

CBS News reports this morning that the House Oversight and Government Reform Committee will begin hearings on Thursday, June 27 about the role of administrative law judges in awarding benefits.

Critics of the current disability system point to SSA's own statistics which show that judges currently approve slightly more than half of the claims brought before them (this is down from a 60% approval rate in 2010). Claims approved at hearings were previously rejected twice by state employees called adjudicators.

Critics also claim that too many judges are approving undeserving cases simply to clear out growing backlogs - the judges complain of quotas - which may delay a hearing date for longer than 12 months.

Others contend that long term unemployed workers claim disability when their unemployment benefits run out.¹

A Social Security spokesman argues that the increase in beneficiaries is the result of an aging population.²

What can we expect from the House subcommittee report? I expect the following:

- § there will be continued pressure on Social Security ALJ's to reduce the number of approved cases and to process more cases
- § there will be an increased focus on continuing disability reviews as a means to terminate benefits
- § Adjudicators and ALJ's will be encouraged to deny claims where there is no objective evidence of disability. Fibromyalgia claims, mental health claims and claims with limited medical evidence will be much harder to win
- § there will be a push to change the hearing procedures. I do not think we will see SSA representatives appear to contest claims (this would be too expensive) but I think we will see new rules that limit new evidence submissions after a certain date and new limits on how judges evaluate evidence
- § Social Security is under immense pressure to reduce the cost of its disability programs. The disability trust fund will run out of money in 2016 which will force Congress to redirect funds from Social Security retirement.

¹This was the premise of a controversial NPR report entitled "Unfit for Work: the Startling Rise of Disability in America - see my video about this story - <https://www.youtube.com/watch?v=xQznMaknaIo>.

²A Goldman Sachs study confirms this assertion, noting that the rise in SSDI beneficiaries has only modestly outstripped SSA's own pre-recession forecasts.

§ I expect the hearing approval rate will continue to trend downward