



Highlights of [GAO-06-779T](#), a report to House Committee on Ways and Means Subcommittee on Social Security

Why GAO Did This Study

In March 2006, the Social Security Administration (SSA) published a rule that fundamentally alters the way claims for disability benefits are processed and considered. The rule establishes the Disability Service Improvement process (DSI)—intended to improve the accuracy, timeliness, consistency, and fairness of determinations. DSI's changes include an opportunity for an expedited decision during the initial determination process and the elimination of the Appeals Council, which had given claimants the right to appeal administrative law judge (ALJ) decisions before pursuing federal court review. DSI replaces the council with a Decision Review Board, which will selectively review ALJ decisions. However, dissatisfied claimants whose cases are not selected for board review must now appeal directly to the federal courts.

Based on its ongoing work, GAO was asked to testify on (1) public and stakeholder concerns about the elimination of the Appeals Council and its replacement by the Decision Review Board and SSA's response to these concerns, as well as (2) the steps that SSA has taken to help facilitate a smooth implementation of the DSI process.

www.gao.gov/cgi-bin/getrpt?GAO-06-779T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Robert E. Robertson at (202) 512-7215 or robertsonr@gao.gov.

SOCIAL SECURITY ADMINISTRATION

Agency Is Positioning Itself to Implement Its New Disability Determination Process, but Key Facets Are Still in Development

What GAO Found

Concerns regarding the replacement of the Appeals Council with the Decision Review Board—raised by the public and stakeholder groups, such as claimant representatives—generally fall into two areas: (1) potential for increasing the workload of the federal courts and (2) anticipated hardship for claimants in terms of the loss of an administrative appeal level and difficulties associated with pursuing their claim in federal court. SSA's response to concerns regarding the federal court workload is that all changes associated with the new DSI process—taken together—should reduce the need for appeal to the federal courts; at the same time, SSA plans to implement this final step gradually and with additional safeguards to minimize impact on the courts. In response to concerns about the loss of appeal rights, SSA contends that DSI introduces enhanced levels of federal review earlier in the process and that claimants should experience a decline in the amount of time it takes to receive a final agency decision.

SSA has prepared in significant ways for the initial rollout of DSI in its Boston region, but the agency's timetable is ambitious and much work remains. The agency has moved forward in key areas that underpin the new system—human capital development, technical infrastructure, and quality assurance—taking actions consistent with past GAO recommendations for improving the disability determination process. For example, SSA has taken steps to ensure that key technical supports, particularly its electronic disability case processing system, are in place—even though it has allowed itself little time to address and resolve any glitches that may arise prior to implementation. SSA has also taken several steps to lay a foundation for quality assurance by centralizing its quality assurance reviews, establishing a Decision Review Board for reviewing decisions, and developing writing tools that should foster consistency and thorough documentation at all phases of the determination process. Further, we found that SSA's decision to implement DSI first in one small region prior to its introduction nationally is a good change management strategy that reflects our earlier recommendations. Additionally SSA has taken a proactive, collaborative approach to both the design and the implementation of the new determination process. Nevertheless, key facets of SSA's plan to monitor and evaluate the Boston rollout remain to be developed. For example, performance measures for assessing the execution of the rollout are still unclear to us, and mechanisms for delivering feedback to staff on the clarity and soundness of their decision writing have not yet been fully developed.