RECOMMENDATIONS ON THE BACKLOG OF CASES AT THE SSA OFFICE OF DISABILITY ADJUDICATION AND REVIEW

BACKGROUND

- At the end of fiscal year 2002, the backlog of cases requesting a hearing at the Social Security Administration (SSA) Office of Disability Adjudication and Review (ODAR) held steady at 468,262 cases. That number grew considerably over the past seven years to 768,540 pending requests for a hearing at the close of December 2008. If receipts continue at a relatively flat but similar rate, ODAR would need to decide 1 million cases this year in order to reduce the pending hearing requests to 400,000.
- In December, it took an average of 479 work days to process a typical request for hearing. Processing times across the nation ranged from a low of 334 days on average in the Boston region to a high of 595 days on average in the Seattle region.
- Although clericals in hearing offices prepared 501,188 cases in FY08, claimants submitted almost 589,449 new requests during the year. As such, the backlog of files simply awaiting preparation for review by an Administrative Law Judge (ALJ) at the close of December 2008 totaled 438,147 cases.
- Staffing at SSA will soon reach its lowest level since 1972; however, SSA has nearly twice the number of beneficiaries it had in 1972. Officials estimate that more than 40 percent of its 65,000 employees will retire by 2014.

RECOMMENDATIONS

- In the ten years prior to FY08, Congress appropriated $1.3 billion less than the President's request. Reversing this trend is a necessary step to reduce the backlog and increased funding for FY09 was a good start.
- The FY09 Omnibus finally passed in March 2009. We can no longer afford to pass budgets more than halfway through the fiscal year. In order for these funds to be properly spent, budgets must be passed prior to October 1st.
- The economic stimulus bill (P.L. 111-5) provided necessary funds to SSA in order to improve its service delivery issues. It is crucial SSA allocate these funds to the areas that need them the most. The $1 billion awarded to SSA will allow it to hire 5,000 – 6,000 employees. We must ensure these hires are placed where the agency needs them the most – in field offices and as clericals in hearing offices.
- The President also requested $11.6 billion for SSA's administrative expenses in FY10. Undoubtedly, these funds will have a direct impact on the service delivery of the agency. We applaud the President for his commitment to solving the backlog problem and urge Congress to appropriate his request.
- In addition to exacerbating the current backlog, underfunding the Social Security Administration will negatively impact every service area of the agency. In FY06 and FY07, SSA replaced one worker for every three that retired. The President's budget will allow for new workers to be hired as others retire.
- While the President's budget request for FY10 is a start, it is certainly not a cure-all solution. Throwing money at the problem will not fully solve it without the authorization to hire a well-trained, dedicated staff of federal employees willing to avert a crisis in the coming years.