The February Board meeting began with a discussion with Social Security Administration (SSA) Inspector General Patrick O’Carroll. Mr. O’Carroll was invited to discuss recent audits and investigations that the Office of Inspector General (OIG) focused on in 2014, including the high profile fraud cases in New York and Puerto Rico. Audit topics included Administrative Law Judge (ALJ) allowance rates and SSA’s Disability Case Processing System (DCPS) project. In addition to these topics, Mr. O’Carroll
discussed Cooperative Disability Investigations (CDI) units and the OIG’s plans to establish more of these units in 2015.

Next, the Board met with Arthur Spencer and Ken Nibali, both retired SSA executives who had worked on and lead projects related to disability. One of those projects was the Disability Redesign Prototype Model, which began in 1997 and tested various combinations of modifications to the disability determination process for select States. These States became known as “Prototype States.” One of the most common features of Prototype States is the elimination of step 2 (the Reconsideration step) in the adjudication process. Mr. Nibali and Mr. Spencer were invited to provide some background and historical context of the Reconsideration step, as well as the rationale for and against eliminating it.

During lunch, the Board met with Teresa Pfender, an Appeals Officer at SSA’s Office of Disability Adjudication and Review (ODAR). Ms. Pfender provided some background on the disability claims evaluation process. This included an overview of the court system and how the courts can influence the disability process differently depending on which judicial district the appeal is filed in.

Lastly, the Board met with Sam Bagenstos, professor of law at the University of Michigan. Mr. Bagenstos was invited specifically to discuss a recent article he had written entitled The Disability Cliff, which was published in the journal Democracy. The article featured an overview and legislative history of the disability rights movement in the U.S., including a discussion of the disability “cliff” that young adults with developmental disabilities face when federal special education expires at age 22. Mr. Bagenstos presented initiatives that he believes could provide a smoother transition from education into employment for these individuals.

I certify that the minutes written for the February 23, 2015 meeting of the Social Security Advisory Board are correct.

Henry J. Aaron
Chairman
Social Security Advisory Board