

STATE OFFICE OF ADMINISTRATIVE HEARINGS
HEARINGS ACTIVITY REPORT (HARP)
September 1, 2023 – February 29, 2024

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. (H.B. 1, General Appropriations Act, 2024-2025 Biennium, Eighty-eighth Legislature, Regular Session, Article 8.)

THE CONTENTS OF THE REPORT

This volume of HARP covers the period September 1, 2023, through February 29, 2024.

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 2024 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 2024. 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 moderately decreased from the prior reporting period to 10,818. Cases disposed moderately decreased from the prior reporting period to 11,278 during this reporting period.

General Docket Cases:

General docket cases referred slightly increased from prior reporting period to 1,837 received. Cases disposed slightly increased from prior reporting period to 1,722.

HARP Part II

Hourly Cost:

ALR work was \$129.51 per ALJ billable hour and General Docket was \$139.62. General Revenue funded cases was at \$132.71 and Interagency Contracts (IAC) was at \$141.37. The rate swing by agency in this reporting period ranged from as low as \$123.72 to as high as \$163.80 per hour. The overall rate for the current period is \$136.50, a decrease from the prior reporting period of \$143.19.

The projected IAC rate for the second half of Fiscal Year 2024 is \$165.00. The projected overall rate for the second half of Fiscal Year 2024 is \$160.76.

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: 09/01/2023 to 02/29/2024

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	153	301	278	176	4	272	276	2
304	Texas Comptroller of Public Accounts	86	132	99	119	26	131	98	45
312	Texas State Securities Board	9	0	2	7	784	0	1	590
323	Teacher Retirement System of Texas	0	1	0	1	0	1	0	99
327	Employees Retirement System of Texas	3	3	3	3	120	3	6	356
329	Texas Real Estate Commission - Texas Appraiser Licensing and Certification Board	13	18	17	14	126	16	13	127
332	Texas Department of Housing and Community Affairs	1	0	1	0	120	0	0	60
362	Texas Lottery Commission	28	102	107	23	41	107	105	28
405	Texas Department of Public Safety	5,031	10,791	11,234	4,588	119	11,188	13,464	79
407	Texas Commission on Law Enforcement	376	214	225	365	203	211	220	230
450	Texas Department of Savings and Mortgage Lending	2	0	0	2	0	1	4	47
451	Texas Department of Banking	1	1	1	1	216	1	0	108
452	Texas Department of Licensing and Regulation	21	17	19	19	147	25	20	238
453	Texas Workers Compensation Commission	1	0	0	1	0	0	0	0
454	Texas Department of Insurance	1,401	79	307	1,173	22	74	282	371
456	Texas State Board of Plumbing Examiners	0	6	0	6	0	3	0	54
457	Texas State Board of Public Accountancy	1	0	1	0	203	1	1	163
458	Texas Alcoholic Beverage Commission	13	8	9	12	79	6	6	104
459	Texas Board of Architectural Examiners	1	1	2	0	80	2	2	60
460	Texas Board of Professional Engineers and Land Surveying	0	1	0	1	0	0	0	0
469	Credit Union Department	2	0	1	1	331	1	0	165
473	Public Utility Commission of Texas	98	52	44	106	614	54	44	337
481	Texas Board of Professional Geoscientists	1	0	0	1	0	0	0	0
503	Texas Medical Board	40	8	21	27	420	13	23	356
504	Texas State Board of Dental Examiners	7	7	7	7	951	5	6	524

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

Date Range: 09/01/2023 to 02/29/2024

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							Projected Cases Received	Projected Cases Disposed	Projected Median Days at SOAH
507	Texas Board of Nursing	163	151	122	192	447	137	133	257
508	Texas Board of Chiropractic Examiners	1	0	0	1	0	0	0	151
510	Texas Behavioral Health Executive Council	5	4	4	5	46	4	4	86
513	Texas Funeral Service Commission	1	2	0	3	0	1	0	0
514	Texas Optometry Board	0	1	0	1	0	0	0	0
515	Texas State Board of Pharmacy	8	6	6	8	167	6	6	144
529	Texas Health and Human Services Commission	501	192	245	448	79	194	236	242
530	Department of Family and Protective Services	0	143	17	126	100	71	8	50
533	Executive Council of Physical and Occupational Therapy Examiners	0	1	0	1	0	0	0	0
537	Texas Department of State Health Services	70	45	43	72	284	69	45	190
551	Texas Department of Agriculture	1	0	1	0	111	2	2	79
554	Texas Animal Health Commission	8	2	3	7	349	1	2	230
578	Texas Board of Veterinary Medical Examiners	13	4	9	8	46	6	6	61
582	Texas Commission on Environmental Quality	89	30	40	79	131	35	38	395
601	Texas Department of Transportation	5	4	2	7	359	4	2	212
608	Texas Department of Motor Vehicles	61	68	74	55	75	60	58	126
696	Texas Department of Criminal Justice	1	0	0	1	0	0	0	0
701	Texas Education Agency	190	180	197	173	142	183	177	79
710	Texas A & M University System	1	0	0	1	0	0	0	0
802	Texas Parks and Wildlife Department	0	1	1	0	42	0	0	21
900	Groundwater Conservation District	0	2	2	0	101	1	1	50
940	Appraisal Review Board	52	53	68	37	60	46	52	205
955	Bandera County River Authority and Groundwater District	1	0	0	1	0	0	0	0
965	Post Oak Savannah Groundwater Conservation District	2	0	0	2	0	0	0	0
967	Permian Basin Underground Water Conservation District	1	1	0	2	0	0	0	0

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

Date Range: 09/01/2023 to 02/29/2024

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
968	Gonzales County Underground Water Conservation District	1	0	0	1	0	0	0	0
Total for 51 Agencies:		8,464	12,632	13,212	7,884	N/A	12,935	15,341	N/A

State Office of Administrative Hearings
Hearings Activity Report (HARP) Part II - Hours and Expenses
Date Range: 09/01/2023 to 02/29/2024

											New Projections	
											March 1st, 2024 - August 31st, 2024	
Agy #	Agency Name	Hours	Direct Salaries	Court Cost	Travel Cost	Total Direct	Total Indirect	Total Admin	Case Total		Total Hours	Case Total
GR/ALR												
405	Department of Public Safety-ALR	12,288	\$ 602,479	\$ 4,892	\$ -	\$ 607,371	\$ 736,129	\$ 247,946	\$ 1,591,446		13,695	\$ 2,161,115
GR/ALR Total		12,288	\$ 602,479	\$ 4,892	\$ -	\$ 607,371	\$ 736,129	\$ 247,946	\$ 1,591,446		13,695	\$ 2,161,115
GR/General Docket												
307	Secretary of State	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		25	\$ 3,985
312	State Securities Board	8	\$ 441	\$ -	\$ -	\$ 441	\$ 538	\$ 167	\$ 1,146		7	\$ 1,128
323	Teacher Retirement System of Texas	-	\$ 16	\$ -	\$ -	\$ 16	\$ 20	\$ 5	\$ 41		-	\$ 63
327	Employees Retirement System of Texas	72	\$ 3,739	\$ -	\$ -	\$ 3,739	\$ 4,569	\$ 1,443	\$ 9,751		147	\$ 23,261
332	Texas Department of Housing and Community Affairs	27	\$ 1,386	\$ -	\$ -	\$ 1,386	\$ 1,694	\$ 535	\$ 3,615		22	\$ 3,472
338	State Pension Review Board	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		-	\$ -
362	Texas Lottery Commission	190	\$ 10,258	\$ -	\$ -	\$ 10,258	\$ 12,534	\$ 3,829	\$ 26,621		197	\$ 31,112
405	Department of Public Safety	451	\$ 23,734	\$ -	\$ -	\$ 23,734	\$ 28,999	\$ 9,101	\$ 61,834		458	\$ 72,300
407	Texas Commission on Law Enforcement	3,624	\$ 175,923	\$ -	\$ -	\$ 175,923	\$ 214,949	\$ 73,133	\$ 464,005		3,396	\$ 535,982
411	Texas Commission on Fire Protection	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		-	\$ -
452	Texas Department of Licensing and Regulation	266	\$ 14,088	\$ -	\$ -	\$ 14,088	\$ 17,214	\$ 5,368	\$ 36,670		432	\$ 68,237
454	Texas Department of Insurance	762	\$ 41,821	\$ -	\$ -	\$ 41,821	\$ 51,098	\$ 15,381	\$ 108,300		676	\$ 106,608
456	Board of Plumbing Examiners	4	\$ 191	\$ -	\$ -	\$ 191	\$ 234	\$ 71	\$ 496		2	\$ 276
458	Texas Alcoholic Beverage Commission	137	\$ 6,937	\$ 92	\$ -	\$ 7,029	\$ 8,476	\$ 2,754	\$ 18,260		124	\$ 19,529
469	Credit Union Department	2	\$ 89	\$ -	\$ -	\$ 89	\$ 109	\$ 35	\$ 233		3	\$ 402
473	Public Utility Commission of Texas	2,305	\$ 127,193	\$ -	\$ -	\$ 127,193	\$ 155,409	\$ 46,507	\$ 329,109		2,317	\$ 365,651
476	Texas Racing Commission	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		-	\$ -
481	Texas Board of Professional Geoscientists	1	\$ 65	\$ -	\$ -	\$ 65	\$ 79	\$ 20	\$ 164		3	\$ 395
503	Texas Medical Board	531	\$ 28,936	\$ -	\$ -	\$ 28,936	\$ 35,355	\$ 10,710	\$ 75,002		524	\$ 82,716
504	State Board of Dental Examiners	83	\$ 4,521	\$ -	\$ -	\$ 4,521	\$ 5,524	\$ 1,680	\$ 11,726		74	\$ 11,702
507	Texas Board of Nursing	1,098	\$ 61,056	\$ -	\$ -	\$ 61,056	\$ 74,600	\$ 22,161	\$ 157,817		1,070	\$ 168,903
508	Texas Board of Chiropractic Examiners	1	\$ 65	\$ -	\$ -	\$ 65	\$ 79	\$ 20	\$ 164		39	\$ 6,194
510	Texas Behavioral Health Executive Council	58	\$ 2,987	\$ -	\$ -	\$ 2,987	\$ 3,650	\$ 1,160	\$ 7,798		50	\$ 7,914
513	Texas Funeral Service Commission	24	\$ 1,327	\$ -	\$ -	\$ 1,327	\$ 1,622	\$ 479	\$ 3,428		12	\$ 1,878
514	Texas Optometry Board	3	\$ 166	\$ -	\$ -	\$ 166	\$ 203	\$ 56	\$ 424		129	\$ 20,326
515	Texas State Board of Pharmacy	161	\$ 8,865	\$ -	\$ -	\$ 8,865	\$ 10,831	\$ 3,244	\$ 22,940		125	\$ 19,671
520	Board of Examiners of Psychologists	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		-	\$ -
533	Executive Council of Physical and Occupational Therapy Examiners	1	\$ 65	\$ -	\$ -	\$ 65	\$ 79	\$ 20	\$ 164		-	\$ -
551	Department of Agriculture	47	\$ 2,442	\$ -	\$ -	\$ 2,442	\$ 2,984	\$ 953	\$ 6,380		46	\$ 7,267
578	State Board of Veterinary Medical Examiners	210	\$ 11,031	\$ -	\$ -	\$ 11,031	\$ 13,479	\$ 4,243	\$ 28,753		241	\$ 38,056

State Office of Administrative Hearings
Hearings Activity Report (HARP) Part II - Hours and Expenses
Date Range: 09/01/2023 to 02/29/2024

										New Projections	
										March 1st, 2024 - August 31st, 2024	
Agy #	Agency Name	Hours	Direct Salaries	Court Cost	Travel Cost	Total Direct	Total Indirect	Total Admin	Case Total	Total Hours	Case Total
601	Texas Department of Transportation	23	\$ 1,257	\$ -	\$ -	\$ 1,257	\$ 1,536	\$ 454	\$ 3,246	14	\$ 2,130
781	Texas Higher Education Coordinating Board	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
802	Parks and Wildlife Department	10	\$ 483	\$ -	\$ -	\$ 483	\$ 590	\$ 192	\$ 1,264	5	\$ 750
GR/General Docket Total		10,097	\$ 529,084	\$ 92	\$ -	\$ 529,176	\$ 646,452	\$ 203,719	\$ 1,379,347	10,138	\$ 1,599,907
IAC/General Docket											
100	Texas Municipal Retirement System	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
302	Attorney General	320	\$ 16,523	\$ 200	\$ -	\$ 16,723	\$ 20,188	\$ 6,452	\$ 43,364	257	\$ 42,454
303	Texas Facilities Commission	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
304	Comptroller of Public Accounts	1,759	\$ 106,958	\$ 461	\$ -	\$ 107,419	\$ 130,684	\$ 35,484	\$ 273,587	1,641	\$ 270,720
329	Texas Real Estate Commission	232	\$ 12,627	\$ -	\$ -	\$ 12,627	\$ 15,428	\$ 4,671	\$ 32,726	341	\$ 56,223
336	Texas County and District Retirement System	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
450	Department of Savings and Mortgage Lending	1	\$ 25	\$ -	\$ -	\$ 25	\$ 31	\$ 10	\$ 67	3	\$ 437
451	Texas Department of Banking	70	\$ 3,691	\$ -	\$ -	\$ 3,691	\$ 4,510	\$ 1,413	\$ 9,614	96	\$ 15,757
454	Texas Department of Insurance	334	\$ 19,414	\$ 400	\$ -	\$ 19,814	\$ 23,721	\$ 6,735	\$ 50,269	359	\$ 59,201
457	Texas State Board of Public Accountancy	1	\$ 39	\$ -	\$ -	\$ 39	\$ 48	\$ 15	\$ 102	23	\$ 3,778
459	Texas Board of Architectural Examiners	2	\$ 114	\$ -	\$ -	\$ 114	\$ 140	\$ 45	\$ 299	9	\$ 1,493
460	Texas Board of Professional Engineers	2	\$ 89	\$ -	\$ -	\$ 89	\$ 109	\$ 35	\$ 233	1	\$ 148
466	Office of Consumer Credit Commissioner	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
473	Public Utility Commission of Texas	1,800	\$ 98,652	\$ -	\$ -	\$ 98,652	\$ 120,536	\$ 36,327	\$ 255,515	1,704	\$ 281,140
529	Health and Human Services Commission	3,534	\$ 169,727	\$ -	\$ -	\$ 169,727	\$ 207,378	\$ 71,307	\$ 448,412	3,542	\$ 584,389
530	Department of Family and Protective Services	249	\$ 11,595	\$ -	\$ -	\$ 11,595	\$ 14,167	\$ 5,020	\$ 30,781	-	\$ -
537	Department of State Health Services	248	\$ 14,602	2,300.00	\$ -	\$ 16,902	\$ 17,841	\$ 5,009	\$ 39,752	310	\$ 51,215
554	Texas Animal Health Commission	29	\$ 1,504	\$ -	\$ -	\$ 1,504	\$ 1,838	\$ 590	\$ 3,933	64	\$ 10,543
582	Texas Commission on Environmental Quality	2,753	\$ 154,300	\$ -	\$ -	\$ 154,300	\$ 188,529	\$ 55,542	\$ 398,370	2,443	\$ 403,131
608	Texas Department of Motor Vehicles	664	\$ 38,395	\$ -	\$ -	\$ 38,395	\$ 46,912	\$ 13,389	\$ 98,696	677	\$ 111,687
644	Texas Juvenile Justice Department	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	11	\$ 1,840
701	Texas Education Agency	962	\$ 56,079	\$ -	\$ -	\$ 56,079	\$ 68,519	\$ 19,417	\$ 144,015	1,026	\$ 169,267
701	Texas Education Agency - IDEA	3,956	\$ 211,251	\$ 4,642	\$ 1,965	\$ 217,858	\$ 258,114	\$ 79,817	\$ 555,789	3,799	\$ 626,785
710	Texas A&M University System	2	\$ 89	\$ -	\$ -	\$ 89	\$ 109	\$ 30	\$ 228	2	\$ 272
900	Groundwater Conservation Districts	73	\$ 4,082	\$ -	\$ -	\$ 4,082	\$ 4,987	\$ 1,473	\$ 10,542	45	\$ 7,491
940	Appraisal Review Board	385	\$ 23,325	\$ -	\$ 137	\$ 23,462	\$ 28,499	\$ 7,774	\$ 59,734	279	\$ 45,977
IAC/General Docket Total		17,373	\$ 943,080	\$ 8,003	\$ 2,102	\$ 953,185	\$ 1,152,287	\$ 350,555	\$ 2,456,027	16,630	\$ 2,743,950
Grand Total		39,758	\$ 2,074,643	\$ 12,987	\$ 2,102	\$ 2,089,732	\$ 2,534,868	\$ 802,220	\$ 5,426,820	40,463	\$ 6,504,972