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February 6, 2018

Nancy Berryhill
Acting Commissioner
Social Security Administration
6401 Security Boulevard
3100 West High Rise
Baltimore, MD 21235-0001

RE: Serious Delays in Disability Claims Processing at the Tampa, Florida ODAR

Dear Acting Commissioner Berryhill:

I am very concerned with the very serious delays in processing disability claims of the Office of Disability Adjudication and Review (ODAR) in Tampa, Florida and respectfully request a plan of action from the Social Security Administration (SSA) to address the matter as soon as possible. As you know, citizens often rely on disability claims for life and death resources and such claims should be processed in a reasonable time. I am concerned that there is a serious lack of personnel at the SSA's Tampa ODAR office. Without adequate personnel, citizens experience delayed hearings before an Administrative Law Judge (ALJ). These delays can impact efficient decision-making and lives, and bog down the issuing of decisions, which directly impact my constituents' pocketbooks. Such delays also are impacting expeditious replies to Congressional Inquiries from my office on behalf of our constituents.

AVERAGE STATISTICS PERTAINING TO TAMPA ODAR – according to a September 2017 Social Security Administration's Office of Disability Adjudication and Review Report:

The average waiting time for an SSI or SSD hearing is: 20.5 months.

The average case processing time in Tampa is: 653 days.

Average Dispositions Per Day Per ALJ is: 1.8

Cases Dismissed 22%; Cases Approved 44%; Cases Denied 34%

In 2008, I was proud to work to bring a new Social Security hearing office to St. Petersburg to reduce the Social Security benefit backlog for my Tampa Bay neighbors. With the addition of the new positions, several new administrative law judges and a

larger support staff to process claims, I was hopeful the Social Security Administration would be able to further reduce wait times in the Tampa Bay region. While the average wait time for a hearing has dropped in our area, far too many of our neighbors remain on the waiting list and it is clear that it is time to readdress the issues that may be contributing to the backlog and delays.

I have been advised that some of the problems may stem from staff working outside the office where they may not have access to relevant files. Telecommuting and other programs have been adopted by many agencies, but agencies must be able to ensure that staff working outside the office are just as efficient if not more so. Certainly an agency that works with such sensitive information and individuals in need of rapid and accurate answers, like yours, must make certain that there are no impediments.

Furthermore, it is my understanding that the decisions are being "outsourced" to private writers that take too long to write and issue decisions. Historically, judges and attorneys have written their own decisions on the same day as the ruling. It has been reported to me that of the 19 ALJs, only two judges continue to write their own decisions. Tampa Bay area families simply cannot afford to wait for these "outsourced" writers to provide a final decision.

Another important issue with the Tampa's ODAR office has to do with "in-house" and "outsourced" court reporters. I am told that Tampa ODAR is in the process of moving away from using in-house court reporters (some with as much as nine years of service and experience at ODAR). Obviously, it is ill-advised to lose dedicated employees who have such an intimate knowledge of this process. I have been advised that SSA is in fact outsourcing court reporters in a cost-saving move where court reporters will be paid \$20.00 per court case. What is the rationale for this? Do the changes undervalue the importance of the speed and accuracy of opinions being delivered? I also have been advised that such court reporters are paid only \$5.00 if an individual does not appear. That appears to be far below what SSA should be compensating contracted court reporters for their preparation and time.

I would also like to bring to your attention challenges with the "Expedite" criteria for a "Dire Need" claim. I have heard that the label of "Expedite" may be largely ignored by those reviewing the required supporting documents. I am told this may be due to a lack of knowledge of the criteria which can lead to an inability to evaluate the health, financial hardship, lack of employment and other serious conditions experienced by the claimant.

Based on the information I have received and the need for constituents to receive benefits that can sometimes mean life or death, I respectfully request a prompt review of the Tampa ODAR based on a plan of action consistent with your policies and procedures. SSA previously addressed the backlog ten years ago with a serious plan of action and I recommend that you do so again now. Often, well-meaning cost-saving measures end up costing citizens and the agency more through lack of efficiency and delayed decision-

making. If you have any questions or comments, please do not hesitate to contact me or Didier Barjon at 202-225-3376.

Please acknowledge receipt of this letter and I look forward to a timely response.

Sincerely,

A handwritten signature in blue ink that reads "Kathy Castor". The signature is written in a cursive, flowing style.

Kathy Castor
U.S. Representative
Florida – District 14