

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**HEARINGS ACTIVITY REPORT (HARP)**  
**September 1, 2022 – February 28, 2023**

**INTRODUCTION**

The State Office of Administrative Hearings (SOAH) serves as an independent, neutral forum providing fair and efficient hearings process and the opportunity for alternative dispute resolution proceedings, in accordance with Chapter 2003 of the Texas Government Code. This Hearings Activity Report (HARP) provides detailed information about SOAH' caseload, including SOAH's associated cost of service, during the designated reporting period. HARP is prepared and submitted in accordance with Rider 5 of SOAH's appropriation bill pattern.

**Hearings Activity Report:** By May 1st and November 1st of each fiscal year, SOAH shall submit to the Legislative Budget Board and the Governor a report detailing hearings activity conducted during the prior two fiscal year quarters. The report shall indicate, in a format prescribed by the Legislative Budget Board, for each agency served by method of finance: the projected and actual person hours allocated to the agency's cases and the cost, both direct and indirect, of conducting the hearings. The report shall also indicate, in a format prescribed by the Legislative Budget Board, for each agency served: the projected and actual number of cases received, the number of cases disposed, and the median number of days between the date a case is received by SOAH and the date the case is finally disposed, and any other information requested by the Legislative Budget Board during the reporting period. (S.B. 1, General Appropriations Act, 2022-2023 Biennium, Eighty-seventh Legislature, Regular Session, Article 8.)

**THE CONTENTS OF THE REPORT**

This volume of HARP covers the period September 1, 2022, through February 28, 2023.

HARP Part I – Cases summarizes information by agency for actual pending cases, cases received, cases disposed, and median days at SOAH. It also includes Fiscal Year 2023 second half projections.

HARP Part II – Hours and Expenses summarizes hours and costs by referring agency within each method of finance. It also contains the projected hours and costs for each agency for the second half of Fiscal Year 2023. These projections are based on amounts included in the Legislative Appropriations Request (LAR) adjusted by the most current information available to SOAH. Please note that, for simplicity, the appeals of Appraisal Review Board (ARB) orders are listed under one agency code, 940.

## **SUMMARY OF ACTIVITY FOR THE CURRENT PERIOD**

### **HARP Part I**

#### *ALR Cases:*

ALR cases received slightly decreased from the prior reporting period to 11,666. Cases disposed notably increased from the prior reporting period to 15,903 during this reporting period.

#### *General Docket Cases:*

General docket cases referred slightly decreased from prior reporting period to 1,630 received. Cases disposed decreased from prior reporting period to 1,540.

### **HARP Part II**

#### *Hourly Cost:*

ALR work was \$122.50 per ALJ billable hour and General Docket was \$134.28. General Revenue funded cases was at \$126.65 and Interagency Contracts (IAC) was at \$135.07. The rate swing by agency in this reporting period ranged from as low as \$122.50 to as high as \$166.93 per hour. The overall rate for the current period is \$129.16, a decrease from the prior reporting period of \$145.75.

The projected IAC rate for the second half of Fiscal Year 2023 is \$180.55. The projected overall rate for the second half of Fiscal Year 2023 is \$140.61.

Fluctuations in hourly rates are directly attributable to the salary and classification mix of ALJs assigned to cases as well as to the overall hours worked on cases. SOAH does not assign ALJs to cases by funding source but by subject matter, by experience and expertise, and as dictated by the workload. Because the funding source does not dictate the ALJ that works on a case, in any given period, or for any given agency, rebalancing the caseload impacts the allocation of costs and, thus, the hourly rate.

## **HARP PART I - CASES: DEFINITION OF TERMS**

The table in this section lists each agency, identified by name and agency number, served during the reporting period, and provides a summary of the following measured events for those agencies, as applicable:

**NUMBER OF CASES PENDING AT START OF REPORTING PERIOD** - Active cases pending at the beginning of the reporting period that were carried forward from the end of the prior reporting period into the next.

**NUMBER OF CASES RECEIVED** - Only cases initially docketed at SOAH during the reporting period. Therefore, if casework time is shown but no cases were received during the reporting period, this indicates the time worked was on a case initiated in a prior reporting period.

**NUMBER OF CASES DISPOSED** - Includes all matters resolved (*e.g.*, by proposal for decision, final order, settlement, or dismissal) during the reporting period irrespective of when the case was referred to SOAH. If the number of cases disposed exceeds the number of cases received, it indicates that some of the cases disposed during the reporting period were docketed at SOAH in a prior reporting period.

**CUMULATIVE NUMBER OF CASES PENDING AT END OF REPORTING PERIOD** - The number of active cases pending at the close of the reporting period that will be carried forward into the next reporting period.

**MEDIAN DAYS AT SOAH** - Approximates the median time from filing to final disposition that cases were pending on the SOAH docket.

## **HARP PART II - HOURS AND EXPENSES: DEFINITION OF TERMS**

The table in this section lists by agency the total hours and costs, as described below, for the reporting period, sorted by method of finance.

**HOURS** - The total amount of actual case-related time.

**DIRECT SALARIES** - Actual salary cost of all hours related to the respective agency or docket during the reporting period.

**COURT COST** - Total direct court costs (interpreters, court reporters, and transcripts) associated with conducting the hearing and performing other work on a particular case.

**TRAVEL COST** - Total direct travel costs (transportation, lodging, and meals) associated with conducting the hearing and performing other work on a particular case.

**TOTAL DIRECT** - Sum of Total Salaries, Court Cost, and Travel Cost.

**TOTAL INDIRECT** - The costs associated with supporting the hearings activity and allocated to each case on a pro rata basis. These costs include Docketing, Legal Services, Hearings Division support staff, and Hearings Division managers. Includes all non-case related ALJ costs and all leave time taken.

**TOTAL ADMIN** - Reflects the total administrative costs allocated to each case on a pro rata basis. These costs include personnel and operating costs for Executive Management, Finance, General Counsel, Human Resources, Records, and Information Technology.

**PROJECTED HOURS** - Projected hours for the related agency during the specified time frame.

**PROJECTED COST** - Projected cost attributable to the related agency during the specified time frame.

# State Office of Administrative Hearings Hearings Activity Report (HARP) Part I - Cases

Date Range: 09/01/2022 to 02/28/2023

Agency Number	Agency Name	Number of Cases Pending Start of Reporting Period	Number of Cases Received	Number of Cases Disposed	Cumulative Number of Cases Pending at End of Reporting Period	Median Days at SOAH	Projections		
							Projected Cases Received	Projected Cases Disposed	Projected Median Days at SOAH
302	Office of the Texas Attorney General	216	244	273	187	38	380	139	28
304	Texas Comptroller of Public Accounts	74	130	96	108	108	151	75	90
307	Texas Secretary of State	0	4	3	1	39	3	5	47
312	Texas State Securities Board	9	1	1	9	397	2	1	366
323	Teacher Retirement System of Texas	1	1	1	1	198	2	1	288
327	Employees Retirement System of Texas	12	3	10	5	147	6	7	134
329	Texas Real Estate Commission - Texas Appraiser Licensing and Certification Board	6	14	10	10	102	13	5	127
338	Texas State Pension Review Board	1	0	1	0	260	0	0	130
362	Texas Lottery Commission	45	113	102	56	13	94	51	16
405	Texas Department of Public Safety	9,958	11,585	15,765	5,778	119	9,129	7,914	349
407	Texas Commission on Law Enforcement	392	208	216	384	100	218	108	88
450	Texas Department of Savings and Mortgage Lending	8	3	9	2	38	4	4	19
451	Texas Department of Banking	0	2	0	2	0	1	0	0
452	Texas Department of Licensing and Regulation	19	33	20	32	84	37	14	83
453	Texas Workers Compensation Commission	2	0	0	2	0	0	0	0
454	Texas Department of Insurance	1,645	70	493	1,222	1,409	84	254	845
456	Texas State Board of Plumbing Examiners	0	1	1	0	109	0	0	54
457	Texas State Board of Public Accountancy	1	2	0	3	0	1	0	0
458	Texas Alcoholic Beverage Commission	8	4	4	8	130	6	3	144
459	Texas Board of Architectural Examiners	1	3	2	2	41	2	1	60
466	Texas Office of Consumer Credit Commissioner	3	2	4	1	27	1	2	13
469	Credit Union Department	0	2	0	2	0	1	0	0
473	Public Utility Commission of Texas	107	57	39	125	276	58	22	222
503	Texas Medical Board	65	19	20	64	292	19	10	693
504	Texas State Board of Dental Examiners	11	3	5	9	237	10	3	239
507	Texas Board of Nursing	174	124	134	164	88	176	76	139
508	Texas Board of Chiropractic Examiners	3	1	1	3	302	2	1	178

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							Projected Cases Received	Projected Cases Disposed	Projected Median Days at SOAH
510	Texas Behavioral Health Executive Council	3	5	3	5	99	2	2	102
513	Texas Funeral Service Commission	1	0	0	1	0	1	0	0
514	Texas Optometry Board	3	0	0	3	0	0	0	0
515	Texas State Board of Pharmacy	9	7	6	10	99	7	3	144
529	Texas Health and Human Services Commission	447	197	225	419	158	277	122	189
537	Texas Department of State Health Services	52	92	45	99	78	104	23	267
551	Texas Department of Agriculture	0	5	4	1	67	2	2	33
554	Texas Animal Health Commission	1	1	1	1	111	1	0	55
578	Texas Board of Veterinary Medical Examiners	2	9	3	8	22	4	1	11
582	Texas Commission on Environmental Quality	91	48	34	105	268	58	18	255
601	Texas Department of Transportation	4	5	3	6	42	3	1	21
608	Texas Department of Motor Vehicles	45	53	42	56	37	66	21	469
644	Texas Juvenile Justice Department	2	0	0	2	0	1	0	0
696	Texas Department of Criminal Justice	0	1	0	1	0	0	0	0
701	Texas Education Agency	163	187	139	211	107	206	69	53
710	Texas A & M University System	1	0	0	1	0	0	0	0
940	Appraisal Review Board	21	40	37	24	110	34	18	55
<b>Total for 44 Agencies:</b>		<b>13,606</b>	<b>13,279</b>	<b>17,752</b>	<b>9,133</b>	<b>N/A</b>	<b>11,166</b>	<b>8,976</b>	<b>N/A</b>

**State Office of Administrative Hearings**  
**Hearings Activity Report (HARP) Part II - Hours and Expenses**  
**Date Range: 09/01/2022 to 02/28/2023**

											<b>Projections</b>	
											<b>March 1st, 2023 - August 31st, 2023</b>	
<b>Agy #</b>	<b>Agency Name</b>	<b>Hours</b>	<b>Direct Salaries</b>	<b>Court Cost</b>	<b>Travel Cost</b>	<b>Total Direct</b>	<b>Total Indirect</b>	<b>Total Admin</b>	<b>Case Total</b>	<b>Total Hours</b>	<b>Case Total</b>	
<b>GR/ALR</b>												
405	Department of Public Safety-ALR	17,094	\$ 789,195	\$ 4,775	\$ -	\$ 793,971	\$ 959,907	\$ 340,174	\$ 2,094,052	17,094	\$ 2,102,340	
<b>GR/ALR Total</b>		17,094	\$ 789,195	\$ 4,775	\$ -	\$ 793,971	\$ 959,907	\$ 340,174	\$ 2,094,052	17,094	\$ 2,102,340	
<b>GR/General Docket</b>												
307	Secretary of State	9	\$ 414	\$ -	\$ -	\$ 414	\$ 504	\$ 169	\$ 1,087	9	\$ 1,045	
312	State Securities Board	116	\$ 5,781	\$ -	\$ -	\$ 5,781	\$ 7,031	\$ 2,313	\$ 15,126	116	\$ 14,303	
323	Teacher Retirement System of Texas	11	\$ 530	\$ -	\$ -	\$ 530	\$ 645	\$ 214	\$ 1,388	11	\$ 1,328	
327	Employees Retirement System of Texas	169	\$ 9,202	\$ -	\$ -	\$ 9,202	\$ 11,193	\$ 3,363	\$ 23,758	169	\$ 20,785	
332	Texas Department of Housing and Community Affairs	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	
338	State Pension Review Board	6	\$ 365	\$ -	\$ -	\$ 365	\$ 444	\$ 110	\$ 918	6	\$ 676	
362	Texas Lottery Commission	305	\$ 15,608	\$ 251	\$ -	\$ 15,860	\$ 18,984	\$ 6,075	\$ 40,918	305	\$ 37,548	
405	Department of Public Safety	261	\$ 13,115	\$ -	\$ -	\$ 13,115	\$ 15,952	\$ 5,194	\$ 34,261	261	\$ 32,100	
407	Texas Commission on Law Enforcement	2,601	\$ 123,547	\$ -	\$ -	\$ 123,547	\$ 150,271	\$ 51,751	\$ 325,569	2,601	\$ 319,828	
411	Texas Commission on Fire Protection	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	
452	Texas Department of Licensing and Regulation	234	\$ 11,571	\$ -	\$ -	\$ 11,571	\$ 14,074	\$ 4,647	\$ 30,292	234	\$ 28,717	
454	Texas Department of Insurance	723	\$ 37,692	\$ -	\$ -	\$ 37,692	\$ 45,845	\$ 14,383	\$ 97,920	723	\$ 88,895	
456	Board of Plumbing Examiners	5	\$ 230	\$ -	\$ -	\$ 230	\$ 280	\$ 95	\$ 604	5	\$ 590	
458	Texas Alcoholic Beverage Commission	68	\$ 3,260	\$ 200	\$ -	\$ 3,460	\$ 3,965	\$ 1,348	\$ 8,773	68	\$ 8,339	
469	Credit Union Department	5	\$ 230	\$ -	\$ -	\$ 230	\$ 280	\$ 95	\$ 604	5	\$ 590	
473	Public Utility Commission of Texas	3,682	\$ 193,291	\$ -	\$ -	\$ 193,291	\$ 235,102	\$ 73,273	\$ 501,666	3,682	\$ 452,838	
476	Texas Racing Commission	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	
481	Texas Board of Professional Geoscientists	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	
503	Texas Medical Board	719	\$ 39,504	\$ -	\$ -	\$ 39,504	\$ 48,049	\$ 14,313	\$ 101,867	719	\$ 88,465	
504	State Board of Dental Examiners	84	\$ 4,939	\$ -	\$ -	\$ 4,939	\$ 6,007	\$ 1,667	\$ 12,612	84	\$ 10,306	
507	Texas Board of Nursing	1,091	\$ 56,836	\$ -	\$ -	\$ 56,836	\$ 69,130	\$ 21,711	\$ 147,677	1,000	\$ 122,987	
508	Texas Board of Chiropractic Examiners	17	\$ 849	\$ -	\$ -	\$ 849	\$ 1,033	\$ 338	\$ 2,220	17	\$ 2,091	
510	Texas Behavioral Health Executive Council	28	\$ 1,485	\$ -	\$ -	\$ 1,485	\$ 1,807	\$ 557	\$ 3,849	28	\$ 3,444	
513	Texas Funeral Service Commission	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	55	\$ 6,764	
514	Texas Optometry Board	38	\$ 1,905	\$ -	\$ -	\$ 1,905	\$ 2,317	\$ 756	\$ 4,977	38	\$ 4,674	
515	Texas State Board of Pharmacy	162	\$ 8,090	\$ -	\$ -	\$ 8,090	\$ 9,840	\$ 3,219	\$ 21,149	162	\$ 19,899	
520	Board of Examiners of Psychologists	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	
533	Executive Council of Physical and Occupational Therapy Examiners	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	
551	Department of Agriculture	29	\$ 1,606	\$ -	\$ -	\$ 1,606	\$ 1,954	\$ 567	\$ 4,127	29	\$ 3,505	

**State Office of Administrative Hearings  
Hearings Activity Report (HARP) Part II - Hours and Expenses  
Date Range: 09/01/2022 to 02/28/2023**

										<b>Projections</b>	
										<b>March 1st, 2023 - August 31st, 2023</b>	
<b>Agy #</b>	<b>Agency Name</b>	<b>Hours</b>	<b>Direct Salaries</b>	<b>Court Cost</b>	<b>Travel Cost</b>	<b>Total Direct</b>	<b>Total Indirect</b>	<b>Total Admin</b>	<b>Case Total</b>	<b>Total Hours</b>	<b>Case Total</b>
578	State Board of Veterinary Medical Examiners	121	\$ 6,447	\$ -	\$ -	\$ 6,447	\$ 7,842	\$ 2,408	\$ 16,696	121	\$ 14,881
601	Texas Department of Transportation	10	\$ 540	\$ -	\$ -	\$ 540	\$ 657	\$ 204	\$ 1,401	10	\$ 1,267
781	Texas Higher Education Coordinating Board	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
802	Parks and Wildlife Department	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
<b>GR/General Docket Total</b>		<b>10,491</b>	<b>\$ 537,036</b>	<b>\$ 451</b>	<b>\$ -</b>	<b>\$ 537,488</b>	<b>\$ 653,203</b>	<b>\$ 208,768</b>	<b>\$ 1,399,459</b>	<b>10,455</b>	<b>\$ 1,285,866</b>
<b>IAC/General Docket</b>											
100	Texas Municipal Retirement System	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
302	Attorney General	272	\$ 13,276	\$ -	\$ -	\$ 13,276	\$ 16,147	\$ 5,408	\$ 34,831	278	\$ 50,192
303	Texas Facilities Commission	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
304	Comptroller of Public Accounts	1,328	\$ 77,007	\$ 500	\$ -	\$ 77,507	\$ 93,665	\$ 26,418	\$ 197,589	1,328	\$ 239,678
329	Texas Real Estate Commission	97	\$ 5,260	\$ -	\$ -	\$ 5,260	\$ 6,398	\$ 1,935	\$ 13,593	97	\$ 17,567
336	Texas County and District Retirement System	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
450	Department of Savings and Mortgage Lending	65	\$ 3,202	\$ -	\$ -	\$ 3,202	\$ 3,894	\$ 1,299	\$ 8,394	62	\$ 11,194
451	Texas Department of Banking	11	\$ 544	\$ -	\$ -	\$ 544	\$ 662	\$ 224	\$ 1,430	11	\$ 2,040
454	Texas Department of Insurance	389	\$ 21,785	\$ 1,862	\$ -	\$ 23,647	\$ 26,497	\$ 7,741	\$ 57,885	389	\$ 70,233
457	Texas State Board of Public Accountancy	17	\$ 841	\$ -	\$ -	\$ 841	\$ 1,023	\$ 328	\$ 2,192	17	\$ 2,979
459	Texas Board of Architectural Examiners	11	\$ 520	\$ -	\$ -	\$ 520	\$ 633	\$ 209	\$ 1,362	11	\$ 1,896
460	Texas Board of Professional Engineers	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
466	Office of Consumer Credit Commissioner	80	\$ 3,935	\$ -	\$ -	\$ 3,935	\$ 4,786	\$ 1,582	\$ 10,304	80	\$ 14,354
473	Public Utility Commission of Texas	749	\$ 38,236	\$ -	\$ -	\$ 38,236	\$ 46,507	\$ 14,895	\$ 99,639	749	\$ 135,140
529	Health and Human Services Commission	3,153	\$ 150,906	\$ 626	\$ -	\$ 151,532	\$ 183,549	\$ 62,735	\$ 397,816	3,153	\$ 569,179
537	Department of State Health Services	259	\$ 13,171	\$ 1,000	\$ -	\$ 14,171	\$ 16,020	\$ 5,159	\$ 35,351	259	\$ 46,816
554	Texas Animal Health Commission	6	\$ 266	\$ -	\$ -	\$ 266	\$ 324	\$ 110	\$ 699	6	\$ 993
582	Texas Commission on Environmental Quality	1,137	\$ 61,652	\$ -	\$ -	\$ 61,652	\$ 74,988	\$ 22,617	\$ 159,257	1,137	\$ 205,193
608	Texas Department of Motor Vehicles	208	\$ 11,509	\$ 3,240	\$ -	\$ 14,749	\$ 13,999	\$ 4,134	\$ 32,883	208	\$ 37,518
644	Texas Juvenile Justice Department	64	\$ 3,092	\$ -	\$ -	\$ 3,092	\$ 3,761	\$ 1,269	\$ 8,122	64	\$ 11,519
701	Texas Education Agency	467	\$ 25,292	\$ -	\$ -	\$ 25,292	\$ 30,763	\$ 9,293	\$ 65,349	467	\$ 84,316
701	Texas Education Agency - IDEA	3,312	\$ 168,117	\$ 2,480	\$ 635	\$ 171,232	\$ 204,483	\$ 65,915	\$ 441,630	3,717	\$ 671,008
710	Texas A&M University System	2	\$ 99	\$ -	\$ -	\$ 99	\$ 120	\$ 35	\$ 254	2	\$ 325
940	Appraisal Review Board	126	\$ 7,117	\$ -	\$ 84	\$ 7,202	\$ 8,657	\$ 2,498	\$ 18,356	126	\$ 22,659
<b>IAC/General Docket Total</b>		<b>11,749</b>	<b>\$ 605,828</b>	<b>\$ 9,708</b>	<b>\$ 719</b>	<b>\$ 616,255</b>	<b>\$ 736,876</b>	<b>\$ 233,803</b>	<b>\$ 1,586,935</b>	<b>12,156</b>	<b>\$ 2,194,800</b>
<b>Grand Total</b>		<b>39,334</b>	<b>\$ 1,932,059</b>	<b>\$ 14,934</b>	<b>\$ 719</b>	<b>\$ 1,947,714</b>	<b>\$ 2,349,986</b>	<b>\$ 782,745</b>	<b>\$ 5,080,446</b>	<b>39,705</b>	<b>\$ 5,583,006</b>