



## Social Security Newsletter

This is a newsletter of interest to professionals who provide services to potential Social Security disability and SSI claimants. © 2023

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### SSA's Backlog Crisis Worsening

**AS WE PROCEED INTO 2023**, we find another backlog crisis in the Social Security disability administrative process. In the past, the longest time-barrier facing Social Security disability claimants was the backlog at the Office of Hearings Operations. There were periods where it would take 2 years or more just to get a date before an Administrative Law Judge. However, since the pandemic, several factors have merged to change the backlog from the hearing level to the initial application and reconsideration levels.



**EVERY STATE IN THE COUNTRY** has had an increase in the delays in assigning adjudicators to review files at the first two levels of reviews, and in getting applications decided once the work has begun.

**THIS HAS CAUSED INTENSE** hardship on claimants. The stress level for claimants is highest right after they file their application. They often just lost employment and are dealing with significant health concerns. They deserve a prompt decision on their application.

**ACCORDING TO SOCIAL SECURITY'S OWN** statistics the worst ten states have seen processing time for the initial review rise more than 136% with Florida's increase the worst – from 77 days in 2019 to 225 days in 2022. The lowest increase in cases pending was in North Carolina but there was still an average increase in backlog of 38%.

**TRAINING FOR YOUR GROUP OR OFFICE:** As we enter 2023, we continue to advocate for our Social Security disability clients. We will work with you and their supporters to move applications forward despite the daunting bureaucratic and political barriers. Please call to set up an in-service at your location, or via Zoom, to discuss these issues and how we can work more closely with you to help these people in need.

**CLAIMANTS, THEIR FAMILIES,** and their supporters just must be aware of this worsening situation as little can be done in most instances to get an application reviewed more quickly.

**THERE ARE SEVERAL CAUSES** for this chaos in the system:

- Congress has just not funded the Social Security Administration. Since 2010, the agency workload has increased by more than 11 million beneficiaries – an increase of more than 21 percent to the approximately 70 million Americans it serves each year. However, staffing is at the lowest level in 25 years, and taking inflation into account, Congress has decreased SSA's funding by 17 percent in that time.
- SSA's prediction is that it will lose almost 6,000 more employees in fiscal year 2023 – many of these are the older and more experienced staff – replacing their knowledge will take years. At the state levels, the high stress and low pay for adjudicators is chasing many away into private sector jobs. In some states, the telework staffs were not even provided telephones and were told to use their private phones to conduct state business.
- Pandemic related delays occurred with the difficulty in transitioning to fully remote work, the closing of the local offices and, for many months, the inability to schedule consultative examinations. Issues with staff and their representatives relating to the reopening of offices are still occurring.
- There is still no full-time Commissioner at Social Security to run the agency. The Interim Commission is filling the role but having an appointed, approved and established leader could only help. The President must make this nomination.