substantial gainful activity (SGA) and, which will last at least 12 months or result in death.”

Page 2– BACKGROUND –Second paragraph, line 5 and 7 – Change “decision” to “determination” in both places.

Page 2– BACKGROUND –Second paragraph, line 8 – Change “receipt of the notice” to “the date the notice is received.”

Page 2– Appeal Process – Item 2 - Change to “If the claimant is dissatisfied with the reconsidered determination, the claimant may request a hearing before an Administrative Law Judge (ALJ) in the Office of Hearings and Appeals (OHA). The request must be made within 60 days from the date the reconsideration determination is received. A claimant does not have to receive a denial to appeal. For example, a claimant who received a partially favorable result may want to appeal.”

Page 2– Appeal Process – Item 3 - Change the second sentence to “The Appeals Council may deny or dismiss the request for review or grant the review, and either issue a decision or remand the case to an Administrative Law Judge.” (Follow language in 20 CFR 404.967).

Page 2– Appeal Process – Item 4 - Replace with “If the claimant is unsatisfied with the Commissioner’s final decision, then he or she may appeal to Federal District Court. If a decision is not final, a claimant generally may not file an appeal in Federal district court [We say “generally” since there are limited circumstances under which a claimant can establish jurisdiction in Federal court without exhausting his or her administrative remedies.] Moreover, a claimant may appeal a partially or fully favorable decision.”

Methodology Comments

1. A fuller description of the methodology could more meaningfully assist OHA in identifying strengths and weaknesses in its HOTS data-entry scheme. For example, the OHA participants in the January 2001 conference call with the OIG raised concerns that several temporary initiatives OHA pursued during the audit period, including the adjudication officer program and various other short-term disability projects, may have skewed the HOTS data and affected the OIG's measurement of its accuracy and completeness. The OIG participants in the conference call offered assurances during that call that steps had been taken to prevent the temporary initiatives from biasing OIG's data collection concerning the ongoing completeness and accuracy of HOTS data. However, the OIG draft report does not detail these steps. Nor did the OIG participants explain the steps during the conference call. We remain uncertain how OIG ensured that the data it collected during the audit period reflected baseline HOTS data reliability, rather than any skewing effects of the several temporary initiatives.
2. The methodology appears to assume that MCS and SSR inputs were reliable and that discrepant OHA data reflected unreliable HOTS entries. We do not understand how the OIG validated its assumption that the MCS and SSR inputs were reliable. Finally, we would submit that some of the terminology in OIG's data collection instrument could have been unfamiliar to the hearing office managers offering responses, and could have caused the managers responding to the instrument to guess at their responses. For example, the term "letter of disposition" is not one commonly used in hearing offices and may have been interpreted differently by different managers.

OIG Contacts and Staff Acknowledgements

OIG Contacts

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Acknowledgments

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For additional copies of this report, please contact the Office of the Inspector General's Public Affairs Specialist at (410) 966-5998. Refer to Common Identification Number A-02-98-91003.

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President, National Council of Social Security Management Associations, Incorporated	1
Treasurer, National Council of Social Security Management Associations, Incorporated	1
Social Security Advisory Board	1
AFGE General Committee	9
President, Federal Managers Association	1
Regional Public Affairs Officer	1
Total	97

Overview of the Office of the Inspector General

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The Office of Audit (OA) conducts comprehensive financial and performance audits of the Social Security Administration's (SSA) programs and makes recommendations to ensure that program objectives are achieved effectively and efficiently. Financial audits, required by the Chief Financial Officers Act of 1990, assess whether SSA's financial statements fairly present the Agency's financial position, results of operations, and cash flow. Performance audits review the economy, efficiency, and effectiveness of SSA's programs. OA also conducts short-term management and program evaluations focused on issues of concern to SSA, Congress, and the general public. Evaluations often focus on identifying and recommending ways to prevent and minimize program fraud and inefficiency.

Office of Executive Operations

The Office of Executive Operations (OEO) supports the Office of the Inspector General (OIG) by providing information resource management; systems security; and the coordination of budget, procurement, telecommunications, facilities and equipment, and human resources. In addition, this office is the focal point for the OIG's strategic planning function and the development and implementation of performance measures required by the Government Performance and Results Act. OEO is also responsible for performing internal reviews to ensure that OIG offices nationwide hold themselves to the same rigorous standards that we expect from the Agency, as well as conducting employee investigations within OIG. Finally, OEO administers OIG's public affairs, media, and interagency activities and also communicates OIG's planned and current activities and their results to the Commissioner and Congress.

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Office of the Counsel to the Inspector General

The Office of the Counsel to the Inspector General provides legal advice and counsel to the Inspector General on various matters, including: 1) statutes, regulations, legislation, and policy directives governing the administration of SSA's programs; 2) investigative procedures and techniques; and 3) legal implications and conclusions to be drawn from audit and investigative material produced by the OIG. The Counsel's office also administers the civil monetary penalty program.