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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

September 14, 2015

Steven J. Anthony
Management Member
U.S. Railroad Retirement Board

Walter A. Barrows
Labor Member
U.S. Railroad Retirement Board

Dear Mr. Anthony and Mr. Barrows:

As members of the Health, Education, Labor and Pensions Committee with jurisdiction over the Railroad Retirement Board (RRB), we write to inquire about RRB's progress implementing reforms to its occupational disability program following the Long Island Rail Road (LIRR) fraud and kickback scheme that was first widely revealed to the public in 2008. We are concerned that seven years later, the Board still has yet to adopt significant structural reforms to protect the integrity of the program.

In 2008 *The New York Times* revealed a massive fraud scheme at the LIRR, in which nearly every career LIRR employee--as many as 97 percent in one year--collected disability payments after retiring early.¹ The Federal Bureau of Investigation found that over a decade, hundreds of LIRR retirees paid certain doctors and/or disability consultants a substantial fee in exchange for placing fraudulent medical prognoses on the patients' occupational disability applications.² To date, of the 33 people charged in the LIRR fraud scheme, 28 people have pled guilty, five have been convicted in federal court, and 45 retirees admitted to participating in the scheme and have agreed to termination of their annuity in order to avoid prosecution.³ More than 700 retirees are estimated to have participated in the LIRR scheme.⁴

RRB has taken some steps to address the specific LIRR fraud, but we are concerned those reforms were not effective. On October 20, 2008, RRB adopted measures that would require enhanced review of LIRR occupational disability claims and oversight of the Long Island

¹ See Walt Bogdanich, *Retirees' Disability Epidemic*, N.Y. TIMES, Sept. 21, 2008, at A1.

² See Press Release, Federal Bureau of Investigation, Disability Doctor Peter J. Ajemian Pleads Guilty in Manhattan Federal Court for His Role in Long Island Railroad Fraud Scheme (Jan. 18, 2013).

³ See Walt Bogdanich, *Flaws Persist in L.I.R.R.'s Disability Claims, a Report Finds*, N.Y. TIMES, Feb. 22, 2014, at A15; see Memorandum from Walter A. Barrows, Labor Member, R.R. Ret. Bd., to Martin J. Dickman, Inspector General, R.R. Ret. Bd. 3 (May 22, 2015).

⁴ See *Is the Railroad Retirement Board Doing Enough to Protect Against Fraud? Before the Subcomm. on Gov't Operations of the H. Comm. on Oversight & Gov't Reform*, 114th Cong. 3 (2015) [hereinafter *IG Statement*] (statement of Martin J. Dickman, Inspector Gen., U.S. R.R. Ret. Bd.).

regional office.⁵ In 2013, RRB terminated certain LIRR occupational disability awards that relied on medical evidence from two doctors involved in the fraud scheme and required the recipients to submit new applications under the new review procedures. However, the high re-approval rates of LIRR applicants--89 percent for one group of re-applicants and 96 percent for the other--are roughly the same as before the scandal was first revealed.⁶ The RRB Inspector General identified seven former LIRR workers who had their claims re-approved, who later pleaded guilty to fraud.⁷

The Railroad Retirement Board took six years to approve significant structural reforms to the program, and it appears that many of those reforms still have not been implemented. On September 11, 2014, RRB agreed to changes to the processing of disability applications, such as requiring additional independent medical evaluations in some circumstances, improving vocational information from applicants, and enhanced training for fraud awareness.⁸ But on April 9, 2015, this committee was provided with a document (attached as Annex 1, hereinafter "Disability Program Changes") showing many reform deadlines go well into 2016, and many others have no stated deadline at all.⁹

It is troubling that seven years after the LIRR fraud was publicly revealed, many significant reforms to the occupational disability program have not been implemented. To help us better understand RRB's efforts to improve disability program integrity, we request that you provide a staff briefing and answers to the following questions on or before October 13, 2015. Please answer each of these questions individually and include the text of each question along with your response.

1. Please provide a current status report (including dates of completion) for each of the five recommendations in Board Order 08-63. Please also provide the monthly status reports the order requires the Director of Programs to submit to the Board.
2. To allow us to better understand why the approval rates for LIRR re-applicants are nearly as high as the approval rate before the scandal was revealed, please explain: what the process is for determining if an application is approved or if an applicant warrants further review; how the LIRR re-applicant and overall occupational disability approval rates compare to approval rates for other government disability programs; and, if approval rates for other government disability programs are lower than approval rates for LIRR re-applicants and/or the overall occupational disability program, please explain why.
3. Please provide the Committee with the current version of the document attached as Annex 1. Thereafter, please provide the committee with quarterly updates to this document until all action items are complete.

⁵ See Board Order 08-63, Implementation Plan for Long Island Employees, U.S. R.R. Ret. Bd. (October 20, 2008).

⁶ See *IG Statement*, at 4; see Walt Bogdanich, *Flaws Persist in L.I.R.R.'s Disability Claims, a Report Finds*, N.Y. TIMES, Feb. 22, 2014, at A15.

⁷ See Walt Bogdanich, *Flaws Persist in L.I.R.R.'s Disability Claims, a Report Finds*, N.Y. TIMES, Feb. 22, 2014, at A15.

⁸ See Memorandum from Martha P. Rico, Secretary to the Board, U.S. R.R. Ret. Bd., to Martha Barringer, Director of Programs, U.S. R.R. Ret. Bd. (Sept. 11, 2014).

⁹ See Disability Program Changes Document.

4. The document attached as Annex 1 includes 20 tasks with no deadline date or a due date of "TBD." Please provide an update on the due dates for these tasks or why no due date has been determined.
5. The document attached as Annex 1 states that the Board will receive a presentation on the results of the Independent Medical Reviews on December 31, 2015. Please provide the committee with a staff briefing on these results as soon as practicable after the Board's presentation.

We expect RRB to effectuate timely, meaningful changes in order to achieve the utmost degree of integrity in its disability programs. We look forward to staying apprised of the Board's progress and appreciate your prompt attention to this important matter.

If you have any questions, please have your staff contact Gregory Proseus with the Health, Education, Labor and Pensions Committee at (202) 224-6770.

Sincerely,



Lamar Alexander
Chairman
Senate Committee on Health,
Education, Labor and Pensions



Michael B. Enzi
Chairman
Subcommittee on Primary Health
and Retirement Security
Senate Committee on Health,
Education, Labor, and Pensions

Enclosure

Annex 1

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#1 Additional Independent Medical Examinations						
	1	Finalize expanded scope of IMEs	2/26/2015	2/26/2015	Director of PEMS	
	2	Obtain Board approval on expanded scope of IMEs	3/3/2015	3/3/2015	The three-Member Board	
	3	Notify union of changes to IME process	3/5/2015	3/5/2015	Director of DBD	
	4	Notify Disability Examiners of changes to IME process	3/6/2015	3/6/2015	Director of DBD	
	5	Draft procedures/Information Bulletin documenting the updated IME requirements, as necessary	3/25/2015	3/25/2015	Director of P&S	Drafted and discussed w/DBD
	6	Estimate additional cost and obtain contractor support necessary to provide additional specialist medical examinations	4/8/2015		Director of DBD	Acquisition mgmt
	7	Approve updated procedure(s)/Information Bulletin	4/24/2015		Director of P&S	
	8	Negotiate costs for additional IMEs	5/8/2015		Contract Specialist	
	9	Secure additional funding from Executive Committee	5/15/2015		Director of PEMS	
	10	Kick-off meeting with DAC	5/15/2015		Director of PEMS	4/3/2015: This date is a placeholder until we get an official date
	11	Work with DAC and Board to develop review criteria and a tracking mechanism for the sample of 100 cases	5/31/2015		Director of PEMS	Board to review criteria. DAC mid-May finalize and fund contract Occ dis that are not ortho not mental that were not previously selected for the prior 12 months
	12	Create contract modification	7/7/2015		Director of DBD	
	13	Coordinate with BFO to complete adjustments to FMIS for ordering additional exams	7/21/2015		Director of DBD	BFO to work with CGI to complete
	14	Release and publish updated IME procedures	8/6/2015		Director of P&S	Is training required??
	15	ROLL-OUT: Begin performing IMEs on all disability applicants (occ, t&p, widow(er), and child) claiming orthopedic and mental impairments.	8/6/2015		Director of DBD	
	16	ROLL-OUT: Begin ordering the occupational disability IMEs for the 12-month trial period	8/6/2015		Director of DBD	
	17	ROLL-OUT: <u>Begin</u> 12-month trial period for all occupational disability applicants to undergo an IME.	11/4/2015		Director of DBD	

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	18	Randomly select 100 completed cases with IMEs where the applicant does not have an orthopedic or mental impairment	2/2/2016		Director of PEMS	4/1/2015: Board agreed to have results communicated quarterly versus at the end of the 12-month trial period.
	19	Provide copies of each file to the DAC for review	2/16/2016		Director of PEMS	
	20	12-month trial period for all occupational disability applicants undergoing an IME <u>ends</u>	11/3/2016		Director of DBD	
	21	DAC to review randomly selected cases			DAC	4/2/2015: NM to work with OP on dates based on quarterly review. Request that the DAC review the use of independent medical examinations and employer medical records.
	22	DAC to present results and recommendations to Board based on 100 cases reviewed			DAC	4/2/2015: Board relayed to Mike T. and Janet H. that quarterly reviews are acceptable.
	23	Board determines future use of IMEs based on results and recommendations presented			The three-Member Board	
#2 Concurrent Adjudication of Applications for Occupational Disability a						
	1	Obtain Board approval of concurrent adjudication	3/2/2015	3/2/2015	The three-Member Board	90 days
	2	Determine if staffing is required (and potential financial impact) to implement concurrent adjudication	3/2/2015	3/2/2015	Director of DBD	
	3	Notify Disability Examiners of changes to adjudication changes (including workflow, staffing and performance/metric changes)	3/5/2015	3/5/2015	Director of DBD	
	4	Notify union of changes to adjudication process (including workflow and staffing changes)	3/6/2015	3/6/2015	Director of DBD	
	5	Determine workflow changes required to implement concurrent adjudication (single and joint freeze)	4/25/2015		Director of DBD	IMEs, CEL - joint freeze concern to get w/in 90 days - Cannot hold up decision, not considering workflow changes at this point 4/2/2015: Meeting set up for Wed., Apr 8th to discuss options for handing concurrent adjudication for joint freezes. John C. to lead discussion.
	6	Revise and publish procedures, as necessary	4/25/2015		Director of P&S	This may include reviewing the letters published to annuitants and the timing of the letters

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	7	Train staff in the new procedures and workflow, as necessary	4/25/2015		Director of DBD/ Training	
	8	ROLL-OUT: Implement new procedures and workflow, and review/update performance/metric reports, as necessary	5/1/2015		Director of DBD/ Director of PEMS	
	9	Reevaluate performance goals/metrics based on new workflow and staffing changes, as necessary	6/24/2015		Director of PEMS/Director of DBD	DBD working w/AFG on impact to performance appraisals
	10	Present updated performance goals/metrics to Board, if necessary	7/1/2015		Director of DBD	
	11	Obtain necessary approval based on workflow, staffing and performance/metric changes, as necessary	7/4/2015		Director of DBD/The three-member Board	
#3 Improve the Quality and Timeliness of Vocational Information						
	1	Job Information Form created by Labor and presented to Mgmt	8/30/2014	8/30/2014	Labor Office	
	2	Mgmt to provide Labor with industry's draft template	1/16/2015	1/16/2015	Management Office	
	3	LMO to provide MMO with a revised template incorporating information provided on the original two drafts	3/24/2015	3/24/2015	Labor Office	
	4	Finalize Job Information Form(s), as necessary	7/10/2015		Three-member Board	4/1/2015: MMO sent Job Information form to industry for review. Expect feedback this month. Board to determine if form will be a stand-alone form.
	5	Board to provide sample form on Job Information Form	7/10/2015		Three-member Board	
	6	Consult form changes with IRM for guidance early in the process	7/24/2015		P&S work with IRM (Chuck M. and Brian Foster)	
	7	Draft revised Job Information Form(s) based on Rail and Labor Input and return to Board for final review	8/23/2015		Director of P&S	Consider feedback from OP, EC, Anti-Fraud Task Force, others, as necessary.
	8	Obtain input on Job Information Form from Rail and Labor (Return to P&S)	9/22/2015		Three-member Board	
	9	Make a decision of contractor assignment	9/29/2015		Director of P&S	4/1/15: Discuss w/ Mike to clarify. ERSnet

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	10	Work with the IRM and DAC (as needed) to formalize revisions/updates and updates to regulations and clearance process, as necessary.	9/21/2016		Director of P&S	
	11	Provide training to Disability Examiners on reviewing the Job Information form	9/21/2016		Director of DBD/Training	Include guidelines for how to reconcile discrepancies between information received from employer and employee
	12	Work with the Employer Reporting Section to communicate with Employers on the value and importance of the Vocational Information process	9/21/2016		Director of P&S	
	13	Publish the Job Information Form (G-251a and G-251b), as necessary	9/21/2016		Director of P&S	
	14	Include the form(s) on the RRB's ERSnet system (include systems testing to ensure proper transfer)	9/28/2016		Director of P&S	Allow employers to provide vocational information via the internet (addendum)
	15	ROLL-OUT: Monitor the effectiveness of the vocational information received, and adjust process as necessary	3/20/2017		Director of PEMS	Monitor response rate
#4 Enhance Training Opportunities and Fraud Awareness						
4A - Training	1	Solicit for and create additional training for <u>disability examiners</u>	6/15/2014	6/15/2014	Director of DBD	CEL conducted training
	2	ROLL-OUT: Provide <u>disability examiners</u> with additional training on evaluating medical evidence, as well as the body system	7/15/2014	7/15/2014	Director of DBD	RRB contracted with FraudAware
	3	ROLL-OUT additional anti-fraud awareness training to 25 RRB employees	12/2/2014	12/2/2014	Director of HR	FraudAware conducted training
	4	Post and hire for Disability Trainer position	12/31/2015		Director of DBD/ Director of HR	4/2/2015: Per Mike T. (and John C.) - HR person and Union rep have been assigned to hiring panel. Panel in process of determining evaluation factors for the posting.
	5	Continue to research additional anti-fraud awareness training for <u>all</u> RRB employees	On-going		Director of HR	Consider using the Learning Management System
4B - On-site Medical Visits	6	Secure funding to increase the number of in-house visits by contracted medical consultants	9/15/2014	9/15/2014	Director of DBD/ Contract Services	Complete contract modification and necessary approvals

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	7	Provide disability examiners with necessary guidance on the medical contractor's role during his/her extended visits	4/15/2015	4/2/2015	Director of DBD	Disability examiners will be highly encouraged to take advantage of the medical contractor's expertise while in the RRB building, as well as via phone and email
	8	ROLL-OUT: In-house visits from medical contractor increase to two times per week	5/1/2015	4/2/2015	Director of DBD	4/2/2015: Update from John C. - Contract for CEL modified. CEL will now have doctor on-site 2 days a week, 4 hours per day. DBD examiners, Reconsideration specialists and Hearing Officers are informed. Guidance provided to examiners on when to consult with the doctors.

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#5 Review Social Security Best Practices						
	1	Visit SSA Disability Determination Service processing site, review current SSA procedures relative to: training fraud awareness disability adjudication (intake procedures and processes)	11/5/2014	11/5/2014	Director of P&S	Update: At least one on-site visit completed by P&S
	2	Study SSA's procedures and make recommendations for improvements to RRB's procedures concerning their applicability to the RRB's disability program (including claim development and medical interpretation)	On-going		Director of P&S	Monitor actions by SSA in response to April 2014 recommendation to revise regulations to require claimants to inform SSA of all medical evidence related to disability claims May take a year
	3	Facilitate discussions with SSA regarding implementing the Cooperative Disability Investigations (CDI Program) at the RRB	5/1/2015		Director of Audit Affairs	4/1/2015: Per Jeff B., he is waiting for the SSA CDI POC to confirm a date/time.
	4	Monitor actions in response to the April 2014 recommendations of the House Committee on Oversight and Government Reform that SSA:	On-going		Director of P&S	
	5	SSA to revise the treating physician rule on disability claims and continuing disability review process	TBD		Director of P&S	Dependent on SSA
	6	SSA to revise the Medical Improvement Standard	TBD		Director of P&S	Dependent on SSA
	7	SSA to revise its medical-vocational guidelines used to determine whether or not an individual can work	TBD		Director of P&S	Dependent on SSA
	8	SSA to revise its regulations to require claimants to inform SSA of all medical evidence known to them that relates to their disability claim	TBD		Director of P&S	Dependent on SSA
	9	Present updates and suggestions to Anti-Fraud Task Force on future action for RRB (assign ownership for tasks based on discussions)	On-going		Director of P&S	<=60 days from SSA's decision(s)

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#6 Enhance the Application Process by Reviewing and Revising, Applicati						
	1	Review and update RRB forms and processes related to disability, as necessary (coordinate Form review with clearance process, as appropriate, and compare Form updates to new pamphlet, Your Responsibility to Report Work and Earnings: A Guide for Disability Annuitants)	12/31/2015		Director of P&S	4/1/2015: Are there other forms OP needs to review?
	2	Review and update Form G-250, Medical Assessment, as necessary	2/15/2015	2/15/2015	Director of P&S	
	3	OMB to approve Form G-250, Medical Assessment	8/14/2015		Director of P&S	
	4	Review and update Form G-197, Authorization to Disclose Information to the RRB	2/15/2015	2/15/2015	Director of P&S	
	5	OMB to approve Form G-197, Authorization to Disclose Information to the RRB	8/14/2015		Director of P&S	
	6	Create new pamphlet, Your Responsibility to Report Work and Earnings: A Guide for Disability Annuitants	2/27/2015	2/27/2015	Director of P&S	
	7	Approve new pamphlet, Your Responsibility to Report Work and Earnings: A Guide for Disability Annuitants	6/30/2015		Director of P&S	
	8	Create Form G-626a, Field Office Observations Record	6/30/2015		Director of P&S	Update procedures to make the Form G-626a a mandatory element of the disability development process
	9	Obtain OMB clearance for Form G-626a, Field Office Observations Record	12/27/2015		Director of P&S	
	10	Review and update Form AA-1d, Application for Disability Determination, as necessary	11/20/2015		Director of P&S	4/2/2015: Mike T. to request OP staff to review and provide suggestions for the AA-1d form. Mike T. will provide suggestions to Board. Due date is TBD.
	11	Obtain OMB clearance for revised Form AA-1d, if needed	8/16/2016		Director of P&S	
	12	Work with DBD and BIS to design an automated Form AA-1d available for completion via the Application Express (APPLE) system	12/31/2018		Director of P&S	Ensure that 1) all relevant information is obtained, 2) all agreed-upon improvements are incorporated, and 3) recent experience with cases processed under Board Orders 13-33 and 13-55 is considered
	13	Develop a means by which the case file establishes that the earnings record has been reviewed	9/30/2015		Director of P&S	4/2/2015: Per John C. future earnings records will be imaged. Procedure change was done. Will be discussed at April 8th meeting.

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#7 Expand the use of Continuing Disability Reviews for Occupational Dis						
	1	Finalize selection criteria for expanded use of CDRs (work with Disability Benefits Division)	9/30/2015		The three-member Board	4/2/2015: Meeting set up April 8th to discuss. Review SSA's policies as part of this step. See #15 below regarding statistical modeling.
	2	Determine staffing required to perform additional CDRs (review current organizational chart and determine what changes may be necessary)	10/14/2015		Director of DBD	Changes can include new job descriptions, expanding the work of initial examiners, etc.
	3	Determine financial impact for performing additional CDRs (including additional staffing and exams)	10/21/2015		Director of PEMS/Director of DBD	Average FTE cost comes from PEMS
	4	Present new selection criteria, staffing requirements and funding requirements to the Board and Executive Committee for approval (work with PEMS and DBD)	10/28/2015		Director of Programs	
	5	Approval received for expanded CDRs.	11/4/2015		The three-member Board	
	6	Obtain approval from EC to hire	11/11/2015		Director of PEMS	
	7	Notify union of changes and obtain approval, as necessary	11/18/2015		Director of DBD	NEED TO DISCUSS THIS DATE WITH TEAM
	8	ROLL-OUT: Conduct CDRs on the expanded group (as determined)	11/18/2015		Director of DBD	
	9	Create method to track effectiveness of the expanded CDR reviews and track results for analysis	11/18/2015		Director of PEMS/Director of DBD	
	10	Hire positions based on needs and approved budget	8/7/2016		Director of DBD/HR	
	11	Train/ communicate to all impacted employees	On-going		Director of DBD	
#8 Establish a Quality Control Program						
#8A - Staffing	1	Begin quality assurance review of initial disability determinations	1/15/2015	1/15/2015	Director of PEMS	
	2	Determine staffing plan for the Quality Assurance department	3/1/2015	3/1/2015	Director of PEMS	Unit should include at least one individual with extensive disability adjudication knowledge capable of expert decision review (2 data analyst and management analyst)

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	3	Hire/fill open positions	12/31/2015		Director of PEMS/Human Resources	Should employees be selected from a specific division consider filling those positions once the QA positions are filled
#8B - QA Review	1	Secure a statistically valid random sample from the Actuary	10/15/2014	10/15/2014	Director of PEMS	Scope includes FY 2014 all adjudicated disability cases
	2	Form a cross-organizational team and develop checklists of review criteria for both material and applicable compliance for each disability benefit type	11/15/2014	11/15/2014	Director of PEMS	Team to include members from PEMS, DBD, Recon, H&A and Field Service.
	3	Randomly select, secure, prepare and scan case files from random sample	12/15/2014	12/15/2014	Director of PEMS	
	4	Approve the incorporation of the checklists into a Microsoft Access data collection tool	12/15/2014	12/15/2014	Chief Privacy Officer	
	5	Prepare a SOW to secure a contract for medical consultant review participation	1/5/2015	1/5/2015	PEMS and Acquisition Management	
	6	Create and submit a Request for Information (RFI) regarding contractual support to perform the independent medical reviews	3/1/2015	3/1/2015	PEMS and Acquisition Management	Five companies have shown interest
	7	Obtain feedback on RFI	3/13/2015	3/13/2015	Director of PEMS/ Contract Services	
	8	Board to complete review of RFI materials	3/25/2015	3/25/2015	Three-member Board	
	9	Internal RRB reviewers to complete the case file quality review	4/15/2015		Director of PEMS	4/3/2015: Janet H. to provide update if this is complete.
	10	Release RFQ	4/15/2015	3/30/2015	Acquisition Management	3/31/2015 Email from J. Hallman: The RFQ (RRB15Q0020) for Quality Assurance Review Services was posted at FBO.GOV on March 30, 2015.
	11	Develop formal procedures for selecting and reviewing cases and reporting the results of reviews (including the scope and frequency of reviews and the statistical methods to be employed)	4/30/2015		Director of PEMS	
	12	Develop draft baseline performance goal.	5/1/2015		Director of PEMS	
	13	Receive proposals and evaluate	5/15/2015		Director of PEMS/ Contract Services	
	14	Request necessary funding from Executive Committee, as necessary	5/22/2015		Director of PEMS/ Contract Services	

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	15	Contractor selected and contract signed to conduct independent medical reviews	5/29/2015		Director of PEMS	
	16	Provide cases to contractor for review	6/1/2015		Director of PEMS	
	17	ROLL-OUT: Begin independent medical reviews	6/1/2015		Director of PEMS	
	18	Measure and present results to Executive Committee and the Board for further review/oversight/analysis/recommendations to disability on what was found	12/31/2015		Director of PEMS	
	19	Document performance goals in the agency's Annual Performance and Accountability Report and budget submission	4/20/2016		Director of PEMS/ Director of DBD	Put in FY 2016 for the FY 2018 budget submission. PEMS will work with DBD.
#9 Certification of Disability						
	1	Provide guidance between Labor and Mgmt intent on selection criteria and certification requirements of form	9/30/2015		Three-member Board	4/2/2015: Meeting set up April 8th to discuss.
	2	Draft form(s) required for the certification process and make recommendations concerning potential development need of new forms/update to existing forms.	11/29/2015		Director of P&S	
	3	Present criteria, form updates/changes, workload, staffing and funding requirements to Board and obtain Board approval	12/29/2015		Director of P&S	
	4	Work with the IRM and DAC (as needed) to formalize revisions/updates and updates to regulations and clearance process, as necessary.	9/23/2016		Director of P&S	Information Resource Management work with General Counsel on OMB approval/clearance process
	5	Develop and publish policy and procedure to implement the updated certification process	9/23/2016		Director of P&S	Ensure method created to track certifications sent and received to verify appropriate follow-up is taken. Will adverse action be taken if forms not returned? Will automated tool be created for call up?
	6	Develop and conduct training for the updated certification process	9/23/2016		Director of DBD	
	7	ROLL-OUT: Release re-certification packages, ensure receipt and follow-up on certifications not received	9/26/2016		Director of DBD	
#10 Consult With the Occupational Disability Advisory Committee (DAC)						

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#10a - Specialized Exams (Review 100)	1	Finalize selection of members for the DAC	2/3/2015	2/3/2015	LMO and MMO	
	2	Draft and sign necessary contracts	4/9/2015		Board/Contract Services	4/1/2015: Rob to check w/Paul A. on status.
	3	Secure funding	4/23/2015		Director of PEMS/ Chief Financial Officer	
	4	Kick-off meeting with DAC	5/15/2015		Director of PEMS	4/3/2015: This date is a placeholder until we get an official date (same as from #1 IMEs above)
	5	Develop data collection and status tracking forms for use	5/31/2015		Director of PEMS	
	6	Randomly select 100 completed occupational disability cases in which specialized examinations were ordered and the applicant's primary impairment was neither orthopedic nor mental.	2/2/2016		Director of PEMS	Repeat from #1 IME step
	7	Make necessary copies of the files and transport the files to the DAC (ensure redaction of PII)	2/16/2016		Director of PEMS	
	8	Review the randomly selected group of 100 completed occupational disability cases which the applicant had neither an orthopedic nor a mental impairment but who nevertheless underwent an IME.	=e21 Repeat from #1 IME step		DAC	4/2/2015: Board relayed to Mike T. and Janet H. that quarterly reviews are acceptable.
	9	DAC to present results and recommendations to Board based on 100 cases reviewed	5/1/2017		DAC	4/3/2015: May be able to push date up if results can be presented quarterly.
	10	Board determines future use of IMEs based on results and recommendations presented	5/15/2017		The three-Member Board	
#10b - Evaluate Two Contracts	11	Determine and finalize criteria to measure effectiveness of the medical opinions (CEL) and consultative examinations (QTC)	5/31/2015		Director of PEMS/ DAC/ Three-Member Board	
	12	Review the effectiveness of medical opinions and consultative examinations (including contracts)	Date TBD during case review same time		DAC	

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	13	DAC to present results and recommendations to Board	5/1/2017		DAC	4/3/2015: May be able to push date up if results can be presented quarterly.
	14	Board determines future use of the two contracts based on results and recommendations presented	5/15/2017		The three-Member Board	
#10c - Assess Value-Added Benefit of Increased On-site Visits	15	Determine and finalize criteria to assess and measure the value-added benefit of increased on-site visits (CEL)	5/31/2015		Director of PEMS	Additional steps will need to be added...HOW WILL THIS BE DETERMINED??
	16	Review and assess effectiveness of the on-site visit process	Date TBD during case review same time		DAC	
	17	DAC to present results and recommendations to Board	5/1/2017		DAC	4/3/2015: May be able to push date up if results can be presented quarterly.
	18	Board determines future use of increased on-site visits based on results and recommendations presented	5/15/2017		The three-Member Board	
#10d - Effectiveness of Employer Medical	19	Render a policy decision regarding how employer medical records will be secured	5/31/2015		Three-member Board	
	20	Determine criteria to measure the effectiveness of employer medical records	5/31/2015		Director of PEMS (Board and AC as well)	Additional steps will need to be added...
	21	Review employer medical records to determine effectiveness	TBD		DAC	Relevant medical is defined as medical evidence relating to the alleged impairments that is not older than 12 months prior to the alleged onset date
	22	Present results and recommendations to Board	5/1/2017		DAC	4/3/2015: May be able to push date up if results can be presented quarterly.
	23	Board determines future use of increased on-site visits based on results and recommendations presented	5/15/2017		The three-Member Board	

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#11 Explore Options to Obtain More Timely Earnings Data						
	1	Explore opportunities to include amendment into FY 2016 budget or future year budgets to allow RRB access to NDNH data	12/5/2014	12/5/2014	OGC	
	2	Continue to explore alternate means to obtain more current earnings information (e.g., work number)	12/31/2015		Director of P&S	
	3	Work with OMB to further define and determine the legislative authority and funding necessary to access NDNH data	On-going		OGC (SEO/PEMS)	In early December 2014, the RRB received the FY16 Budget Passback which did not provide for RRB access to NDNH data.
	4	Explore opportunities to include amendment into future year budgets to allow RRB access to NDNH data	On-going		SEO/OGC	4/1/2015: Per Jeff B., in response to our last legislative proposal OMB stated they would work with RRB to further clarify our need. Will provide another update week of April 13th.
#12 Require Second Review on Total and Permanent Disability Cases						
	1	Issue guidance and communication to disability examiners on obtaining concurrence on all total and permanent disability decisions	9/15/2014	9/15/2014	Director of DBD	
	2	Begin second review on total and permanent disability cases	9/15/2014	9/15/2014	Director of DBD	
	3	Publish procedure documenting the new requirement.	2/24/2015	2/24/2015	P&S	
#13 Contract for an Anti-Fraud Assessment						
	0	Initial funding allocated based on Board initiative	5/1/2014	5/1/2014	CFO	
	1	Draft SOW	8/18/2014	8/18/2014	DAA/AM	
	1a	SOW coordinated with Board Offices	8/18/2014	8/18/2014	SEO	
	1b	Board Offices provide feedback	8/19/2014	8/19/2014	BO	
	1c	Additional funding secured based on BO feedback	8/19/2014	8/19/2014	CFO	
	1d	RFP released	9/4/2014	9/4/2014	AM/DAA	
	1e	Technical questions received	9/5/2015	9/5/2015	Contractor/AM/DAA	
	1f	Amendment answering offerors questions and extending the due date and time for offers to Monday 9/22/2014	9/15/2014	9/15/2014	AM	

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Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	1g	Contractor Proposals received	9/22/2014	9/22/2014	Contractor/AM/DAA	
	1h	Proposals reviewed/contractor selected/notified	9/29/2014	9/29/2014	DAA/AM	
	1i	Additional funding secured based on winning offeror price	9/29/2014	9/29/2014	CFO	
	1j	Debrief losing offerors	10/14/2014	10/14/2014	AM/DAA	
	2	Contractor conducts entrance conference	10/8/2014	10/8/2014	Contractor/DAA	
	3	Contractor reviews policy/program guidance	10/24/2014	10/24/2014	Mathematica	
	4	Contractor to conduct interviews	10/30/2014	10/30/2014	Mathematica	
	5	Provide initial Draft Control Structure (DCS) document to RRB	2/9/2015	2/20/2015	Mathematica	
	6	Review DCS document and provide feedback to contractor	2/26/2015	2/26/2015	Director of Audit Affairs w/SMEs	
	7	Contractor to provide updated version of DCS document	3/30/2015	3/31/2015	Mathematica	
	8	Conduct a second review of the DCS document and provide feedback	3/31/2015	4/2/2015	Director of Audit Affairs	4/2/2015: Per Mike T., all Directors in OP provided Mathematica with comments.
	9	Contractor to provide Final Control Structure document, which identifies vulnerabilities	4/10/2015		Mathematica	
	10	Facilitate review of Final Control Structure	4/15/2015		Director of Audit Affairs	
	11	Develop Briefing for RRB	4/23/2015		Mathematica	
	12	Provide briefing	4/24/2015		Mathematica	
	13	Facilitate discussion concerning possible program improvements with responsible organizations (determine scope, timeline, resource and funding requirements)	4/29/2015		Director of Audit Affairs w/SMEs	
	14	Provide draft report	5/15/2015		Mathematica	
	15	RRB provides comments to draft report	6/1/2015		Director of Audit Affairs w/SMEs	
	16	Draft report revisions	6/15/2015		Mathematica	
	17	Deliver final report	6/16/2015		Mathematica	
	18	Executive Briefing (optional deliverable)	6/30/2015		Mathematica	
#14 Analyze Recent RRB Experience						

Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
	1	Review and analyze LIRR disability claims annuitants to ensure examiners followed current procedures. The three categories to be reviewed include individuals who: 1) participated in the Voluntary Disclosure and Disposition Program, or 2) were indicted, or 3) did not request reconsideration following receipt of the March 2013 termination letter.	12/22/2014	12/22/2014	Director of PEMS	Conduct data analysis to confirm previous findings and determine any new trends including other involved providers, and a 'potential fraud review' to use expertise in determining any unusual patterns on forms and in medical records that may be used for future training.
	2	Present results from review to Fraud Awareness Task Force	1/21/2015	1/21/2015	Director of PEMS	
	3	Facilitate a discussion on lessons learned from the study results to identify possible program improvements.	1/21/2015	1/21/2015	Director of PEMS	
	4	Release results to GAO	3/10/2015	3/10/2015	Director of PEMS	
	5	Incorporate lessons learned into future training classes based on findings from review/analysis	4/23/2015		Director of DBD	
#15 Evaluate Statistical Modeling As a Value-Added Technique						Part of SSA #5
	1	Meet with SSA to discuss the statistical models they use for their disability program and the benefits of each.	5/9/2014	5/9/2014	Director of P&S	SSA shared list of variables for their CDR process
	2	Communicate primary objective of statistical modeling for the RRB's disability program (e.g., CDR process, etc.)	5/30/2015		The three-member Board	4/2/2015: Will discuss CDR and re-certifications at April 8th meeting w/Board Assistants and members of OP.
	3	Obtain technical expertise, as necessary	9/30/2015		WHO MAKES THIS DECISION? THE BOARD? HIRE INTERNAL OR EXTERNAL? ACTUARY/STATASTICIAN?	
	4	Hire contractor or assign necessary (expert) resources to perform modeling techniques for the CDR or other disability process, as necessary	12/31/2015			May need to consider obtaining expertise from outside contractor(s), work with BIS, BFO and EC
	5	Report results, outcomes and recommendations from statistical models	6/30/2016		Director of PEMS	
	6	Create and test statistical models	On-going			Seek technical resources, make a recommendation concerning next steps in statistical modeling.

Category	#	Tasks	Current Due Date	Completed Date	Owner	Comments
#16 Ensure the Completeness of the Medical Record						
	1	Obtain current contact information from railroads to obtain employer medical information per FOM article 13 Appendix A. Appendix A supports current procedure which calls for requesting employer medical from employers listed in Appendix A.			MMO TO DISCUSS	
	2	Request formal legal guidance from the RRB's General Counsel to determine what revisions to law, regulation, and procedure may be necessary to require and enforce disclosure of all pertinent medical evidence by disability applicants.	TBD		Director of P&S	Dependent on SSA's final rule.
#17 Ensure the Completeness of the Non-Medical Record						
	1	Provide on-going guidance and training in the use of Internet resources during the initial disability evaluation and post-adjudication processes and as a fraud detection tool	5/29/2015		Director of P&S	
	2	Monitor SSA's policy development initiative for social media and determine its applicability to RRB.	7/31/2015		Director of P&S	