

The Office of Hearings Operations' Use of Video and Telephone Hearings

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Office of Audit Report Summary

Objective

To determine the extent to which the Office of Hearings Operations (OHO) used video and telephone hearings during the COVID-19 pandemic.

Background

OHO directs a nation-wide organization of hearing offices staffed with administrative law judges (ALJ), managers, and support staff.

Before March 2020, the Social Security Administration (SSA) was scheduling the parties to hearings to appear by video; in-person; or, in limited circumstances, by telephone. In January 2016, SSA issued its first plan for Compassionate And Responsive Service (CARES), with the initiative to hold more hearings via video-teleconference (VTC).

In March 2020, in response to the COVID-19 pandemic, SSA closed its hearing offices to the public for all in-person services. Beginning March 30, 2020, SSA only offered hearings via telephone. In August 2020, SSA piloted online video hearings (OVH) in which claimants participated from their homes or their representatives' offices using Internet-based videoconferencing software. OHO began in-person and VTC hearings in March 2022 for priority cases.

Results

OHO's use of video and telephone hearings during the COVID-19 pandemic allowed hearings to continue while hearing offices were closed to the public.

Hearings During the Pandemic. OHO held approximately 460,000 hearings from April 2020 to March 2021—20 percent fewer than the previous 12 months. OHO also received 21 percent fewer hearing requests and reduced pending hearings by 22 percent over the same period. The downward trend in hearings held, requested, and pending continued through March 2022.

Online Video Hearings. While most hearings during the pandemic were held via telephone, over 40,000 claimants had used the OVH option by March 2022.

Processing Times. Average processing time was 333 days from April 2020 through March 2021, down from an average of 445 days in the previous 12 months. The decrease likely occurred, in part, because OHO received fewer hearings requests during the pandemic. However, average processing time was decreasing before the pandemic because of increased hiring.

Quality. SSA had review processes and conducted studies to evaluate the quality of in-person, VTC, and telephone hearings and has found no differences in quality.

VTC Equipment. Although OHO has a process for determining where to place VTC equipment, there were 39 VTC units worth hundreds of thousands of dollars sitting idle in hearing offices around the country even before the pandemic. While the use of VTC hearings was increasing before the pandemic, their use, along with telephone hearings and OVHs, could become more critical in the future.

Recommendation

We recommended SSA review the 39 underused VTC units we identified and consider whether it should relocate or remove the equipment. SSA agreed with our recommendation.