

ACTUAL PERFORMANCE FOR OUTPUT/EFFICIENCY MEASURES
360 - State Office of Administrative Hearings
Fiscal Year 2020
9/30/2020

Efficiency/Output Measures with Cover Page and Update Explanation
 86th Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

9/30/2020 3:23:47PM

Agency code: **360**

Agency name: **State Office of Administrative Hearings**

| Type/Strategy/Measure | 2020 Target | 2020 Actual | 2020 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|-----------|--------------------------|-----------------------|
| Output Measures | | | | | |
| <u>1-1-1 CONDUCT HEARINGS</u> | | | | | |
| 1 NUMBER OF HOURS BILLED | | | | | |
| Quarter 1 | 80,400.00 | 17,389.00 | 17,389.00 | 21.63 % | 16,080.00 - 24,120.00 |
| Quarter 2 | 80,400.00 | 16,627.25 | 34,016.25 | 42.31 % * | 36,180.00 - 44,220.00 |
| <u>Explanation of Variance:</u> Second quarter hours showed a modest drop compared to first quarter resulting in an overall below target performance. | | | | | |
| Quarter 3 | 80,400.00 | 15,941.25 | 49,957.50 | 62.14 % * | 56,280.00 - 64,320.00 |
| <u>Explanation of Variance:</u> Third quarter hours showed a further modest drop, in part due to COVID-19 related referral reductions. | | | | | |
| Quarter 4 | 80,400.00 | 17,917.50 | 67,875.00 | 84.42 % * | 76,380.00 - 84,420.00 |
| <u>Explanation of Variance:</u> The fourth quarter hours improved, but it and the annual value were impacted by COVID-19. | | | | | |
| 2 # ADM LICNSE REV CASES DISPOSED | | | | | |
| Quarter 1 | 25,000.00 | 6,166.00 | 6,166.00 | 24.66 % | 5,000.00 - 7,500.00 |
| Quarter 2 | 25,000.00 | 6,306.00 | 12,472.00 | 49.89 % | 11,250.00 - 13,750.00 |

* Varies by 5% or more from target.

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| 2 # ADM LICNSE REV CASES DISPOSED | | | | | |
| Quarter 3 | 25,000.00 | 2,572.00 | 15,044.00 | 60.18 % * | 17,500.00 - 20,000.00 |
| <u>Explanation of Variance:</u> Due to COVID-19, a large number of cases were continued and reset to dates outside this reporting period. | | | | | |
| Quarter 4 | 25,000.00 | 3,680.00 | 18,724.00 | 74.90 % * | 23,750.00 - 26,250.00 |
| <u>Explanation of Variance:</u> Cases disposed improved from the previous quarter but continue to be impacted by continuances and remote settings related to COVID-19. | | | | | |
| 3 NUMBER OF GENERAL CASES DISPOSED | | | | | |
| Quarter 1 | 5,900.00 | 958.00 | 958.00 | 16.24 % * | 1,180.00 - 1,770.00 |
| <u>Explanation of Variance:</u> The number of cases received are down resulting in fewer cases to dispose. | | | | | |
| Quarter 2 | 5,900.00 | 980.00 | 1,938.00 | 32.85 % * | 2,655.00 - 3,245.00 |
| <u>Explanation of Variance:</u> Cases disposed continue to be down significantly, driven by an overall lower than normal number of referrals. | | | | | |
| Quarter 3 | 5,900.00 | 812.00 | 2,750.00 | 46.61 % * | 4,130.00 - 4,720.00 |
| <u>Explanation of Variance:</u> Due to COVID-19, case referrals were lower than normal and a large number of cases were continued. | | | | | |

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| 3 NUMBER OF GENERAL CASES DISPOSED | | | | | |
| Quarter 4 | 5,900.00 | 830.00 | 3,580.00 | 60.68 % * | 5,605.00 - 6,195.00 |
| <u>Explanation of Variance:</u> Due to COVID-19, case referrals have been down and continue to impact this measure. | | | | | |
| 4 % OF AVAIL ALJ TIME SPENT ON CASES | | | | | |
| Quarter 1 | 75.00 % | 77.76 % | 77.76 % | 103.68 % | 71.25 - 78.75 |
| Quarter 2 | 75.00 % | 78.47 % | 78.10 % | 104.13 % | 71.25 - 78.75 |
| Quarter 3 | 75.00 % | 72.63 % | 76.27 % | 101.69 % | 71.25 - 78.75 |
| Quarter 4 | 75.00 % | 76.09 % | 76.22 % | 101.63 % | 71.25 - 78.75 |
| 6 NUMBER OF TAX DECISIONS ISSUED | | | | | |
| Quarter 1 | 400.00 | 49.00 | 49.00 | 12.25 % * | 80.00 - 120.00 |
| <u>Explanation of Variance:</u> Pending cases at the beginning of the fiscal year and the number of cases received are down resulting in fewer cases requiring decisions. | | | | | |

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|-----------------------|-------------|-------------|----------|--------------------------|--------------|

Output Measures

6 NUMBER OF TAX DECISIONS ISSUED

| | | | | | |
|------------------|--------|-------|--------|-----------|-----------------|
| Quarter 2 | 400.00 | 90.00 | 139.00 | 34.75 % * | 180.00 - 220.00 |
|------------------|--------|-------|--------|-----------|-----------------|

Explanation of Variance: Case referrals increased from the first quarter and the number of cases disposed almost tripled first quarter values. Low YTD numbers are driven by the low first quarter.

| | | | | | |
|------------------|--------|-------|--------|-----------|-----------------|
| Quarter 3 | 400.00 | 51.00 | 190.00 | 47.50 % * | 280.00 - 320.00 |
|------------------|--------|-------|--------|-----------|-----------------|

Explanation of Variance: After rebounding in the second quarter, referrals were down this quarter due to COVID-19.

| | | | | | |
|------------------|--------|-------|--------|-----------|-----------------|
| Quarter 4 | 400.00 | 55.00 | 245.00 | 61.25 % * | 380.00 - 420.00 |
|------------------|--------|-------|--------|-----------|-----------------|

Explanation of Variance: Due to COVID-19, case referrals have been down and continue to impact this measure.

Efficiency Measures

1-1-1 CONDUCT HEARINGS

1 AVG DAYS FROM RECORD CLOSE TO PFD

| | | | | | |
|------------------|-------|-------|-------|-----------|---------------|
| Quarter 1 | 40.00 | 29.20 | 29.20 | 73.00 % * | 38.00 - 42.00 |
|------------------|-------|-------|-------|-----------|---------------|

Explanation of Variance: There were proportionately fewer complex cases this quarter.

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9/30/2020 3:23:47PM

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| Type/Strategy/Measure | 2020 Target | 2020 Actual | 2020 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|----------|--------------------------|---------------|
| Efficiency Measures | | | | | |
| 1 AVG DAYS FROM RECORD CLOSE TO PFD | | | | | |
| Quarter 2 | 40.00 | 23.78 | 26.23 | 65.58 % * | 38.00 - 42.00 |
| <u>Explanation of Variance:</u> A large number of mass docket cases and quick turnaround for tax cases influenced this number. | | | | | |
| Quarter 3 | 40.00 | 30.67 | 27.55 | 68.88 % * | 38.00 - 42.00 |
| <u>Explanation of Variance:</u> Though the third quarter number moved closer to the target, this number continues to be influenced by mass docket cases with quick turnarounds. | | | | | |
| Quarter 4 | 40.00 | 29.98 | 28.05 | 70.13 % * | 38.00 - 42.00 |
| <u>Explanation of Variance:</u> This measure was impacted by TABC Emergency Order referrals that have short statutory deadlines, and also by a large number of TDI stop-loss cases. | | | | | |
| 2 MEDIAN # DAYS TO DISPOSE CASE | | | | | |
| Quarter 1 | 75.00 | 86.00 | 86.00 | 114.67 % * | 71.25 - 78.75 |
| <u>Explanation of Variance:</u> HHSC mass docket cases are collected into sizable groups before docketing. Depending on the initial date of the individual cases, this can skew the performance at the time of disposition. | | | | | |
| Quarter 2 | 75.00 | 93.00 | 91.00 | 121.33 % * | 71.25 - 78.75 |
| <u>Explanation of Variance:</u> Complex cases from TCEQ, PUC, and the Texas Medical Board impacted this measure due to high levels of pre-hearing activities. | | | | | |

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| Type/Strategy/Measure | 2020 Target | 2020 Actual | 2020 YTD | Percent of Annual Target | Target Range |
|---|-------------|-------------|----------|--------------------------|---------------|
| Efficiency Measures | | | | | |
| 2 MEDIAN # DAYS TO DISPOSE CASE | | | | | |
| Quarter 3 | 75.00 | 95.50 | 92.00 | 122.67 % * | 71.25 - 78.75 |
| <u>Explanation of Variance:</u> This measure was impacted by complex cases and cases that included mediation referrals. | | | | | |
| Quarter 4 | 75.00 | 120.00 | 97.00 | 129.33 % * | 71.25 - 78.75 |
| <u>Explanation of Variance:</u> This measure was impacted by conversion of in-person hearings to remote settings, which was necessitated by COVID-19. | | | | | |
| 3 DAYS TO ISSUE A TAX DECISION | | | | | |
| Quarter 1 | 9.00 | 6.84 | 6.84 | 76.00 % * | 8.55 - 9.45 |
| <u>Explanation of Variance:</u> This measure is impacted by the reduced volume of cases referred by CPA. With fewer cases to manage, days to issue a decision may be reduced. | | | | | |
| Quarter 2 | 9.00 | 6.56 | 6.65 | 73.89 % * | 8.55 - 9.45 |
| <u>Explanation of Variance:</u> Fewer complex cases allowed decisions to issue quickly this quarter. | | | | | |
| Quarter 3 | 9.00 | 9.18 | 7.33 | 81.44 % * | 8.55 - 9.45 |
| <u>Explanation of Variance:</u> Though the YTD value varies by more than 5%, the third quarter value is on target. | | | | | |

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| Type/Strategy/Measure | 2020 Target | 2020 Actual | 2020 YTD | Percent of Annual Target | Target Range |
|-----------------------|-------------|-------------|----------|--------------------------|--------------|
|-----------------------|-------------|-------------|----------|--------------------------|--------------|

Efficiency Measures

3 DAYS TO ISSUE A TAX DECISION

| | | | | | |
|------------------|------|-------|------|-----------|-------------|
| Quarter 4 | 9.00 | 10.84 | 8.12 | 90.22 % * | 8.55 - 9.45 |
|------------------|------|-------|------|-----------|-------------|

Explanation of Variance: The quarterly measure was impacted by the issuance of several complex-case decisions, but the YTD measure reflects the impact of reduced referrals due to COVID-19.

1-2-1 CONDUCT ALT DISPUTE RESOLUTION

1 MEDIAN # DAYS TO DISPOSE ADR CASES

| | | | | | |
|------------------|-------|--------|--------|------------|---------------|
| Quarter 1 | 90.00 | 128.00 | 128.00 | 142.22 % * | 85.50 - 94.50 |
|------------------|-------|--------|--------|------------|---------------|

Explanation of Variance: Mediation is a voluntary process with the timetable being driven by the parties. SOAH allows parties to agree on mediation dates and provides ample time for fact finding and negotiations during the process. This quarter the party-driven timetable was longer than the target.

| | | | | | |
|------------------|-------|--------|--------|------------|---------------|
| Quarter 2 | 90.00 | 131.50 | 128.00 | 142.22 % * | 85.50 - 94.50 |
|------------------|-------|--------|--------|------------|---------------|

Explanation of Variance: This metric was influenced by one outlier case and by cases that involved complex medical care cases.

| | | | | | |
|------------------|-------|--------|--------|------------|---------------|
| Quarter 3 | 90.00 | 113.00 | 128.00 | 142.22 % * | 85.50 - 94.50 |
|------------------|-------|--------|--------|------------|---------------|

Explanation of Variance: Though the value moved closer to target this quarter, party requests for multiple meetings and extensions impacted this value.

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|------------------------------|------------------------|------------------------|---------------------|-------------------------------------|---------------------|
|------------------------------|------------------------|------------------------|---------------------|-------------------------------------|---------------------|

Efficiency Measures

1 MEDIAN # DAYS TO DISPOSE ADR CASES

| | | | | | |
|------------------|-------|-------|--------|------------|---------------|
| Quarter 4 | 90.00 | 65.00 | 123.00 | 136.67 % * | 85.50 - 94.50 |
|------------------|-------|-------|--------|------------|---------------|

Explanation of Variance: Hearing-activity reductions associated with COVID-19 provided parties a window that allowed new ADR referrals to move through expeditiously this quarter.

* Varies by 5% or more from target.

ACTUAL PERFORMANCE FOR EXPLANATORY MEASURES
360 - State Office of Administrative Hearings
Fiscal Year 2020
9/30/2020

Explanatory Measures with Cover Page and Update Explanation
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| <u>Type/Strategy/Measure</u> | 2020 Target | 2020 YTD | Percent of Annual Target |
|--|------------------------|---------------------|-------------------------------------|
| Explanatory/Input Measures | | | |
| <u>1-1-1 CONDUCT HEARINGS</u> | | | |
| 1 NUMBER OF ALR CASES RECEIVED | | | |
| | 25,300.00 | 18,155.00 | 71.76 % * |
| <u>Explanation of Variance:</u> Case referrals from DPS were down due to COVID-19. | | | |
| 2 NUMBER OF GENERAL CASES RECEIVED | | | |
| | 5,900.00 | 3,579.00 | 60.66 % * |
| <u>Explanation of Variance:</u> This value is down in part due to COVID-19, and in part due to decreased referrals from OAG and HHSC/FPS. | | | |
| 3 NUMBER OF AGENCIES SERVED | | | |
| | 50.00 | 53.00 | 106.00 % * |
| <u>Explanation of Variance:</u> SOAH received more ground water referrals than anticipated. | | | |
| <u>1-2-1 CONDUCT ALT DISPUTE RESOLUTION</u> | | | |
| 1 # ALT DISPUTE RES CASES REQ OR REFD | | | |
| | 110.00 | 166.00 | 150.91 % * |
| <u>Explanation of Variance:</u> Positive mediation results have led to an increase in referrals, particularly with respect to those from the Board of Nursing. | | | |

* Varies by 5% or more from target.

ACTUAL PERFORMANCE FOR OUTCOME MEASURES

360 - State Office of Administrative Hearings

Fiscal Year 2020

9/30/2020

Outcomes with Cover Page and Update Explanation
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DATE: 9/30/2020
 TIME: 3:23:01PM
 PAGE: 2 OF 2

Agency code: 360

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| Type/Objective/Measure | 2020 Target | 2020 YTD | Percent of Annual Target | Target Range |
|---|----------------|-------------|-----------------------------|--------------|
| <u>1-1 HEARINGS</u> | | | | |
| 1 PERCENT OF PARTICIPANTS SATISFIED | 92.00 % | 87.71 % | 95.34 % | |
| <u>Prior YTD:</u> | | | | |
| 2 % TAX DECISIONS ISSUED W/IN 60 DAYS | 100.00 % | 100.00 % | 100.00 % | |
| <u>Prior YTD:</u> | | | | |
| <u>1-2 ALTERNATIVE DISPUTE RESOLUTION</u> | | | | |
| 1 % OF PARTICIPANTS SATISFIED W/ ADR | 94.00 % | 93.69 % | 99.67 % | |
| <u>Prior YTD:</u> | | | | |

* Varies by 5% or more from target.