

UNITED STATES OF AMERICA  
SOCIAL SECURITY ADMINISTRATION

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OCCUPATIONAL INFORMATION DEVELOPMENT  
ADVISORY PANEL

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QUARTERLY MEETING  
DAY 1

+ + + + +

Wednesday  
September 1, 2010

+ + + + +

Boston, Massachusetts

+ + + + +

The Quarterly Meeting of the Occupational Information Development Advisory Panel convened at 8:30 a.m., pursuant to notice, in the Terrace Ballroom, Boston Park Plaza Hotel & Towers, 50 Park Plaza, Boston, Massachusetts, Mary Barros-Bailey, Chair, presiding.

PANEL MEMBERS PRESENT:

MARY BARROS-BAILEY, Chair, Ph.D.  
ROBERT T. FRASER, Ph.D.  
SHANAN GWALTNEY GIBSON, Ph.D.  
THOMAS A. HARDY, J.D.  
JANINE HOLLOMAN  
H. ALLAN HUNT, Ph.D.  
SYLVIA E. KARMAN  
DEBORAH E. LECHNER  
ABIGAIL PANTER, Ph.D. (via telephone)  
MARK A. WILSON, Ph.D.

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ALSO PRESENT:

DEBRA TIDWELL-PETERS, Designated Federal  
Official

DEBBIE HARKIN, Staff

SHIRLEEN ROTH, Staff

MARK TRAPANI, Staff (via telephone)

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## T-A-B-L-E O-F C-O-N-T-E-N-T-S

Call to Order.....	5
Welcome New Members.....	6
Overview of Today's Agenda:	
Mary Barros-Bailey, Ph.D., Chair .....	10
Opening Statement:	
Richard Balkus, Associate Commissioner, Office of Program Development and Research, Social Security Administration .....	12
Occupational Information Development Project Report:	
Sylvia E. Karman, Director, OID Project and OIDAP Member .....	18
Evaluation of 2008 Occupations Held by SSDI and SSI Disability Claimants:	
Renee Ferguson, Statistician, Office of Program Research, Office of Program Development and Research .....	39
Occupational and Medical-Vocational Claims Review Study:	
Mark Trapani, Senior Analyst, Social Security Administration .....	64
Deborah Harkin, Social Insurance Specialist, Social Security Administration .....	73
Break.....	107
Status on the Development of the OIS - Content Model:	
Shirleen Roth, Social Insurance Specialist, Social Security Administration .....	110

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Lunch .....	196
Continuation of Discussion Before Lunch...	196
OIDAP Comment Process: Mary Barros-Bailey, Ph.D., Chair ....	214
Update on User Needs Report on Comments on the OIDAP Recommendations: Shanan Gwaltney Gibson, Ph.D., Member, User Needs and Relations Subcommittee .....	223
OIDAP Public Report Types.....	272
Break.....	290
Subcommittee Report - Research Subcommittee: Mark Wilson, Ph.D., Subcommittee Chair .....	291
Panel Discussion and Deliberation.....	305
Adjourn.....	377

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:36 a.m.

3 MS. TIDWELL-PETERS: Good morning  
4 and welcome to the quarterly meeting of the  
5 Occupational Information Development Advisory  
6 Panel.

7 My name is Debra Tidwell-Peters,  
8 and I am the designated federal officer for  
9 the Panel. Welcome.

10 We are happy to be in Boston, and  
11 I'd like to turn the meeting over to the Panel  
12 chair, Dr. Mary Barros-Bailey. Mary.

13 CHAIR BARROS-BAILEY: Thank you,  
14 Debra.

15 Good morning. I'd like to thank  
16 you for your attendance live or  
17 telephonically, to the first day of the fourth  
18 quarterly meeting of the OIDAP for fiscal year  
19 2010.

20 The first order of business is  
21 welcoming a new member to the Panel, Janine  
22 Holloman. Thank you for saying "yes" to the

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1 Commissioner and serving on this panel.

2 Janine was sworn in earlier this  
3 month at headquarters, but I would also like  
4 to introduce Associate Commissioner Richard  
5 Balkus who will be providing her with a  
6 certificate. Richard.

7 MR. BALKUS: We usually swear you in  
8 at this point, but you're already sworn in,  
9 but we do have a certificate for you.

10 And on behalf of the Commissioner,  
11 Michael Astrue, and the Deputy Commissioner,  
12 David Brooks, welcome to the Panel and we look  
13 forward to your participation.

14 MEMBER HOLLOMAN: Thank you.

15 (Applause.)

16 CHAIR BARROS-BAILEY: Thank you,  
17 Richard.

18 Two of our panel members, David  
19 Schretlen and Gunnar Andersson are out of  
20 state or out of the country with family  
21 emergencies and cannot be with us.

22 And one of our panel members is

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1 attending the meetings by phone, Abigail  
2 Panter.

3 Abigail, are you on this morning?

4 MEMBER PANTER: Yes, I am here.  
5 Thanks.

6 CHAIR BARROS-BAILEY: Wonderful. So  
7 if we hear a voice from above, that's Abigail  
8 talking to us throughout the meetings. And so  
9 we'll try to remember that you're there.

10 If you have any questions or want  
11 to participate, please let us know.

12 MEMBER PANTER: Wonderful. Thank  
13 you.

14 CHAIR BARROS-BAILEY: Before we go  
15 through the activities for today, I'd like to  
16 announce to those who are listening in  
17 remotely that to follow along with the agenda,  
18 you could go to [socialsecurity.gov/oidap](https://www.socialsecurity.gov/oidap) for a  
19 copy not only of the agenda, but the  
20 PowerPoints for this meeting, as well as past  
21 meetings.

22 You can also look at the Panel

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1 documents at the webpage for technical and  
2 working papers, formal correspondence in our  
3 first and only Recommendations Report to the  
4 Commissioner delivered about a year ago, as  
5 well as our Findings Report that was delivered  
6 to the Commissioner on the 28th of June on the  
7 National Academy of Sciences review of the  
8 O\*NET.

9 I would also like to say that we  
10 are happy to be here in Boston, and there are  
11 some members of the audience I believe who are  
12 from the Boston regional office that I'd like  
13 to acknowledge.

14 Randy Brooks is the disability  
15 program expert, Center for Disability here in  
16 Boston. Carmine Fuccillo, Carol Sax and  
17 Philip Racicot and Sal Natalie. So, thank you  
18 for attending. We appreciate your attendance.

19 As we indicate at the start of each  
20 meeting, the charter of the Occupational  
21 Information Development Advisory Panel is to  
22 provide advice and recommendation to the

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1 Social Security Administration for the  
2 development of the Occupational Information  
3 System to replace the Dictionary of  
4 Occupational Titles in disability  
5 adjudication.

6 Our task is not to develop the OIS  
7 itself. As our name implies, it's to provide  
8 advisory recommendation to SSA as it develops  
9 the OIS.

10 At the end of the last quarterly  
11 meeting, I solicited requests from the Panel  
12 regarding topics to include for this meeting.

13 Every request has been included on  
14 the agenda except for one on skills, because  
15 Tom and I haven't had the opportunity to kind  
16 of catch up on dealing with that topic he  
17 requested, and that will be dealt with in  
18 future meetings.

19 Today's agenda will include  
20 presentations from management and staff on  
21 very important activities regarding the  
22 development of the OIS.

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1           We will start with a brief address  
2 by Associate Commissioner of the Office of  
3 Disability Programs and Research, Mr. Balkus,  
4 we will get reports from Sylvia Karman, the  
5 project director, Renee Ferguson regarding a  
6 study on occupations held by SSI and SSDI  
7 claimants, and a presentation about the  
8 occupational and medical-vocational claims  
9 review by Debbie Harkin.

10           After the break, Shirleen Roth will  
11 provide us with a current and detailed status  
12 on the development of the user needs  
13 consideration for the content model. And we  
14 will then have a wrap-up by Sylvia before  
15 lunch.

16           After lunch, we are going to be  
17 going into public comment. At this point, we  
18 don't have anybody signed up for public  
19 comment, so we will probably go early into the  
20 session by Shanan Gibson regarding the Public  
21 Feedback Summary Report that was summarized  
22 and considered by the User Needs and Relations

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1 Subcommittee and the public comment that was  
2 held over the nine months ending on June 30th.

3 After the break, Mark Wilson will  
4 provide the Subcommittee's Report. And  
5 finishing up the day is about an hour-and-a-  
6 half of deliberation by the Panel on the  
7 variety of issues that have arisen at this  
8 meeting.

9 As many of you are probably aware,  
10 on August 19th of this year SSA issued a  
11 proposed rule for the revised medical criteria  
12 for the evaluation of mental disorders. In  
13 the Federal Register Notice, there was a  
14 mention of the work on the OIS.

15 And given the direct relationship  
16 and mention of the considerations in the  
17 proposed rule and our work as identified in  
18 the mission and the charter to this panel, I  
19 have requested that the chair of the Mental  
20 Cognitive Subcommittee and the chair of the  
21 Work Taxonomy and Classification Subcommittee  
22 engage their respective subcommittees to

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1 review the proposed rule and to report to the  
2 Panel at the December meeting, any findings or  
3 implications to our advice and recommendations  
4 on the development of the OIS that this notice  
5 may contain.

6 And without further adieu, I'd like  
7 to welcome Associate Commissioner Richard  
8 Balkus to address the Panel.

9 MR. BALKUS: Thank you.

10 First of all, I'd also like to  
11 extend a welcome to our guests from the  
12 regional offices. And in particular, for  
13 Judge Carol Sax who is the regional chief  
14 administrative law judge for the Boston  
15 region. I appreciate her time considering her  
16 busy schedule that she has, is here with us  
17 this morning.

18 I'd also like to recognize David  
19 Blitz who has joined our staff in the Office  
20 of Program Development and Research. It seems  
21 like he has arrived right in time.

22 David is from Northwestern School

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1 of Medicine, Feinberg School of Medicine, and  
2 has a background in psychometric analysis and  
3 job analysis. And we welcome his expertise as  
4 we move forward with this project.

5 I do have a few remarks this  
6 morning. First, I'd like to thank the Panel  
7 for your report of your findings on the  
8 National Academy of Science Report on O\*NET.

9 We agree with your finding and that  
10 of the National Academy of Science Panel that  
11 O\*NET in its current form, is not suitable for  
12 disability adjudication.

13 We also agree with your finding and  
14 that of the national Academy of Science Panel,  
15 that significant changes would need to be made  
16 to O\*NET in order for it to be suitable for  
17 disability adjudication.

18 We also believe that such a  
19 redesign to meet our requirements would entail  
20 substantial costs and could detract from  
21 O\*NET's workforce development purpose.

22 We agree with your finding and that

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1 of the National Academy of Science Panel of  
2 the need to collaborate or continue to  
3 collaborate with the Department of Labor, and  
4 also our other federal partners as we move  
5 ahead with this project.

6 To that end, we will continue to  
7 discuss with the Department of Labor our plans  
8 and requirements, and we will continue to  
9 welcome their input on this project.

10 We will also consider ways to  
11 cross-reference or link our occupational data  
12 to O\*NET.

13 I'd also like to acknowledge and  
14 thank all the information that we have  
15 received from stakeholders outside of the  
16 Social Security Administration and through our  
17 public comment process. This input is  
18 informing the development of the content  
19 model.

20 After reviewing many of the  
21 comments received, there is one point that  
22 bears repeating, and that is to the purpose of

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1 this project which is to create an  
2 Occupational Information System tailored  
3 specifically for SSA's disability programs and  
4 adjudicative needs.

5 We are charged with building a  
6 product that supports the law and regulations.

7 That includes building a product that  
8 supports how skills and transferability of  
9 skills are defined in the regulation, one that  
10 supports the physical and mental demands of  
11 work that are defined in our regulations.

12 Some suggestions made in the public  
13 comments would require changes in the  
14 regulations. That is not within the scope of  
15 this project.

16 The end objective is to have a  
17 product that is an accurate description of the  
18 world of work and a product that contains  
19 valid and reliable data for adjudicating  
20 claims at Steps 4 and 5 of the sequential  
21 evaluation process.

22 I look forward to the next two days

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1 and the agenda that we have, and I look  
2 forward to further collaborating with the  
3 Panel as we move forward into the research and  
4 development phase. Thank you.

5 CHAIR BARROS-BAILEY: Thank you.  
6 Thank you, Richard.

7 I had a really quick question. You  
8 had mentioned the NAS Report. And one of the  
9 recommendations that we made in the  
10 Recommendations Report in September and that  
11 we reiterated in the NAS Report, was the  
12 internal unit in terms of expertise.

13 I was just wondering in terms of  
14 the status of that unit.

15 MR. BALKUS: Well, we are moving to  
16 that end maybe not as quickly as some would  
17 want. David Blitz is our first addition to  
18 the staff since the report, your report, was  
19 issued.

20 We do have a number of procurement  
21 actions for consultants in the R and IO field  
22 that we have funding for and will continue to

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1 pursue.

2 We also have an additional position  
3 that we are recruiting for and that we do have  
4 a package that we are currently reviewing.

5 So, we are moving in that direction  
6 and we will continue to move in that  
7 direction, and we will continue to use the  
8 expertise that we do have in the Social  
9 Security Administration.

10 For example, on our recent visit to  
11 the Census Bureau, we did ask for the chief  
12 statistician from our Office of Research  
13 Evaluation and Statistics to accompany us on  
14 that meeting and for him to participate in the  
15 discussions with the Census Bureau as we  
16 explore ways of pursuing sampling a  
17 methodology for this project.

18 CHAIR BARROS-BAILEY: Thank you. I  
19 appreciate that. And I particularly also  
20 appreciate your comment about some of the  
21 public comment that we got in terms of their  
22 understanding of the scope of this panel in

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1 terms of what our charter is. So, I  
2 appreciate that. Thank you.

3 MR. BALKUS: Thank you.

4 CHAIR BARROS-BAILEY: Okay. I would  
5 like to turn the meeting over to Sylvia Karman  
6 who will give her Project Director's Report.

7 MEMBER KARMAN: Good morning,  
8 everyone. Let me see if I can move this  
9 forward. Somebody is going to come over here  
10 and tell me what to do. I got it. Okay.

11 All right. We have a lot to cover  
12 this morning. So, I'm going to try to move  
13 through this pretty quickly. Also, because  
14 some of the things that I'm going to be  
15 reporting would normally have in my report to  
16 the Panel are going to be described this  
17 morning in more detail, I'm certainly not  
18 going to need to cover that.

19 So, I will talk a little bit about  
20 some of the project activity that we've had  
21 since we last met in June and just give sort  
22 of an overview or some context for the

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1 presentations that we have for the Panel this  
2 morning on activity that Social Security has  
3 accomplished over the last year in support of  
4 the OIS development.

5 So, one of the areas that we've  
6 been working on in the last year is what we  
7 call the Occupational and Medical-Vocational  
8 Study.

9 As many of you know, this is a  
10 study of our own claims, cases that have  
11 already been decided. So, these are 5,000  
12 adult case disability claims in which we are  
13 attempting to get information about the actual  
14 work that people have done in terms of past  
15 relevant work, and as well the types of  
16 limitations that are reflected in their  
17 residual functional capacity assessments, both  
18 for physical and for mental.

19 And then the vocational outcomes  
20 and what information we can get from that with  
21 regard to what vocational rule was used and  
22 what jobs were cited, if in fact that's

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1 appropriate, at the end of the decision, what  
2 kinds of jobs the Agency was citing either at  
3 the initial level with the DDS or at the  
4 appellate level.

5 To date we have completed the 3900  
6 initial-level cases. That was completed by  
7 the end of July. We're now preparing to move  
8 into the review of the remaining cases at the  
9 appellate level.

10 Our staff is working with some  
11 people within the Agency to prepare a data  
12 collection instrument or complete actually a  
13 data collection instrument for the appellate  
14 level cases because they are somewhat  
15 different in terms of how they are set up.

16 So, we needed to have a different  
17 data collection instrument and are working on  
18 that. So, we anticipate finishing that study  
19 shortly.

20 And we've already completed some  
21 initial results and have presented them to  
22 senior management, including the Commissioner.

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1 And you all will have an opportunity to see  
2 some of those early results today when Debbie  
3 Harkin and Mark Trapani are going to give you  
4 guys an overview.

5 The international - I'll back up.  
6 the international OIS investigation is just  
7 about completed. What we need to do is write  
8 the report. So, we are anticipating writing a  
9 report over the next month-and-a-half and  
10 circulating a draft of that for people to take  
11 a look at. So, the final report is expected  
12 in November and we're hoping to have a draft  
13 by the end of September.

14 The content model, the work that  
15 we're doing in the content model, the  
16 presentation today in particular, is going to  
17 give us the results of the work that our staff  
18 has done in working with the Agency's  
19 workgroup to pull together all of the user  
20 needs that have been identified through the  
21 user needs analysis that was completed last  
22 summer, as well as the Panel's comments and

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1 the Panel's recommendations, and any other  
2 input that we have received from members of  
3 the public or others throughout this process  
4 particularly in response to the Panel's  
5 recommendations.

6 So, what we will be seeing is the  
7 user-identified needs that are the initial  
8 stage for content model development.

9 So, in some of the next steps that  
10 we have in mind here in addition to obtaining  
11 comments from both the Panel and as well as  
12 the workgroup, is developing the measures and  
13 scales so that we can begin the work that we  
14 need to do to test these particular data  
15 elements with users. And also to develop  
16 after that, a work analysis instrument, or  
17 perhaps instruments, so we can begin testing  
18 that.

19 I'll move to the next slide. As  
20 Richard Balkus pointed out, we are happy to  
21 welcome David Blitz from Northwestern  
22 University as a doctoral candidate to be

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1 working with our staff. So, that will be a  
2 good opportunity for us as we're moving  
3 forward into a lot of work that will be very  
4 technical.

5 We also have published a number of  
6 request for quotes, request for proposals  
7 throughout the summer. One of them was to  
8 conduct user testing of the person-side data  
9 elements which I just was describing earlier.

10 And we are not going to award that contract  
11 as we were unable to do so given the proposal  
12 that we received.

13 So, we are working on some next  
14 steps with regard to what we need to do in the  
15 next few months with regard to that.

16 The RFQ to obtain a VR researcher  
17 consultant services, our staff has recently  
18 completed the Technical Evaluation Panel for  
19 that and has made a recommendation to our  
20 Office of Acquisition and Grants. And we do  
21 not yet have an award on that, so I don't have  
22 further information.

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1           Our Office of Acquisition and  
2 Grants does not permit us to release any  
3 information. So, the staff, really, even the  
4 Technical Evaluation Panel, cannot tell me  
5 even what they're considerations were or what  
6 their results were.

7           So, as soon as we learn what that  
8 is, I will be happy to report it and I'm real  
9 hopeful that we will be able to bring somebody  
10 on shortly.

11           That individual would be very  
12 helpful. That skill set would be very helpful  
13 to us as we're developing measures and scales  
14 for the data elements that we have identified  
15 to date.

16           Also, we have an RFQ that we will  
17 be convening a Technical Evaluation Panel  
18 shortly to obtain the services, the consultant  
19 services of an I-O or psychometrician to  
20 develop the work analysis instrument.

21           Again, that Technical Evaluation  
22 Panel is not set to convene until September

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1 10th.

2 We have also asked an expert in  
3 work analysis from another federal agency, the  
4 Office of Personnel Management, to assist us  
5 as a subject matter expert in the review of  
6 the proposals for that particular RFQ. So,  
7 hence the need for having that take place in  
8 September. So, as soon as we have a result on  
9 that, we will also report that.

10 Then finally we have a Request For  
11 Quote which we've received proposals on a  
12 blanket - what we call a blanket Purchase  
13 Agreement so that we can issue a series of  
14 tasks against a larger contract to conduct -  
15 to ask a contractor to come in and do a job  
16 analysis business process or to do some  
17 benchmarking for us, as well as developing a  
18 job analysis business process for us in terms  
19 of recruiting, training and certifying these  
20 individuals for the purpose of doing job  
21 analyses for NOIS.

22 Again, the Technical Evaluation

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1 Panel is in the midst of preparing its final  
2 evaluation and returning that to the Office of  
3 Acquisition and Grants. So, we will be  
4 obtaining a final decision on that soon.

5 Some of the investigations and  
6 meetings that we've had over the last couple  
7 of months; we've done an extensive review of  
8 the sampling methodologies for relevant  
9 federal surveys, both individuals on our staff  
10 as well as Dr. Allan Hunt, has been very, very  
11 helpful to us in doing so; we've looked at the  
12 Bureau of Labor Statistics' Occupational  
13 Employment Survey, as well as the Census  
14 American Community Survey; we have met with  
15 both Census Bureau and the Bureau of Labor  
16 Statistics.

17 I think I mentioned the Bureau of  
18 Labor Statistics last time we were together,  
19 because that meeting was in May. We met with  
20 Census Bureau in July.

21 That was an excellent meeting and I  
22 think we can have some very important work

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1 coming from that, not the least of which might  
2 involve our staff at any rate, our Social  
3 Security staff, just reviewing some of the  
4 information that Census gathers to determine  
5 whether or not there is information about work  
6 that might help us target where occupations  
7 may be residing.

8 And I know that Dr. Hunt will be  
9 covering some of that later on in the Panel  
10 meeting.

11 Also, we have met with - we did  
12 brief - we were asked by the Office of  
13 Management and Budget to provide them with a  
14 briefing status on our project, and we did  
15 that in July as well.

16 There were a number of questions  
17 about, you know, the timeline of what we're  
18 working on. We described what our status was,  
19 as well as questions with regard to other  
20 agencies that we may be working with. Which  
21 of course we were able to answer that question  
22 with regard to the fact that we are in fact

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1 have been in touch with the Department of  
2 Labor and Employment Training Administration,  
3 have met with Census and BLS, as I mentioned,  
4 and have also initiated discussions with work  
5 analysis experts who are in the Department of  
6 Defense, as well as the Office of Personnel  
7 Management. So, that's where we are with  
8 that.

9 And we did have a meeting with the  
10 Department of Labor and Employment Training  
11 Administration also in July just to again  
12 bring them up to speed with where we are in  
13 our project, and to, you know, talk a bit  
14 about the extent of collaboration that we  
15 would like to have with their agency.

16 And that seemed to be something  
17 that we were - both ETA and Social Security  
18 were - came to the same conclusions that we're  
19 willing to work together certainly not wanting  
20 to duplicate efforts.

21 And if we were working on studies  
22 that would be of value to them, we would

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1 certainly want to be sharing that. And if  
2 there was work that they were doing, we would  
3 want to be able to work with them on that.

4 So, let's see.

5 Panel presentations. So, what you  
6 are going to see this morning are  
7 presentations on the work that SSA has done to  
8 prepare us for the development and testing  
9 activities that we're going to need.

10 One of the things that we were  
11 asking ourselves last year is what can we  
12 learn from the information that Social  
13 Security has available to it at this moment?

14 So, what do we have in our  
15 administrative data files, what can we find  
16 from our claimant files, what can we learn  
17 from the decisions that we make currently, and  
18 what can we articulate given that information,  
19 how does that speak to our programmatic needs  
20 in development of the OIS?

21 And so each of these pieces serves  
22 as a building block for the next piece. And

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1 so that's how we have them presented in that  
2 order, and I will finish my remarks and let  
3 that begin. Thank you.

4 Are there any questions before I  
5 move on?

6 CHAIR BARROS-BAILEY: Tom.

7 MEMBER HARDY: Good morning, Sylvia.

8 MEMBER KARMAN: Hi, Tom.

9 MEMBER HARDY: Just more of a  
10 request than a question, I guess, on one or  
11 two topics.

12 You indicated that you met with the  
13 Department of Labor, and I think that's great.

14 And as we all know, there's been  
15 some user need commentary about how this panel  
16 and the workgroup is interfacing with the  
17 Department of Labor, and I'm glad to hear  
18 you're doing it.

19 I'm wondering if there's any way we  
20 can get more formalized than just a verbal  
21 report that we met with them.

22 Is there something we could get out

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1 from you about the content or tenor or tone or  
2 who at the Department of Labor you spoke with,  
3 so we could have that in the record to show  
4 that that interface is occurring and is  
5 ongoing?

6 MEMBER KARMAN: Absolutely.

7 MEMBER HARDY: That's Question 1.

8 MEMBER KARMAN: Absolutely.

9 MEMBER HARDY: Okay.

10 MEMBER KARMAN: So, let me be sure  
11 I'm understanding what you're asking for so  
12 that when we provide it, it's meeting your  
13 request.

14 You would like a written summary,  
15 short summary -

16 MEMBER HARDY: Yes.

17 MEMBER KARMAN: - of the meetings,  
18 possibly the meetings that we're having with  
19 any of the agencies, but in particular with  
20 ETA, and with whom we met.

21 MEMBER HARDY: That's exactly right.

22 MEMBER KARMAN: Okay.

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1 MEMBER HARDY: And that way I feel  
2 that we as a panel can then -

3 MEMBER KARMAN: Document it.

4 MEMBER HARDY: - point to that that  
5 this is what we're doing -

6 MEMBER KARMAN: Excellent.

7 MEMBER HARDY: - and where we're  
8 going and how it's progressing.

9 MEMBER KARMAN: Okay.

10 MEMBER HARDY: And I think that  
11 would be important for us.

12 The initial work analysis  
13 instruments are going into development?

14 MEMBER KARMAN: No, they are not.

15 MEMBER HARDY: No, they are not?

16 MEMBER KARMAN: No. What I was  
17 trying to describe was the progression of  
18 tasks.

19 So, we are at the stage where we've  
20 identified the user needs for content model.  
21 We would be then wanting to get comments back  
22 from the Panel.

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1           We're also going to have some other  
2 work that we're going to need to do to just  
3 finish up and stabilize that list of data  
4 elements.     Then get into developing the  
5 measures and scales for the data elements.

6           And the next step would be testing  
7 it with out users.   Then the results of that  
8 would inform the work we would need to do.

9           MEMBER HARDY: The work analysis.  
10 So, that's still pretty far out as what we're  
11 looking at.

12          MEMBER KARMAN: It's certainly -  
13 yes.   I mean it's not within the next couple  
14 of months.

15          MEMBER HARDY: And the last thing is  
16 more of a comment and I know you can't help me  
17 with this, but I wanted to say it.

18          MEMBER KARMAN: Okay.

19          MEMBER HARDY: I recognize how the  
20 Administration works with the RFQs and the  
21 RFPs.   Sometimes it would be nice to have a  
22 little notice of what's happening, of what's

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1 going out.

2 I recognize that you yourself may  
3 not get that. But we as the Panel, you know,  
4 have made recommendations, we have asked for  
5 certain things to happen. And you're  
6 complying and doing it, but things are being  
7 done and I recognize in some instances there's  
8 conflicts and privacy issues and I'm fine with  
9 that.

10 But as we go down the road and we  
11 move to more specific RFPs and RFQs, the  
12 design of the RFP and the RFQ may in the way  
13 it's worded, have a lot of impact and it would  
14 be nice if there was a way we could see it.

15 And I don't know that you can do  
16 that, but I want to go on the record as  
17 requesting it.

18 MEMBER KARMAN: Thank you, Tom.

19 CHAIR BARROS-BAILEY: Mark.

20 MEMBER WILSON: I'd just like to  
21 echo what Tom said. And I think, you know,  
22 perhaps because of my particular expertise

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1 this is a real problem.

2 And, again, I understand that there  
3 might be limitations and things of that sort,  
4 but it puts us in a particularly difficult  
5 situation if someone contacts us and we can't  
6 say a whole lot and say, well, I don't know  
7 anything about that or whatever.

8 MEMBER KARMAN: Actually, I have two  
9 comments with regard to that, and thank you  
10 both.

11 First of all, Thank you, Tom, for  
12 the points that you raised and for asking  
13 about the work analysis thing. Because if it  
14 was not clear to you, it may not have been  
15 clear to anyone else what it was I was saying.

16 And with regard to the RFQs, we did  
17 pursue with our Office of General Counsel in  
18 June when the General Counsel representatives  
19 met with the Panel and workgroup offline and  
20 as well as our staff.

21 And if you all recall, we had a  
22 meeting, a professional development meeting,

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1 in which our Office of General Counsel  
2 representatives indicated that it was  
3 possible/permissible for our staff to share  
4 with the Panel information that is pre-  
5 decisional.

6 Obviously, we can't make it public,  
7 but it is possible because of course the  
8 Agency has asked to assemble a group of  
9 experts to assist the Agency with its work in  
10 this area, that it is well within our, you  
11 know, it is certainly possible for us to share  
12 that information.

13 So, as we move forward - at the  
14 point that we were receiving that information  
15 from General Counsel, those particular  
16 documents had already gone to our Office of  
17 Acquisition and Grants because of the timing  
18 involved with contracting.

19 Now that we have that information  
20 from the Office of General Counsel and we  
21 understand that we can share pre-decisional  
22 documents such as Statements of Work or

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1 portions of Statements of Work, I mean, you  
2 know, anything that would be of value for us  
3 to have a variety of members of the Panel with  
4 expertise in certain areas looking at them, we  
5 are in a position to share them with the Panel  
6 and to get the feedback that would be helpful  
7 to us. So, that's one thing.

8           And I think that the other thing  
9 is, is that it seems that it would be  
10 incumbent upon us to provide the Panel members  
11 with some guidance with regard to what can you  
12 be saying when in fact you are contacted by  
13 perhaps members in your own field or your own  
14 community, a professional community, when an  
15 RFQ goes out or some other, you know, job  
16 posting, for example.

17           And regardless of whether you can  
18 provide information or you just simply don't  
19 have it, it would be good if we gave you some  
20 guidance about that so you have it and you  
21 know what to be able to say and how to address  
22 those questions.

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1                   Is there anything else that you  
2 would like to cover?

3                   CHAIR BARROS-BAILEY: Okay. Thank  
4 you, Sylvia.

5                   We're going on to presentation on  
6 the agenda by Renee Ferguson. Renee is the  
7 statistician for the Office of Program  
8 Research within the Office of Program  
9 Development and Research.

10                  She began her career with SSA in  
11 2001 as an actuary for the Office of the Chief  
12 Actuary where she completed five years of  
13 Title II program cost estimates.

14                  Within the Office of Program  
15 Research, Renee has served as the chair of  
16 OPDR's Disclosure Review Board, has evaluated  
17 the performance of the quick disability  
18 determinations and compassionate allowances,  
19 predictive models, has participated in sample  
20 designs for OPDR research projects and pilot  
21 studies, and most recently worked with the  
22 team to build a predictive model for the

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1 continuing disability review enforcement  
2 operations.

3 For her efforts at SSA, Renee has  
4 received numerous awards, including the  
5 Commissioner's citation and a Deputy  
6 Commissioner citation.

7 She's a native of Tennessee and she  
8 has completed her master's in actuarial  
9 science in 2000. Welcome, Renee.

10 Renee is going to be doing a  
11 presentation regarding the evaluation of 2008  
12 occupations held by SSDI and SSI disability  
13 claimants. Thank you.

14 MS. FERGUSON: Good morning. Thank  
15 you for this invitation. This is my first  
16 time to attend the OIDAP meetings.

17 Today I would like to go over the  
18 purpose and methodologies and preliminary  
19 research that we've completed in order to help  
20 the development of the OIS.

21 I'll discuss with you some of the  
22 data sources and limitations within the data,

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1 and also describe to you the manual review of  
2 the administrative records that occurred for  
3 this project.

4 CHAIR BARROS-BAILEY: If you can  
5 move it a little closer, I think the Panel  
6 member online might not be hearing you.

7 MS. FERGUSON: Sure.

8 CHAIR BARROS-BAILEY: Thank you.

9 MS. FERGUSON: And the results of  
10 the review of the administrative records we've  
11 then summarized into an estimate of the  
12 population of occupations and provide those in  
13 the handouts. And these provide both types of  
14 the DOT codes and the SOC codes.

15 Slide 3. I'm sorry. The goal of  
16 this research project was pretty simple. We  
17 just wanted to be able to classify the  
18 occupational information based on a manual  
19 review of the administrative records for  
20 disability claims.

21 We wanted to be able to unmask the  
22 occupations that were most frequently cited by

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1 the disability claimant population so that we  
2 can consider an enhanced occupational  
3 classification system.

4 Through this research project, our  
5 hopes were to be able to provide the full  
6 nine-digit DOT code and the corresponding SOC  
7 codes for each of the job titles provided  
8 through the disability claims process, and we  
9 hope that the results would assist in  
10 directing some future data collection efforts  
11 for those occupations most frequently cited.

12 For our methodology, the staff  
13 within Office of Program Development and  
14 Research, this is an internal evaluation where  
15 we evaluated the administrative data that was  
16 captured through the work history provided by  
17 SSDI and SSI disability claimants.

18 And this was to classify 2008 jobs.

19 These jobs were held in 2008. Ended in 2008,  
20 not limited to the date in which they filed.  
21 They could have filed in January or February.

22 The data was captured in July of

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1 2009, and all jobs held in 2008 were  
2 evaluated.

3           These job titles spanned more than  
4 a million - more than a million jobs were  
5 contained within the 2008 time frame. And if  
6 you did a frequency just on job titles, it  
7 resulted in over 21,000 unique job titles.  
8 And that is - I'll go into more detail as to  
9 why that occurs.

10           And then all levels of decisions  
11 were included. It was not limited to just  
12 initial or reconsideration or hearings level.

13           All decisions were included for the sample.

14           And then they could have been  
15 decided at Steps 1 through Step 5 of the  
16 disability evaluation process.

17           Now, this is how it differs for  
18 what Debbie Harkin's going to present in the  
19 next presentation where it's more in scope.  
20 This was just about all the disability  
21 applicants no matter what step.

22           So, we do select - for this

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1 research project we selected roughly 4,000  
2 administrative records. And that was selected  
3 in a stratified approach, and I'll explain  
4 that in the following slides.

5 But the results, I'm going to go  
6 ahead and give you the results right up front  
7 so hopefully you'll be enticed to follow along  
8 in the following slides.

9 But we were able to categorize the  
10 most frequently cited jobs in less than 90  
11 unique job titles. And I'll explain to you  
12 how we do that.

13 So, when an applicant applies for  
14 Social Security Disability, the information is  
15 collected in an electronic folder. And this  
16 is captured through this electronic disability  
17 collection system. And the information is  
18 captured here whether they completed their  
19 application in the field office or online.

20 The information that is collected  
21 through EDCS is consistent with the questions  
22 on SSA's disability reports. And we extracted

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1 the information on occupation based on SSA's  
2 3368 and 3369, which captures the complete 15  
3 years of work history.

4 And, again, this is for all  
5 occupations provided that they worked in 2008  
6 whether they are considered relevant or not.  
7 It's all occupations, and it is not limited to  
8 if they have held that - if that was the  
9 longest job that they held.

10 There is an indicator for that in  
11 the data and we do not limit it to that, nor  
12 did we limit it to the most recently performed  
13 job. Although, it would be very close in  
14 proximity since we pulled the information in  
15 July of 2009.

16 So, it was fairly recent, but they  
17 may have worked a job in January of 2009 prior  
18 to filing. So, again, all 2008 jobs.

19 And this research project did not  
20 include any information that may have been  
21 later collected in the application process.  
22 This is initially for application data.

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1                   Data limitations.    So, we have a  
2 well-known limitation that is not contained in  
3 this data, is the fact that some survey data  
4 may have some issues with how you measure  
5 disability or the accuracy in responses.

6                   And this is pure administrative  
7 data, so we do not have that limitation.  
8 Although with administrative data, we have the  
9 limitation here provided on Number 2.   And  
10 that is the fact that the data is collected in  
11 free from.

12                   So, the job titles that are  
13 provided to us may not - it's not necessarily  
14 in a manner in which you can easily provide  
15 frequencies on the data.

16                   And here's an example for cashiers.  
17        Within the job title provided on the work  
18 history, we have cashiers in various means.  
19 And the words the's and a's and of's are all  
20 contained within those job titles, which is  
21 why we have 21,000 unique job titles for this  
22 population.    So, I'll explain to you how we

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1 get around this limitation.

2 Table 1 is our first glance at a  
3 summary of the job titles categorized in a  
4 very, obviously, high manner. And this was to  
5 allow us to provide samples in each of the  
6 occupations.

7 What we have done here is a little  
8 over a million records. In the bottom left-  
9 hand corner is the total occupations for the  
10 2008 for the job titles that we were able to  
11 analyze.

12 And so using some statistical  
13 analysis software, we were able to data mine  
14 the job titles provided in our administrative  
15 records.

16 And so from the previous example of  
17 the five different ways in which one might  
18 provide cashier as their job title, we then  
19 looked for the word "cashier" in any part of  
20 the job title that they provide.

21 And in doing so, we were able to  
22 determine that we had roughly 51,000

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1 disability applicants that contained "cashier"  
2 in their job title.

3 And you can stop me there if you  
4 have a question because - or I can keep going.

5 I want to make sure that this is clear that  
6 this is how we stratified the sample that we  
7 select.

8 To then dig into like, for example,  
9 the cashiers, we then selected 513 records in  
10 which to analyze. And within those records we  
11 were able to read their full description of  
12 their job and their industry because the data  
13 - within our administrative data we collect  
14 not only the job title, their industry, and  
15 then they are able to provide a full  
16 description of that job.

17 So, we selected - yes.

18 MEMBER HUNT: How did you select the  
19 sampled cashiers from the 51,000?

20 MS. FERGUSON: Random. A random  
21 selection.

22 MEMBER HUNT: Random sample?

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1 MS. FERGUSON: Yes.

2 MEMBER HARDY: I'm not a  
3 statistician. I get confused very easily.

4 Your sample size for cashier is  
5 513. From that number, how did you get to the  
6 51,000?

7 Can you just explain that to me?

8 MS. FERGUSON: Sure.

9 MEMBER HARDY: Thank you.

10 MS. FERGUSON: We start with 51,256  
11 job titles/records that contain "cashier"  
12 anywhere in the job title. So, that's our  
13 population from which to select a one percent  
14 sample.

15 (Speaking off mic.)

16 MS. FERGUSON: The one million.

17 (Speaking off mic.)

18 MS. FERGUSON: If we had selected a  
19 random 4,000 job titles out of the million, we  
20 weren't sure if that effort would be  
21 worthwhile.

22 So, what we were able to do is

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1 decide if we had the most frequent jobs and  
2 the column here - the third column over tells  
3 you that this summarizes the top 38.3 percent.

4 We were trying to get - we wanted  
5 to be able to classify the top one-third, so  
6 we went a little bit above and beyond the one-  
7 third mark.

8 And so for 38 percent of the  
9 disability claimants, we then selected a  
10 random sample from within each of the  
11 categories. So, then we could provide a DOT  
12 code, a specific job title and the  
13 corresponding SOC code within the sample.

14 Then we take the results of the  
15 sample and then generalize it to the full  
16 51,000 cases for the cashier.

17 And I'll give an example. If you  
18 take janitor, which is the fourth one from the  
19 bottom, 10,763 administrative records  
20 contained "janitor" somewhere in their job  
21 title for a job they held in 2008.

22 And we selected 108 as the one

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1 percent sample - we selected 108 records out  
2 of the 10,763, and the results are on Table 2.

3 Majority of the job titles, we were  
4 able to read their full job description and  
5 then determine that they fit the category of  
6 just these two specific DOT codes, the janitor  
7 for majority, and then the commercial  
8 institutional cleaner as the second one. And  
9 then supervisor was less than four percent,  
10 and then the industrial cleaner.

11 So, then we were able to take the  
12 108 cases and then apply them to the full  
13 population which is your results in the third  
14 column. This would be our estimate of how the  
15 disability claimants fall within those four  
16 DOT codes.

17 I give you three examples. This is  
18 an example for construction. We had 44,220 on  
19 Table 1, of disability claimants who provided  
20 some type of job title that fits within  
21 construction.

22 Now, "construction" within their

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1 job title or they could have provided just  
2 "mason," and then in industry they put  
3 "construction."

4 So, we tried to put anybody who  
5 mentions construction into a little bucket,  
6 and then we selected 442 cases. And the  
7 results here, obviously not all of them would  
8 fit on one page, but I've provided you the top  
9 31 percent of construction workers do fit  
10 within these specific 13 DOT codes.

11 So, the results of the 442 sampled  
12 cases, the proportions are on the left-hand  
13 side. And we then provide you an estimate of  
14 the population for the disability applicants  
15 on the third column.

16 And then the remaining - these are  
17 in descending order of most frequent. And  
18 then the remaining construction positions  
19 would then have less than 100 claimants for  
20 that specific job title.

21 Table 4. Now, if they state in  
22 their job title that they drive a bus or they

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1 are a driver, they drive an airport shuttle,  
2 what have you, the word "drive" was in their  
3 DOT title, they'd get placed into the driver  
4 bucket for which we could sample from.

5 So, we sampled 492 records that  
6 provided a driver of any type as their DOT  
7 title, and the results of that are contained  
8 here.

9 The full list is obviously not  
10 here. However, the results of the review show  
11 that there's 25 unique job titles for the  
12 drivers and that 90 percent of the drivers  
13 actually fall within the top nine DOT titles  
14 here. I thought that was a unique finding.  
15 90 percent of them.

16 Even though there's 25 unique  
17 titles out of the sample, 90 percent did fall  
18 within this top eight.

19 MEMBER WILSON: Can you tell me what  
20 the national population number here is, how it  
21 is you're getting that?

22 MS. FERGUSON: Sure. The sample is

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1 492 cases. Within the 492 cases, 63 percent  
2 of them provided enough information that we  
3 could determine that they drove a tractor  
4 trailer.

5 63 percent is then applied to the  
6 Table 1 which shows those 49,000 drivers -  
7 49,117 drivers on Table 1. We apply this  
8 proportion, 63 percent times the 49, and you  
9 get your 31,000.

10 We have handouts that were Tables 5  
11 and 6. Are those in there? Okay. They're  
12 exactly the same content in two different  
13 orders.

14 Table 5 is the most frequent in  
15 descending order of frequency. If you compare  
16 that back to Table 1, which was how we have  
17 them categorized, cashier, construction,  
18 driver, they were all in the top five. They  
19 still maintain in the top five, although a  
20 smaller frequency count specific to that DOT  
21 code.

22 And Table 6 was just - I was hoping

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1 would just be helpful. If you were looking  
2 for a specific job title, you could find it  
3 alphabetically and then see the corresponding  
4 frequency.

5 From the DOT codes, Sylvia's team  
6 then utilized an Occubrowser to crosswalk the  
7 DOT codes to the SOC codes. So, they're not a  
8 one-to-one ratio.

9 And, for example, for the  
10 construction worker too, there was two SOC  
11 codes that would have applied to that DOT  
12 code.

13 And also her staff estimated the  
14 employment and the national population based  
15 on the SOC codes, and provided those figures  
16 for you as well for Table 5 and 6.

17 I would like to say that there is  
18 several staff members that participated in  
19 this research project. And they are not here  
20 today, but several staff from Sylvia's team  
21 and also in our Office of Program Research  
22 that worked together to review the information

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1 on the administrative records.

2 And we did have two reviewers per  
3 administrative record and we had disagreement  
4 on a little less than five percent of the DOT  
5 codes by taking the information. And then  
6 those staff would sit together and review the  
7 information provided in the record and  
8 determine the appropriate DOT code. But for  
9 more than 90 percent of the reviews, we had  
10 agreement.

11 And then ultimately when they  
12 worked together, they would determine which  
13 position actually fit better for the  
14 information provided for the DOT titles.

15 MEMBER HUNT: I'm assuming I'm  
16 missing the rest of Table 6 because I just  
17 have -

18 MS. FERGUSON: Correct. These were  
19 extracts, and Tables 5 and 6 were provided -  
20 or supposed to be provided as handouts.

21 MEMBER HUNT: Okay.

22 MS. FERGUSON: They're separate.

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1 MEMBER HUNT: Okay. Because I'm  
2 sure that those four DOT titles aren't 90  
3 percent -

4 MS. FERGUSON: We have the full list  
5 -

6 MEMBER HUNT: Okay. Thank you.

7 MS. FERGUSON: - which is the  
8 summary list of less - which is somewhat less  
9 than 90 job titles.

10 If those are not in your books,  
11 then we need to provide those to you, but we  
12 have the full list.

13 MEMBER PANTER: Hi. This is  
14 Abigail, and I have two questions.

15 CHAIR BARROS-BAILEY: Abigail, we  
16 could barely hear you.

17 Could you speak up a little bit?

18 MEMBER PANTER: Yes. Can you hear  
19 me now?

20 CHAIR BARROS-BAILEY: Perfect.

21 MEMBER PANTER: Okay. Thanks. I  
22 have two questions.

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1           One is could you provide us - and  
2 I'm not sure if I - I may not have the  
3 information, but it would be very helpful to  
4 know for each of the major areas, the major  
5 occupations, how many of the subcategories you  
6 had. And this is a follow-up on Allan's  
7 point. It is important for us to know how  
8 many were in this category.

9           So, are those data available  
10 somewhere?

11           MS. FERGUSON: Yes, we have the full  
12 list that's Table 5 and 6 for any job that had  
13 at least 100 claimants that fit into that job  
14 title. If there's less than a hundred, it's  
15 not on the list.

16           MEMBER PANTER: And I don't even  
17 know if I need to see the entire list, but I'd  
18 like to know that there were - how many were  
19 on that list out of the ones that you have.

20           MS. FERGUSON: Sure.

21           MEMBER PANTER: And the second is  
22 could you please give us your bottom line

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1       takeaway method about what you have here?

2                       Because you gave it in the  
3 beginning, and I just wanted to make sure that  
4 I'm understanding your perspective of what the  
5 takeaway method is with these data.

6                       MS. FERGUSON: Sure. The takeaway  
7 would be in the initial onset of this project,  
8 we thought 21,000 job titles was going to be  
9 impossible to do much research with.

10                      But once you spend a couple of  
11 months doing some statistical data mining of  
12 the information and the administrative records  
13 and you get rid of the's and a's and than's  
14 and Burger King out of the title, you get rid  
15 of some information specific to their place of  
16 work instead of the title itself, then you get  
17 to a position where you can provide  
18 frequencies of the titles.

19                      And then that information can be  
20 categorized in nearly 90 unique job titles and  
21 90 DOT codes, except for the fact of a general  
22 laborer. We had - general laborer, there was

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1 not a specific DOT code for those records.

2 MEMBER WILSON: And that 90  
3 represents what?

4 MS. FERGUSON: The top one-third  
5 most frequently cited jobs. Thank you.

6 Is that helpful?

7 MEMBER PANTER: Yes. Thank you very  
8 much. Thank you.

9 MEMBER FRASER: Was it one-third or  
10 38 percent?

11 MS. FERGUSON: The top one-third is  
12 in for your handout, Table 5. Table 5  
13 contains the results of the top one-third.

14 CHAIR BARROS-BAILEY: Allan.

15 MEMBER HUNT: Just for the Panel  
16 members, this is the same sort of analysis  
17 that I would like to see done with the ACS  
18 data.

19 Because as with Social Security,  
20 you know, the so-called full detail is entered  
21 in the survey so that we have some description  
22 of job duties.

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1           So, this would give us both the  
2 numbers and the potential crosswalk between  
3 DOT and SOC for the national sample so it  
4 would be a parallel process.

5           MEMBER WILSON: And I think it also  
6 illustrates the - it was very impressive. I  
7 like this. And I think this is making the  
8 most out of limitations that exist in the  
9 data. And going forward I think we hopefully,  
10 if nothing else, we make people who are trying  
11 to do this kind of work's job much easier  
12 through some sort of common metric in place  
13 for whatever work analysis gets done.

14           But it certainly illustrates to me  
15 one of the problems with trying to do work  
16 analysis at the level of the title. And it  
17 certainly illustrates that depending upon how  
18 you go into these data, the issue of within  
19 title variability raises its head in terms of  
20 you have to be very careful, which I think you  
21 were, in terms of parsing out what's presented  
22 into reasonable categories.

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1           Because without that and in the  
2 case of some more MOLAR (phonetic)  
3 classification systems, you could end up with  
4 highly-diverse sets of activities under the  
5 same title.

6           And so for me, this is an excellent  
7 example of how these more abstract  
8 classification systems don't fit Social  
9 Security's needs in terms of the kinds of  
10 actual functional capabilities that are  
11 required to do certain things. So, thank you.

12           CHAIR BARROS-BAILEY: Any other  
13 questions? Thank you, Renee.

14           Our next presentation is going to  
15 be delivered by Debbie Harkin. And I  
16 understand that Mark Trapani is also on the  
17 phone.

18           Deborah is a social insurance  
19 specialist with the Office of Program  
20 Development and Research at agency  
21 headquarters in Baltimore. She has been  
22 working with SSA's disability programs for 15

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1 years.

2 She worked as the disability  
3 examiner for the State of North Carolina from  
4 1995 to 2001, and then she transferred to the  
5 Federal Disability Determination Services in  
6 Baltimore.

7 Over the past eight years she has  
8 been involved with policy work, quality review  
9 of disability claims and training new  
10 disability examiners.

11 Currently she is a member of the  
12 core team working on the replacement of the  
13 Dictionary of Occupational Titles and SSA's  
14 disability programs.

15 She received a BA in journalism  
16 from the University of North Carolina at  
17 Chapel Hill.

18 And Mark who is on the phone, is a  
19 senior analyst with the Occupational  
20 Information Development Team. He has been  
21 working with SSA on research related to SSA's  
22 disability programs for the past four years.

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1                   Prior to that, Mark worked as a  
2 senior analyst at the U.S. Government  
3 Accounting Office for 17 years and evaluated  
4 SSA and VA disability policy issues, as well  
5 as a variety of other federal policies and  
6 programs ranging from the environmental policy  
7 to defense contracting.

8                   He is currently a member of the  
9 core team working on the replacement of the  
10 DOT and SSA's disability programs. He  
11 received a BA in psychology and an MS in  
12 policy analysis from the State University of  
13 New York at Stony Brook.

14                   Welcome, Debbie and Mark. They are  
15 going to present on occupational and medical-  
16 vocational claims review study. Thank you.

17                   MS. HARKIN: Hi, Mark. Are you on  
18 the line?

19                   MR. TRAPANI: Yes, I am. Okay.

20                   MS HARKIN: Okay.

21                   MR. TRAPANI: Good morning,  
22 everyone. Okay. I'm going to start with the

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1 methodology for the occupational and medical-  
2 vocational claims review study.

3 As Sylvia mentioned earlier, we  
4 have completed our review of the initial-level  
5 cases and are in the process of beginning  
6 reviews of the hearings-level cases.

7 So, these results are preliminary  
8 results based on a portion, about two-thirds  
9 of the initial-level sample. Even though we  
10 completed the review, we didn't have that  
11 complete data for the initial-level sample in  
12 time to include the full results of that for  
13 the initial-level cases.

14 So, again, this is two-thirds of  
15 the initial-level sample that these results  
16 are going to pertain to.

17 I'll just run through the  
18 methodology quickly. And if there any  
19 questions, take those, and then pass it on to  
20 Debbie.

21 Now, the purpose of this study  
22 similar of course to Renee's, is trying to

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1 identify the primary occupational functional -  
2 well, Renee's dealt with the occupational  
3 data. Ours goes a little further and covers  
4 the primary occupational data related to our  
5 claimants, but it also includes functional  
6 occupational characteristics of applicants  
7 whose claims were approved or denied at Step 4  
8 or 5 of SSA's sequential evaluation process  
9 and includes cases adjudicated, as I  
10 mentioned, at the initial and hearings levels.

11 And the idea here of course is that  
12 knowledge of these characteristics will help  
13 SSA to establish a firm basis for its  
14 subsequent occupational information  
15 development activities.

16 In particular, an example of that  
17 would be really to target the types of  
18 occupations we go out and initially do our job  
19 analyses on. The information here could help  
20 us accomplish that in a more effective and  
21 efficient manner.

22 Moving to the next slide, primary

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1 study questions as listed there include what  
2 occupations are most commonly cited by  
3 disability claimants as work that they have  
4 performed in the past, what we call past  
5 relevant work.

6 Then we're also looking at what  
7 occupation was commonly identified by our DDSs  
8 and our administrative law judges in Step 5  
9 denials as work that the claimant can perform  
10 that exists in significant numbers in the  
11 national economy.

12 We also are looking at with the  
13 functional limitations of claimants, the most  
14 common functional limitations we identify in  
15 the adjudication process.

16 And finally, we're gathering data  
17 on the medical-vocational rules that are most  
18 commonly cited in the adjudication process.

19 Those are the main things we're  
20 gathering data on. We're gathering of course  
21 data on some basic case characteristics along  
22 with those items.

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1           Moving to the next slide, we  
2 randomly selected nationally representative  
3 stratified samples of 5,000 claims that were  
4 decided in fiscal year 2009. It's obviously  
5 the initial and ALJ samples were proportionate  
6 to the decisions made on those cases in 2009.

7           There was almost 3900 initial-level cases and  
8 about 1100 hearings-level cases that are in  
9 our sample.

10           And this sample is large enough to  
11 provide us with a quite high probability of  
12 identifying all occupations our applicants  
13 have performed which are substantially  
14 represented in the U.S. economy.

15           So, we have a 95 percent  
16 probability of identifying - of having at  
17 least one person in our sample whose past work  
18 includes an occupation that is held by at  
19 least 1,000 people in the national economy.

20           So, we think that gives us a real  
21 good chance of capturing or identifying the  
22 jobs that are performed by our claimants that

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1 exists in substantial numbers out there.

2 Moving on to the next slide, we  
3 list the key elements of our data collection  
4 process. And what we did was we really delved  
5 into the electronic folders for each case.

6 We used in-house adjudicative  
7 experts, folks who have years of experience in  
8 actually reviewing and deciding. And they  
9 went into the electronic folders where all the  
10 case data is contained, and actually reviewed  
11 each of the elements that were relevant to our  
12 study.

13 And to do that, we provided them  
14 with a data collection instrument. Very  
15 carefully designed, very painstaking process  
16 in which we developed a number of items that  
17 would clearly direct the reviewers to identify  
18 and consistently record the data from the  
19 electronic folders that were relevant for us.

20 To ensure that that process was  
21 done even more effectively, we developed a  
22 data collection protocol. Basically, a set of

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1 detailed instructions for the reviewers to -  
2 for the reviewers to follow when they review  
3 cases.

4 This review of electronic folders  
5 is not quite as clear cut as one might expect.  
6 So, we did have to have some, you know, clear  
7 guidance and specific rules as to how to  
8 interpret or how to list data that's in the  
9 file that might not always be consistently  
10 displayed in the case.

11 So, between the careful structuring  
12 of the collection instrument with various  
13 controls in there to make sure that reviewers  
14 were entering things that they had to enter  
15 and skipped items that they didn't need to  
16 enter, coupled with protocol, we considered  
17 those very key quality control measures.

18 And then we pretested the data  
19 collection instrument to ensure that the  
20 reviewers indeed had the expertise that they  
21 needed to have, And of course to ensure that  
22 data collection instrument was working as it

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1 was supposed to and that the protocol was  
2 clear. So, we conducted a pretest and  
3 assessed those matters.

4 Moving on to the next slide, in  
5 addition to trying to build quality up front  
6 in terms of the types of people we selected  
7 for the review, the data collection instrument  
8 and the protocol, we have a quality review  
9 approach that - and of course here we had to -  
10 as of course almost all matters, strike a  
11 balance between the resources available to do  
12 quality review and the need to ensure  
13 acceptable levels of accuracy for the study  
14 data.

15 What we did was applied the  
16 continuous sampling plan approach. As the  
17 quality of the data increases, the degree of  
18 inspection decreases and vice-versa.

19 In this approach, what we do is  
20 sample a consecutive number of cases. We  
21 select that based on ensuring, again, an  
22 appropriate level of quality.

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1           And so we will review five cases is  
2 what we selected in a row consecutively. And  
3 once we find five consecutive cases with no  
4 errors, we'll revert to systematic, random  
5 reviews of five percent of cases from that  
6 point on. So, we review every 20th case from  
7 that point on.

8           Upon encountering an error in one  
9 of those cases, we will divert to consecutive  
10 review until again we find five cases in a row  
11 that do not have an error. And then after  
12 that we'll go back to the sampling of every  
13 20th case.

14           In addition to that systematic  
15 random reviews, we added targeted reviews of  
16 cases. Based on our experience with the  
17 pilot, we noted certain types of cases that  
18 may be more prone to error than others or  
19 certain features or elements of cases that may  
20 indicate, again, a certain maybe higher level  
21 of error there.

22           So, we instituted 100 percent

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1 reviews of cases where those factors did  
2 appear. And those would include cases, for  
3 instance, where folks - where the reviewers  
4 did not identify past relevant - upon  
5 identifying past relevant work instead of  
6 identifying a specific DOT code, they put in  
7 what we call one of our dummy codes where they  
8 indicate that there wasn't sufficient  
9 information available or they couldn't find  
10 appropriate DOT code.

11 We're going into each of those  
12 cases and making sure that indeed that the  
13 information wasn't available in the case file  
14 to identify a DOT code. So, we have several  
15 criteria for targeted review which again is on  
16 top of our random reviews under the CSP  
17 protocol.

18 And I will leave it there and turn  
19 it over to Debbie if there are no questions.

20 CHAIR BARROS-BAILEY: Does anybody  
21 have questions about the methodology for Mark?

22 MEMBER GWALTNEY GIBSON: I just

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1 wanted to make a comment about it.

2 CHAIR BARROS-BAILEY: Okay.

3 MEMBER GWALTNEY GIBSON: Mark, I  
4 just wanted to thank you for the very detailed  
5 methodology and point out that it was  
6 obviously very well planned out in advance and  
7 executed under very scientifically rigorous  
8 determination that was preset out.

9 So, I appreciate you bringing this  
10 to our attention and going through it.

11 MR. TRAPANI: Thank you. Thank you.

12 MS. HARKIN: Okay. One thing I want  
13 to stress about the reviewers, they're  
14 recording the case data as it appears in the  
15 folder. They're not re-adjudicating the  
16 claims for the reason that we needed  
17 experienced disability adjudicators. Because  
18 for the purposes of our study, the jobs that  
19 we recorded had to meet SSA's definition of  
20 "past relevant work."

21 It had to be a job that was  
22 performed within the 15-year relevant work

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1 period. It had to have been performed at a  
2 sufficient level of compensation. And it had  
3 to have been performed by the claimant long  
4 enough to learn it.

5 Okay. Before I get to the results  
6 which I know - go ahead.

7 MEMBER HARDY: I'm sorry. I'm  
8 backtracking a little bit.

9 This is 2009 adjudicated claims.  
10 The occupations that you're looking at, are  
11 you looking at the one or the entire history?

12 I'm sorry if I missed that.

13 MS. HARKIN: We're recording jobs  
14 from the past relevant work period.

15 MEMBER HARDY: Past relevant  
16 history. So, all 15 years back.

17 MS. HARKIN: Yes.

18 MEMBER HARDY: Okay. And the only  
19 other thing I wasn't quite sure I heard, when  
20 there was one that was prone to error, I think  
21 is the last thing that Mark was talking about

22 -

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1 MR. TRAPANI: Right.

2 MEMBER HARDY: - a DOT that was  
3 prone to error, you identified those because  
4 there was a dummy code that was utilized by  
5 the person reviewing it saying they weren't  
6 sure; is that right?

7 MS. HARKIN: Right. For our  
8 protocol, first of all, if a case from the  
9 information that was provided by the claimant  
10 if we couldn't determine that a job was  
11 relevant, it was not included in our study.  
12 If it was just insufficient from the folder  
13 information, we didn't include the job, but we  
14 had to include some dummy codes.

15 Because sometimes based on the  
16 claimant's reported SGA and for the time they  
17 performed the job, we could tell it was a  
18 relevant job, but we couldn't assign a DOT  
19 code for various reasons, either the  
20 description from the claimant was just  
21 completely insufficient, and we developed a  
22 dummy code for that situation.

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1           Then there were times that they had  
2 a sufficient job description, but we couldn't  
3 assign a DOT code just because it was a modern  
4 or obscure job. So, we had a different dummy  
5 code for those jobs.

6           And then we also had where  
7 claimants can describe a composite job, which  
8 is a combination of two or more DOT titles.  
9 So, we had another dummy code to cover those  
10 situations.

11           And we're doing a targeted review  
12 of the use of the dummy codes just to make  
13 sure that they were used appropriately and  
14 that the reviewers, you know, maybe didn't  
15 miss a DOT code that fit some of those.

16           MEMBER HARDY: Okay. So, they're  
17 not necessarily included unless you went back  
18 and found an appropriate DOT and then put it  
19 back into the results?

20           MS. HARKIN: Right. We have found  
21 some situations. I think the ones that we  
22 found the most problems with so far have been

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1 with the composite jobs where, for instance,  
2 the description of a nurse, the reviewer might  
3 not have realized that includes supervising,  
4 you know, the nurses' aides. They may have  
5 not realized from the description that it  
6 included that. So, they used a composite  
7 dummy code when they could have actually used  
8 the DOT code for a nurse.

9 MEMBER HARDY: And one more. This  
10 is just for my education.

11 When you're looking at whether or  
12 not an occupation is past relevant work, did  
13 you look at something where it was reported,  
14 but a person maybe didn't perform it for what  
15 would be reflected in the SVP or was that not  
16 a consideration?

17 I'm just curious.

18 MS. HARKIN: We did consider SVPs.  
19 They were asked to consider past relevant work  
20 in exactly the same way that a disability  
21 adjudicator would.

22 They had to consider the SVP and

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1 whether or not it was performed long enough to  
2 learn it.

3 MEMBER HARDY: Great. Thank you.

4 MS. HARKIN: Okay.

5 MR. TRAPANI: And if I could just  
6 very quickly just review because some of you  
7 might, as we go over the results, you know,  
8 wonder again how this - of course Renee did an  
9 outstanding job on her study, but just to  
10 point out some of the differences, which Renee  
11 pointed out a couple, our study here is  
12 targeted to only the steps - a case is decided  
13 at Step 4 or 5 where occupational assessments  
14 are conducted in our review process.

15 We also have a very wide range of  
16 data that I mentioned that related to key  
17 adjudicative data on various occupational  
18 functional vocational characteristics of the  
19 claimants.

20 We used adjudicative experts within  
21 SSA to directly review the data within the  
22 claims folders.

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1 We included, as was mentioned, only  
2 relevant work, past relevant work. And we  
3 looked at all past relevant work that a  
4 claimant - that was cited in the claimant's  
5 folder.

6 And we also have both data - well,  
7 we will when the study is complete, have data  
8 for both initial and ALJ-level cases.

9 So, those are some of the  
10 distinction characteristics of our study.

11 MS. HARKIN: Okay.

12 MR. TRAPANI: Take it from there,  
13 Debbie.

14 MS. HARKIN: All right. Before I  
15 get to the actual results, I just want to go  
16 over some of the limitations. You've already  
17 heard some of them.

18 We found that we were limited not  
19 only by applying the DOT taxonomy to our case  
20 load, but we were also limited by inadequate  
21 job descriptions in the claimant folders.

22 Our reviewers in this study did not

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1 have the liberty of contacting claimants for  
2 more information as disability adjudicators  
3 do. So, they had to go with what was in the  
4 folder.

5 The inadequate claimant  
6 documentation is reflected in the more than  
7 nine percent of jobs in our study that were  
8 assigned the dummy code for insufficient  
9 information.

10 We could tell it was a relevant  
11 job, but there just was not enough information  
12 provided by the claimant to assign a DOT code.

13 And just as an example for this if  
14 somebody says they were a truck driver, if we  
15 don't know what kind of truck they drove, we  
16 can't assign a DOT code.

17 So, there's tractor trailer driver,  
18 there's heavy truck driver, there's light  
19 truck driver.

20 So, if he just said I was a truck  
21 driver, I drove a truck, then you got a dummy  
22 code for that job.

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1           We're hoping that at the hearings  
2 level that we're not going to run into this  
3 problem quite as frequently. By the time we  
4 get up to the LJ level, the work histories are  
5 generally better documented.

6           The limitations in applying the DOT  
7 codes to our claimant's past work are  
8 reflected in the more than two percent of jobs  
9 where we had to assign a code for a modern or  
10 an obscure job.

11           And then the composite jobs were  
12 reflected in five percent of the jobs from our  
13 claimant's past work. So, in five percent,  
14 the description reflected a composite job.

15           Okay. We were also faced by some  
16 of the same limitations when we captured jobs  
17 that SSA cited in Step 4 denials. At 12.4  
18 percent, we had to use one of our dummy codes.

19           Just as a reminder, at Step 4 if we  
20 deny a claimant at that step, we're stating  
21 they're capable of performing one of their  
22 past relevant jobs.

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1           And this is either supposed to be  
2 as they described it or as it's performed in  
3 the national economy. And the national  
4 economy is, in effect, the DOT description.

5           In 1.3 percent of the Step 4  
6 denials, we couldn't assign a DOT code because  
7 it was a composite job. And these most likely  
8 were cases that were denied and how the  
9 claimant described the job.

10          Okay. At Step 5, this is when we  
11 determine the claimant can't perform their  
12 past work or they didn't have any past work,  
13 and we're looking at whether or not they can  
14 perform work in the national economy.

15          We use the vocational rules to help  
16 us determine, make the determination. And, as  
17 you know, our vocational rules are in our code  
18 of federal regulations. But as many of you  
19 know, the DOT's definitions of exertional  
20 levels were incorporated into our voc rules.

21          The voc rules are what help us link  
22 the medical part of our assessment with the

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1 vocational part. It cross-references the  
2 claimant's residual functional capacity with  
3 the vocational factors of age, education and  
4 past work experience.

5 In our adjudication process when we  
6 use a vocational rule, it either directs a  
7 decision or it's used as a framework.

8 When a voc rule is met or it  
9 directs the decision, an adjudicator is not  
10 required to cite examples of work that a  
11 claimant can perform because our grid rules  
12 take notice of the number of unskilled jobs  
13 performed in the national economy and at each  
14 exertional level.

15 However, it's more frequent to use  
16 a vocational rule as a framework. And in  
17 these situations, adjudicators are supposed to  
18 cite examples of work that a claimant can  
19 perform despite their limitations, and they  
20 generally cite three jobs.

21 In our study, one of the problems  
22 that we found with the jobs that SSA is citing

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1 in Step 5 denials, is that adjudicators are  
2 citing jobs that may no longer be prevalent in  
3 the national economy at least the way they're  
4 described in the DOT.

5 An example of some of the jobs that  
6 we are concerned about are addresser, counter  
7 clerk, tube operator and parlor chaperone.

8 So, here we go with the results.  
9 These are the ten most common DOT jobs that we  
10 found from our past relevant work.

11 You'll see that there's some  
12 similarities to Renee's top ten. But our  
13 number one, nurse assistant, I'm not sure if  
14 that appeared - I don't think that appeared in  
15 her list.

16 I think it's interesting to point  
17 out that the SVPs for these jobs range from  
18 two to four. The strengths range from light  
19 to heavy.

20 So far in our study we've  
21 identified 1,076 distinct DOT titles. This  
22 comprises roughly eight percent of the total

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1 number of jobs in the DOT.

2 The 50 most frequently cited DOT  
3 titles from our study comprise 47 percent of  
4 all past relevant work citations in our  
5 sample.

6 This is the breakdown of the SVPs  
7 for the jobs in our past relevant work. SVP  
8 is specific vocational preparation, and it's a  
9 component of worker characteristics that's in  
10 the DOT. SVP is the amount of lapsed time  
11 required by a typical worker to learn the  
12 techniques, acquire the information and  
13 develop the facility needed for average job  
14 performance.

15 Again, the SVP was incorporated  
16 into our medical-vocational grid rules that we  
17 use at Step 5. As you know, the grid rules  
18 cross-reference RFC with age, education and  
19 work experience. And basically we use the SVP  
20 to determine whether a job was skilled, semi-  
21 skilled or unskilled.

22 64 percent of the past relevant

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1 jobs from our study fell in the semi-skilled  
2 or unskilled range. And these are basically  
3 jobs that can be learned anywhere from a short  
4 demonstration up to six months.

5 We had no job so far with an SVP of  
6 nine. So, no cardiologists or head coaches so  
7 far in our study.

8 This is the breakdown of the  
9 strength levels from our past relevant work.  
10 Three-quarters of the jobs from our study fell  
11 in the light and medium exertional categories.

12 Briefly, light is lifting 20 pounds  
13 occasionally, 10 pounds frequently. Medium,  
14 50 pounds occasionally, 25 frequently. And  
15 both of these pretty much require standing for  
16 the majority of the day or sitting with a lot  
17 of pushing and pulling of the upper/lower  
18 extremities.

19 This is the breakdown of the top  
20 five most frequent SVP strength combinations.

21 This is consistent with the top ten jobs that  
22 we cited. And these comprised nearly half of

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1 all the combinations that were associated with  
2 past relevant jobs.

3           Okay. Here's the jobs that were  
4 the top ten most frequently cited in Step 4  
5 denials. Again, you know, at Step 4 we're  
6 either stating a claimant can perform past  
7 work as they described it or as it's performed  
8 in the national economy.

9           Everything on the list has an SVP  
10 of two or three, and a strength of light or  
11 medium, with two exceptions. The accounting  
12 clerk is a sedentary job with an SVP of five.

13          An office manager is a sedentary job with an  
14 SVP of seven.

15           Here we have the top ten DOT titles  
16 cited by DDS adjudicators in Step 5 denials.  
17 You can see our number one job on the list is  
18 one of those that we have some concerns about,  
19 addresser.

20           The main task for this job in the  
21 DOT reads, addresses by hand or typewriter,  
22 envelopes, cards, advertising literature,

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1 packages and similar items for mailing.

2 I imagine an addresser is probably  
3 somebody who helps send out mass mailings for  
4 companies. And I would imagine that that task  
5 is primarily carried out by computers  
6 nowadays. So, that's still the number one job  
7 that we're citing in denials.

8 We also from our study, recorded  
9 the functional limitations from the physical  
10 and the mental residual functional capacity  
11 forms in the folders.

12 We have a breakdown of the 20 most  
13 frequently cited. It's no surprise that the  
14 top limitations are lifting and carrying,  
15 standing and walking and sitting. Those are  
16 the main exertional limitations from the  
17 physical RFC.

18 In the second part of the top 20  
19 you'll see that most of these are mental. Two  
20 of them are actually physical. Balancing, and  
21 the hazards one is actually avoiding hazard.  
22 It reads there like a mental limitation, but

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1 it's avoiding hazards from environmental on  
2 the physical RFC form.

3 Most of the mental limitations come  
4 from the areas of concentration, persistence  
5 and pace and social interaction.

6 I think it's really interesting to  
7 note that of the top ten functional  
8 limitations cited overall, they comprise 56  
9 percent of all the limitations in our sample.

10 And the top 20 accounted for 82 percent of  
11 the limitations.

12 Exertional and postural limitations  
13 were the most prevalent, but there were also a  
14 lot of mental.

15 MEMBER HARDY: Just a quick  
16 question.

17 When you were compiling the  
18 limitations listings, if more than one was  
19 mentioned, did you cite both in here?

20 MS. HARKIN: We did.

21 MEMBER HARDY: Okay. Thank you.

22 MS. HARKIN: We also recorded the

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1 top medical-vocational rules that are cited.  
2 Basically, as I mentioned previously, the med-  
3 voc rules are used to cross-reference the  
4 claimant's residual functional capacity with  
5 age, education and past work experience.

6 The number one voc rule cited in  
7 cases in our study was Voc Rule 204, which is  
8 the rule that's usually cited when there are  
9 no exertional limitations.

10 It's most commonly cited for  
11 claimants with mental limitations. It can be  
12 actually cited in a denial or an allowance.  
13 It's also cited for claimants with physical  
14 limitations that aren't exertional.

15 For instance, a claimant with  
16 seizures who is restricted from heights and  
17 hazards, you would cite Voc Rule 204.

18 And this table includes - it's  
19 listed in descending order and we included the  
20 voc rule whether it was used as a framework or  
21 whether it was met. Only one of our top five  
22 directed an allowance.

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1                   So, what are the implications of  
2 our study?

3                   Right now we're still in the really  
4 early stages of analysis. So, I think we  
5 still have a lot to learn from the data that  
6 we've collected.

7                   Certainly we have found a lot of  
8 limitations in applying the DOT to the  
9 claimants' work histories, and also  
10 limitations in the type of information that  
11 we're collecting from claimants.

12                   We found that a relatively small  
13 number of DOT titles account for a large  
14 proportion of work performed by our claimants.

15                   So, suggesting targeted OIS data collection  
16 could produce information broadly applicable  
17 to SSA claims.

18                   We're hoping that the functional  
19 information that we collected from our study  
20 will be useful in developing the content model  
21 in the person-side instrument.

22                   I think the results show that for

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1 the most part, it may not be as complicated as  
2 we think. Our top 20 accounted for 82 percent  
3 of the limitations cited. So, I think that  
4 that was an interesting result.

5 What work remains so far?

6 We're still in the process of  
7 performing the quality review of the initial  
8 data. We're almost finished with the targeted  
9 review of the alternative DOT codes. And I'm  
10 also doing the random review of the total data  
11 collected.

12 Once we complete the quality  
13 review, we'll be able to finalize the data  
14 from the initial level review.

15 We're in the final stages of  
16 developing the hearings-level data collection  
17 instrument. Unfortunately the person who  
18 developed our initial instrument was not able  
19 to do the hearings level. So, it wasn't the  
20 quick process that we had hoped for. But  
21 we're working that out and we're hoping to be  
22 able to start testing it with our reviewers

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1 very soon.

2           Once we get it to the state that we  
3 want it to be at to actually start pilot  
4 testing, we're going to pilot test our  
5 reviewers.

6           The hearings-level review is a  
7 little bit more complicated in some ways than  
8 the initial. Because, as you know, for the  
9 initial level the physical and the mental  
10 limitations are all in a nice form and they're  
11 neat and easy to record.

12           But for the hearing level, you're  
13 actually reading, you know, a document and  
14 taking it out of the text and trying to record  
15 the limitations. And we're trying to do it in  
16 a way that we can compare with the initial  
17 level.

18           So, we just have to make sure that  
19 our reviewers are going to understand how to  
20 do that.

21           Once we complete the pilot, we're  
22 going to do the complete review of our 1100

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1 plus cases. Then we're going to do the  
2 quality review of the hearings-level cases as  
3 we did with the initial. And then we hope to  
4 issue the draft and the final reports of the  
5 total analysis.

6 Does anybody have questions?

7 CHAIR BARROS-BAILEY: Debbie, first  
8 of all I'd like to say thank you. We've been  
9 hearing about this for a long time and it's  
10 very exciting to be able to take a look at  
11 this data. So, thank you to you and Mark.  
12 And I think there were a lot of people  
13 involved with this, so I just want to say  
14 thank you.

15 My first question is I know that  
16 IARP had done some studies in terms of what  
17 the BE cited.

18 How much did the results in terms  
19 of the top jobs correlate to what their list  
20 was?

21 MS. HARKIN: We did find that there  
22 are a lot of similarities again with the IARP

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1 with the jobs that they recorded just with  
2 Renee's or just, you know, slight differences,  
3 but they're very similar.

4 CHAIR BARROS-BAILEY: Thank you.

5 MEMBER KARMAN: I want to just point  
6 out that actually the - an excerpt from the  
7 IARP study is included in the Panel members'  
8 binders behind the presentation, Debbie and  
9 Mark's presentation, and it was quite similar.

10 I mean, you know, cashier is at the  
11 top of the list. I think that that goes a  
12 long way to pointing out how much we can see  
13 that a number of our claims, a really large  
14 proportion of our claims represent small  
15 number of occupations.

16 CHAIR BARROS-BAILEY: I just want to  
17 say that Michael Dunn is on the line. He's  
18 the one that compiled the list.

19 So, if any panel member has a  
20 question that they want directed to him about  
21 that as well? Janine.

22 MEMBER HOLLOMAN: And I just feel

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1 the need to state the obvious. As a non-  
2 attorney disability representative, it is  
3 extremely frustrating and sometimes with life-  
4 threatening implications, when a claimant is  
5 denied SSDI or SSI benefits based on a job  
6 that no longer exists or you can't find in  
7 their geographic area.

8 That was part of the reason why I  
9 accepted this, this appointment, was to be  
10 able to help resolve that. Thank you.

11 MEMBER KARMAN: I do want to just  
12 mention though, especially for folks who may  
13 be listening in the audience who may not be  
14 quite as aware of how it is that the Agency  
15 makes a decision in Step 5, we are citing  
16 occupations at Step 5, and we do that when we  
17 are unable to actually, you know, use the  
18 rule, apply that directly.

19 And the jobs that we're citing are  
20 intended as examples of work that represent  
21 the fact that the Agency found in the file  
22 that the person retains function to do work

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1 such as. So, we're not literally saying this  
2 person should be doing that kind of job.

3 But nonetheless, Janine, your point  
4 is well taken and we realize that that's, you  
5 know, this study has confirmed for us that  
6 which we already suspected that clearly we  
7 need better information coming into SSA and  
8 the kind of information that we use for  
9 resource. So, thanks.

10 CHAIR BARROS-BAILEY: Mark.

11 MEMBER WILSON: Thanks, Mark and  
12 Debbie. I, like Mary, am happy to see us to  
13 this phase.

14 A couple things. One, with both  
15 this study and the previous one even though  
16 you're obviously not a scientific agency, I  
17 think it would be useful to develop the  
18 practice of going to the final step with this  
19 and writing up a technical report on exactly  
20 what you did for a number of reasons.

21 But among them I think in both of  
22 these cases, it illustrates the kind of work

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1 you're capable of that is good and I think  
2 would withstand scientific scrutiny.

3 So, that's the final step and that  
4 is the sort of record that subsequent  
5 investigators can come back and look at and, I  
6 think, with some certainty say that oh, okay,  
7 I get it, I see why they chose the sample that  
8 they did and why they focused on whatever  
9 aspects of work. So, that's one thing.

10 And then I think secondly, I don't  
11 know if it's Mark or Debbie, just so that  
12 everyone is clear, I think it would be helpful  
13 to sort of compare and contrast the two  
14 studies in terms of what they are, what they  
15 focused on in terms of the underlying data and  
16 things of that sort and what one adds that the  
17 other doesn't.

18 I think that would be very useful  
19 for people who are listening in.

20 MR. TRAPANI: Okay. I can - and,  
21 Debbie, you can add to this, of course, I  
22 mentioned before some of the distinguishing

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1 characteristics.

2           Maybe you were looking for  
3 something a little more than this, Mark, but  
4 I'll just quickly mention that our study, the  
5 ones Debbie and I conducted, was focused only  
6 on Steps 4 and 5 of the decision or cases,  
7 samples drawn from cases that were decided at  
8 4 to 5 of the sequential evaluation process  
9 that SSA uses.

10           So, we did not include cases  
11 decided at the earlier steps which are not  
12 decided based on the past work of the claimant  
13 or any - it's not decided based on  
14 occupational, vocational or functional  
15 characteristics of the claimant. It's medical  
16 or other factors, other eligibility factors.

17           We also in our study, we focused on  
18 a very wide range - Renee's study was  
19 purposely very targeted just extracting data  
20 on work conducted, past level work conducted  
21 as of a certain point in time.

22           We selected data on a wide range of

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1 elements including past relevant work and  
2 functional characteristics of the person, of  
3 the claimant and vocational characteristics.  
4 The decision rules we used. That indicates  
5 things like - that reflected age, education  
6 and work experience of the claimant.

7 So, in gathering data on past  
8 relevant work, we included only relevant work.

9 So, work that was performed long enough and  
10 at a high enough level of compensation to be  
11 considered relevant. And we included all  
12 relevant work going back to the beginning.  
13 Whatever the claimants were throughout their  
14 work history that was relevant, we included in  
15 our study and noted that.

16 And our study includes both  
17 initial-level cases and hearings-level cases.

18 So, we cover the spectrum of the decision  
19 making at SSA.

20 So, was that the type of thing you  
21 were looking for, Mark?

22 CHAIR BARROS-BAILEY: Renee.

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1 MS. FERGUSON: I'd like to add an  
2 additional comment, and that is that both  
3 studies will have a technical report for  
4 publication, for the purpose of publication  
5 and peer review.

6 My report is gathered and ready for  
7 peer review already. I'm not sure - yours is  
8 going to wait until the ALJ review is  
9 complete, but indeed they both will be for  
10 publication.

11 MR. WILSON: Can you tell us a  
12 little bit about the peer review process?

13 MR. BALKUS: For the record, this is  
14 Richard Balkus again. We do have a peer  
15 review process within the Agency for  
16 publications.

17 Most of our work is published in  
18 the Social Security bulletin, but we do have,  
19 first of all, an internal review within the  
20 office where we designate people with  
21 expertise in the particular subject area that  
22 is for the paper that we're targeting for

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1 publication.

2           Then we also move on - and in terms  
3 of that internal review, we sometimes include  
4 outside reviewers. So, we would welcome  
5 participation from a person on the Panel to be  
6 included in the peer review process.

7           Then we also do have an  
8 intercomponent review where the paper will go  
9 to different components within the Agency for  
10 technical review. And that does include the  
11 Office of the Actuaries, our Office of  
12 Research, Evaluation and Statistics.

13           CHAIR BARROS-BAILEY: Thank you.  
14 And the Panel has just been distributed Tables  
15 5 and 6 from Renee's presentation.

16           So, if there are any questions, I  
17 guess, to either, but - Bob.

18           MEMBER FRASER: Just one comment.  
19 And this is great work, by the way. But looks  
20 like the mental functional limitations kind of  
21 got into the second tier here. They were the  
22 10 to 20 as cited.

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1           And I was just wondering did there  
2 seem to be more of an emotional functioning  
3 skew to these versus cognitive capacity?

4           Because as I look at them, you  
5 know, maintain attention or interact with the  
6 public, that could be kind of an emotional  
7 limitation.

8           I'm just wondering if you had any  
9 kind of perspective on that.

10           MS. HARKIN: No. I mean they're  
11 just - those just come directly from the  
12 mental residual functional capacity form.

13           And we did find that, you know,  
14 primarily the limitations were in persisting,  
15 you know, understanding and carrying out  
16 detailed instructions. Those were the main  
17 limitations that we found in the files.

18           MEMBER FRASER: So, it's hard to say  
19 what was what, really.

20           MS. HARKIN: Right.

21           MEMBER FRASER: Okay. Thanks.

22           CHAIR BARROS-BAILEY: Any other

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1 questions? Allan.

2 MEMBER HUNT: I'm just wondering  
3 since Renee's study did do both DOT and SOC  
4 codes and obviously that's valuable in terms  
5 of how they relate and what kind of crosswalk  
6 might be used, but did you do anything with  
7 SOC?

8 MS. HARKIN: We're going to do  
9 something with SOC once we finalize our data.

10 MEMBER HUNT: Okay. Because I think  
11 that would be an important step particularly  
12 to inform the future of an IOS.

13 MS. HARKIN: Right.

14 MEMBER KARMAN: The staff has  
15 already begun taking the information that Mark  
16 and Debbie have assembled for early results.

17 Michael Dunn did pull together sort  
18 of a crosswalk between the things that were  
19 reported in the top ten and top 20 to get to  
20 SOC to see how they were grouped.

21 CHAIR BARROS-BAILEY: Any other  
22 questions?

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1 Mark, go ahead.

2 MR. WILSON: Just a comment. And I  
3 think that, you know, both of these studies  
4 illustrate a sort of frustratingly slow,  
5 deliberative, almost iterative process that  
6 one goes through in order to get to the point  
7 to say okay, we think we have at least given  
8 the current data that's in front of us that,  
9 you know, hopefully moving forward we'll find  
10 ways to improve so that it won't be as  
11 difficult, but that it provides us with the  
12 appropriate empirical justification to say  
13 here's what we think in terms of an initial  
14 pilot study, which is where all this comes  
15 from, needs to sample in terms of the kind of  
16 work and things of that - it's frustratingly  
17 slow, various experts ask questions, there's  
18 revision, additional analyses, things of that  
19 sort. It's just the nature of the process.

20 CHAIR BARROS-BAILEY: Okay. I just  
21 want to before we go to break, see if there  
22 are any other questions including to Renee

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1 since we've received Tables 5 and 6.

2 Okay. I would like to thank Debbie  
3 and Mark, and I know Michael was on the line  
4 and, Renee, for your - there is one more  
5 question before we break.

6 Go ahead, Allan.

7 MEMBER HUNT: Well, I'm just  
8 wondering if it would be possible to submit  
9 questions to you later since we didn't have  
10 much chance to digest the information,  
11 particularly Tables 5 and 6.

12 CHAIR BARROS-BAILEY: Okay. And for  
13 the people listening in who couldn't see the  
14 heads nodding, that was a yes. Affirmative.  
15 So, thank you for your great work.

16 It is now about 10:25. Let's go  
17 ahead and take a 15-minute break. Thank you.

18 (Whereupon, the proceedings went  
19 off the record at 10:23 a.m. for a brief  
20 recess and went back on the record at 10:43  
21 a.m.)

22 CHAIR BARROS-BAILEY: Okay. I would

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1 ask all the Panel members to please take their  
2 seats.

3 Next on the agenda is a  
4 presentation by Shirleen Roth in terms of the  
5 user needs identification for the content  
6 model.

7 Shirleen is a senior analyst with  
8 Social Security Administration. She has 23  
9 years of SSA experience working in field  
10 offices, disability determination services and  
11 disability policy components at SSA  
12 headquarters.

13 She began her career at SSA in 1976  
14 as a claims representative adjudicating Title  
15 II claims for retirement, survivors and  
16 disability benefits, as well as Title 16  
17 claims for aged, disability, blindness and  
18 child's benefits.

19 She worked in field offices as a  
20 claims representative and operations  
21 supervisor from 1976 to 1984. And then from  
22 1994 to 1998.

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1           From 1998 to 2001 she was on the  
2 staff of the federal DDS as a disability  
3 examiner and program analyst. And from 2001  
4 to 2007 she was a senior policy analyst in the  
5 Office of Disability Programs working on  
6 occupational information references and  
7 analysis on policy issues related to SSA's use  
8 of the DOT and on SSA's medical-vocational  
9 policy.

10           From January 2007 until July of  
11 that year, she was a participant in SSA's  
12 advance leadership development program.

13           From July of 2007 until April of  
14 2009 she worked in ODP's Office of Vocational  
15 Policy first as branch chief and then as the  
16 deputy director.

17           In April 2009 she joined the  
18 Occupational Information Development Team and  
19 the Office of Program Development and Research  
20 to assist with the research and development of  
21 the occupational information tailored to SSA's  
22 disability programs and with research on the

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1 vocational factors of age, education and work  
2 experience.

3 And I just wanted to say before we  
4 get started with this presentation, that this  
5 was a very important part of the process  
6 because I think this is where the rubber meets  
7 the road in terms of meeting SSA's needs.

8 And so, I think it's going to be  
9 interesting to see the process looking at  
10 regulations and the data elements contained  
11 within those regulations that need to be  
12 included. And also from the perspective of  
13 what came into SSA from the various groups at  
14 this Panel, public comment, user needs and the  
15 consideration of those data elements and  
16 particularly how those fit SSA's needs.

17 So, I'm going to pass this off to  
18 Shirleen. Welcome.

19 MS. ROTH: Thank you, Mary, and  
20 thank you, Panel, for an opportunity to speak  
21 today.

22 I have to tell you before I start,

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1 I've had a little bit of a technical glitch on  
2 my computer. My talking points shut down  
3 before, so I'm going to be taking just a  
4 moment to bring them back up.

5 And in the meantime, I'll be  
6 speaking out of memory until they come back  
7 up.

8 Anyway, I'd like to present to you  
9 some information about an effort that's  
10 underway at Social Security. It's an  
11 analytical process to take all of the comments  
12 that have been received from the Panel, from  
13 internal users and from the public comments,  
14 and to consolidate all of those comments into  
15 a concise list of person-side data elements  
16 and work-side dimensions that SSA can consider  
17 as it moves forward in evaluating and testing  
18 - moving into a testing procedure to identify  
19 the data elements and so on that we want to  
20 establish for the content model.

21 I do apologize. I guess I will be  
22 speaking from memory since my computer is not

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1 working. Just a moment, please.

2           Anyway, as we go forward I'm going  
3 to be discussing the research purpose and the  
4 research question, the activities that have  
5 been underway in order to address this  
6 question and the methodology that we've used.

7           Now, again, first I'd like to go  
8 back over the reason that we are - that we  
9 engaged in this effort. Between the Panel  
10 Recommendation Report, the user needs analysis  
11 that was conducted by Social Security in  
12 summer of 2009 and which was reported to you  
13 in January 2010, in addition to that,  
14 extensive public comments from over 50  
15 individuals and 18 organizations, we received  
16 over a thousand pages of material that  
17 provided opinions on a wide variety of issues.

18       Many of them were comments regarding the data  
19 elements that we should be including in the  
20 content model for the OIS.

21           The purpose of the activity that  
22 we've been engaged in is to take those over

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1 1300 comments, over a thousand pages of  
2 material, and to develop one concise list of  
3 person-side data elements and work-side  
4 dimensions that SSA could take forward so that  
5 we can test those data elements and dimensions  
6 both in the world of work and with disability  
7 adjudicators so that we can ensure that the  
8 OIS that is developed meets the user needs and  
9 that it stays focused on what those user needs  
10 are.

11 We note that no empirical evidence  
12 has been obtained in support of these  
13 particular data elements. We draw directly  
14 from the Panel's report. And as you will see  
15 in considering them, we began with the  
16 recommendations that came from the Panel  
17 itself. And so this is going to be a  
18 description of that analytical process.

19 Now, as Mr. Balkus mentioned  
20 earlier today, we always want to stay focused  
21 on the purpose of the project itself. And  
22 that is to create an Occupational Information

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1 System that's tailored specifically for Social  
2 Security's disability programs and  
3 adjudicative needs.

4 So, to address that question and  
5 address that charter, we framed our research  
6 question directly related to it. And that is  
7 what occupational information does SSA need or  
8 desire in order to effectively adjudicate  
9 claims for disability benefits?

10 And sub-questions to that issue are  
11 what person-side data elements are critical to  
12 assessing an individual's residual functional  
13 capacity, and what work-side dimensions are  
14 critical to assessing an individual's  
15 vocational profile?

16 Now, in using that language I want  
17 to be very clear what I'm talking about. And  
18 that is when we talk about person-side, we  
19 recognize that there is a distinction between  
20 the way that that phrase has been used in both  
21 the DOT and in O\*NET. The DOT talks about  
22 worker traits. O\*NET talks about worker

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1 characteristics.

2           And again, the point of view of  
3 those particular documents is to provide  
4 information for employers on how to best  
5 select an employee.

6           And so while those systems record  
7 the occupational tasks or work activities,  
8 generalized work activities that are performed  
9 in the occupation in order to define those  
10 occupations, they actually describe the work  
11 in terms of what the worker - what capacities  
12 the worker needs to have or what kind of  
13 worker would be best selected for that  
14 occupation.

15           We come at this from a very  
16 different point of view. And that is we are  
17 concerned with people and the individuals with  
18 disabilities who are filing applications for  
19 benefits.

20           And so when we talk about person-  
21 side, we are actually talking about people who  
22 have filed claims for benefits.

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1           So, our need for occupational  
2 information is not a system that will describe  
3 a worker to us because we already have before  
4 us described both by the person, their doctor,  
5 the medical evidence in their record, we have  
6 the person who tells us that they are now  
7 unable to work and for whom we are evaluating  
8 that.

9           So in a sense, we already have the  
10 worker or the ex-worker described and we are  
11 instead looking to find out what the demands  
12 of the work are so that we can identify and  
13 evaluate whether that person is able to work.

14           The word "dimensions," I've  
15 borrowed that from the Taxonomy Subcommittee's  
16 report. And that's to distinguish work-side  
17 characteristics from person-side  
18 characteristics, and we will use that  
19 consistently or hopefully consistently  
20 throughout this presentation.

21           And, again, there are a few work-  
22 side dimensions that we are currently working

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1 on within the Agency because there are some  
2 that are so critical to the disability  
3 evaluation process that we think we must, as  
4 users, include them. And those relate  
5 primarily to assessing an individual's  
6 vocational profile.

7 Now, there's been a number of  
8 activities that you have been engaged in since  
9 you first convened in February of 2009.  
10 You're familiar with those, so I'm just going  
11 to briefly discuss them.

12 You've held quarterly meetings, as  
13 well as telephonic meetings. At each of your  
14 quarterly meetings you have had a number of  
15 activities to identify and focus on user  
16 needs. Those activities included  
17 presentations from both an internal SSA work  
18 group who provided you briefings on SSA's  
19 processes.

20 You've also received public  
21 testimony from organizations and individuals.

22 Some of those organizations and individuals

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1 were invited by you to present presentations  
2 on their understanding of their needs, as well  
3 as SSA's needs.

4 And in addition to those  
5 presentations, you also received public  
6 comments at open public comment time periods  
7 that were set aside at each panel meeting.

8 You engaged in a number of  
9 investigations. Those investigations  
10 included, for example, literature reviews and  
11 surveys, roundtables at which you invited  
12 guests to provide input to your subcommittees,  
13 including the Mental Cognitive Subcommittee  
14 and the Work Experience Subcommittee, and you  
15 engaged in a number of other activities such  
16 as you visited multiple sites within the  
17 Agency.

18 Many of you went to actually  
19 discuss and see the disability determination  
20 process in action at those disability  
21 determination services offices, as well as  
22 hearing offices throughout the country.

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1           As a result of all of those  
2 activities, you have provided two reports.  
3 One was your recommendation report that you  
4 issued in September 2009, and another report  
5 you issued in June 2010 were you reviewed the  
6 National Academy of Sciences Report called A  
7 Database For Change In Economy: Review Of The  
8 Occupational Information Network.

9           And, again, this activity, this  
10 effort that has been underway has drawn  
11 directly upon the activities that you've been  
12 engaged in since February 2009.

13           In addition to your activities,  
14 there have also been the activities of an  
15 internal SSA workgroup. This workgroup is in  
16 fact a separate group of individuals who are  
17 not on the project staff, but instead  
18 represent stakeholder components within Social  
19 Security.

20           These individuals represent their  
21 components. Excuse me. These individuals  
22 speak on behalf of the management and the

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1 executives for the components that they  
2 represent. They've provided a wide range of  
3 activities in support of this project,  
4 including bringing to us, the project staff,  
5 information about the opinions and views of  
6 the components that they represent, as well as  
7 informing their own components about the  
8 activities, your activities, and the  
9 activities of the project staff.

10 Given that this group is a  
11 representative group, I have listed on this  
12 slide, which is Slide 6, the different  
13 components involved.

14 I do invite you and the members of  
15 the public to find out more about the mission  
16 and function of each of these organizations.  
17 And that information can be accessed by you at  
18 a website that I'm going to give you the  
19 information. The website is [www.ssa.gov](http://www.ssa.gov),  
20 abbreviations for Social Security  
21 Administration and Government, and you can  
22 access information about each one of these

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1 components if you click on the About Us link  
2 in the trailer at the bottom of the home page.

3 And, again, these organizations  
4 involve the Office of Disability Adjudication  
5 and Review, Office of Appellate Operations,  
6 which is sometimes called Appeals Counsel.  
7 Another ODAR office, the Office of the Chief  
8 Administrative Law Judge, the Office of  
9 Disability Determinations, the Office of  
10 Disability Programs, the Office of Program  
11 Development and Research which also contains  
12 the project team working on this project, the  
13 Office of Quality Performance and a related  
14 organization called the National Council of  
15 Disability Determination Directors.

16 Now, I can tell you from my  
17 experience, that each of the individuals  
18 involved in this workgroup come to the project  
19 with extensive disability and programmatic  
20 backgrounds.

21 This particular workgroup has been  
22 engaged in a number of activities, including

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1 providing briefings to you on SSA disability  
2 claims process and the adjudicative needs of  
3 SSA's disability programs.

4 They have helped you in conducting  
5 your literature reviews and surveys. They  
6 have coordinated your visits to their  
7 operational sites.

8 Within SSA, they have provided  
9 their expert opinion to us so that we can make  
10 sure that our activities are focused on SSA's  
11 adjudicative needs and policy concerns.

12 Again, they've obtained input from  
13 the representative organizations, as well as  
14 the organizations that they manage and  
15 oversee.

16 So, for example, the Office of  
17 Chief Administrative Law Judge oversees and  
18 manages all of the hearing offices within this  
19 country. And so they are able to provide to  
20 us through their component, feedback from  
21 those organizations.

22 The same is true of the Office of

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1 Disability Determinations which manages the  
2 state agencies throughout the country called  
3 Disability Determination Services that  
4 adjudicate the claims for disability benefits.

5 So, they are a conduit through which we  
6 receive information from our users.

7 They've also been involved in  
8 designing and carrying out the SSA user needs  
9 analysis which we presented to you in January,  
10 and they've made presentations at numerous  
11 national conferences, including conferences of  
12 the International Association of  
13 Rehabilitation Professionals, also known as  
14 IARP, and the National Association of  
15 Disability Examiners, known as NADE. And at  
16 those conferences, they obtained additional  
17 user information.

18 And lastly, the workgroup has been  
19 engaged through March in an intensive process  
20 to identify their own set of recommendations  
21 for us in terms of the data elements that they  
22 would recommend that we test in this first

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1 round of testing. And testing was both,  
2 again, in the world of work and testing these  
3 data elements with users, with disability  
4 adjudicators and so on.

5 Project staff, as you know, has  
6 been working alongside you since you first  
7 convened in February 2009. We've provided  
8 support of panel and workgroup activities, we  
9 conducted the user needs analysis, we posted  
10 Federal Register notices, actually multiple  
11 Federal Register notices, extending the public  
12 comment period on your report from September  
13 of 2009. That public comment period did close  
14 on June 30th, 2010.

15 But as you have been consistently  
16 advised, we always are interested in receiving  
17 any and all information that we can from the  
18 public to make sure, again, that this project  
19 focuses on user needs.

20 We have engaged in several project  
21 staff investigations. And that basically  
22 involves reading background materials,

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1 authoritative professional journals and so on  
2 making sure that we're familiar with the same  
3 kind of information that you are bringing to  
4 us in terms of your expertise.

5 We've also facilitated the  
6 workgroup discussions and participated on  
7 those workgroup activities.

8 One activity that we've engaged in  
9 that is not directly related to content model,  
10 but it is - we do want to report to you the  
11 early results of those. And that is the  
12 Occupational, Medical-Vocational Study that  
13 just before me was presented to you, the  
14 results.

15 I do want to let you know that some  
16 of the early results from that study point out  
17 that the same types of data elements that we  
18 are recommending and that you have  
19 recommended, that we are in fact finding those  
20 same data elements and dimensions reported in  
21 the residual functional capacity in  
22 adjudicated claims. So, there is consistency

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1 between all these sources of information.

2 Now, one of the activities we've  
3 been engaged in through beginning in January  
4 of 2010 that we have continued through July  
5 2010 in order that we can make sure we've  
6 considered all comments received, we have in  
7 fact compiled a list of all recommendations  
8 and comments received again from all of the  
9 users we've mentioned. And that includes,  
10 again, all of the Panel recommendations.

11 And, in fact, we have reviewed all  
12 of the testimony, all of the transcripts from  
13 your panel meetings to ensure that any of the  
14 comments, any of the data elements recommended  
15 by you or by the public have been considered,  
16 the public comments both at the Panel meetings  
17 and the written comments submitted whether  
18 before the Panel recommendations were issued  
19 and since the Panel recommendations have been  
20 issued, the SSA user needs analysis and the  
21 recommendations that we've received from SSA's  
22 internal workgroup.

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1           We've organized this list according  
2 to the Panel's seven main recommendations. We  
3 added a category of Other to capture those  
4 comments that were not related to any of your  
5 recommendations. And we have combined  
6 identical ideas and comments into one item  
7 where we noted all of the groups that were in  
8 support of that particular item or that  
9 particular comment.

10           Now, we made an early decision not  
11 to combine any ideas or comments that were  
12 different even if the difference was only  
13 slight or it was a nuance. We wanted to make  
14 sure that the document was simply a listing of  
15 all of the comments received, but a  
16 consolidated one. A consolidated one.

17           And, in fact, that list has been  
18 used by your User Needs and Relations  
19 Subcommittee in preparing its analysis of the  
20 comments received on your recommendation  
21 report.

22           Now, we do want to note one

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1 particular type of comment received where we  
2 had to take a slightly different approach.  
3 And that was for the results of a survey that  
4 we received from one stakeholder organization  
5 that was from IARP, we've previously  
6 mentioned.

7           They provided us with a survey of  
8 specific questions posed to their members hip  
9 in terms of what kinds of data elements that  
10 they would like to see maintained and what  
11 their thoughts about those particular data  
12 elements were.

13           In addition to specific survey  
14 questions, survey respondents were also able  
15 to provide specific comments on those  
16 responses.

17           When we compiled our synthesis, we  
18 basically looked at the survey in terms of the  
19 numerical parts of the survey as being a  
20 voting response. And so we included anything  
21 where there was 50 percent or more of  
22 respondents voting in favor of something. We

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1 included that as being endorsed by the  
2 organization.

3 If fewer than 50 percent of  
4 respondents endorsed an idea, we did not  
5 include that as being a data element that the  
6 organization endorsed. But we did in fact  
7 review the comments to make sure that the  
8 comments were consistent with other  
9 information that we are considering.

10 And this is what basically the kind  
11 of information that our chart - it's a  
12 hundred-page chart again synthesizing over a  
13 thousand pages of material, and over 1300  
14 individual comments. This is what the chart  
15 looks like. Again, it's on the full range of  
16 your recommendations, not specifically on the  
17 data elements alone.

18 So, this document is different than  
19 the document that we are going forward with  
20 that I am specifically describing in this  
21 effort.

22 Again, this reports all of -

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1                   MEMBER WILSON: Which recommendation  
2 is this relevant to? I know it was -

3                   MS. ROTH: This particular page came  
4 from a recommendation on data elements having  
5 to do with fingering. So, there's a number of  
6 comments specifically to fingering.

7                   So, for example, having to do with  
8 the concept of fingering, two groups suggested  
9 that we need information on what's being  
10 picked up. For example, a coin or a button.

11                   The user needs analysis within the  
12 Agency recommended that we record information  
13 on finger dexterity required by an  
14 organization.

15                   They also used terms such as "fine  
16 manipulation," "fingering," "picking" and  
17 "pinching."

18                   They asked us for information on  
19 whether the job requires typing. They wanted  
20 more information on finger dexterity. And  
21 this came from the American Association of  
22 Physical Therapists. And that had to do with

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1 the ability to move the fingers and manipulate  
2 small objects with the fingers rapidly or  
3 accurately.

4 That organization also suggested  
5 that we measure that by aptitude and skill,  
6 and the American Board of Vocational Experts  
7 suggested that we make a distinction between  
8 fingering and fine fingering.

9 There were also a number of  
10 recommendations having to do with gripping.  
11 And those recommendations came from the Panel,  
12 the National Association of Disability  
13 Examiners, the physical therapy association,  
14 SSA's user needs analysis and so on.

15 This is just one page of many,  
16 again over a hundred pages, of specific  
17 comments.

18 So, again, this particular document  
19 is different than the one that I am  
20 specifically reporting on today. We want to  
21 point this out though because it is our method  
22 of making sure that we have in fact considered

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1 every comment that has been made in connection  
2 with this project.

3 If you'll notice the farthest  
4 right-hand column, that column will eventually  
5 contain information about whether that  
6 comment, that suggestion has been incorporated  
7 into the Occupational Information System. And  
8 if so, where it was incorporated.

9 It will also show if a suggestion  
10 was not incorporated. It will give the  
11 rationale for why it was not incorporated.  
12 So, we will have a historical record for each  
13 and every comment made on the project to  
14 identify the resolution and the disposition of  
15 each of the comments.

16 CHAIR BARROS-BAILEY: Shanán.

17 MEMBER GWALTNEY GIBSON: First, I  
18 wanted to say I absolutely adored this  
19 document because I utilized it myself as the  
20 basis for much of the User Comment Summary  
21 Report that we'll be talking about later.

22 But I recall having significant

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1 difficulties during my process, because the  
2 process for compiling this seemed to break  
3 down partway through in terms of who was  
4 involved, who was putting it together and how  
5 things were being sorted and put into the  
6 chart.

7 Can you talk about how you  
8 addressed that internally and how that might  
9 have impacted your process, please?

10 MS. ROTH: I hear your question and  
11 I've made a note to myself, an action item,  
12 that we will go back and provide a detailed  
13 methodology for you in terms of how this  
14 process was carried out.

15 The process, again, was an  
16 analytical staff process in terms of one  
17 individual reviewing literally every page of  
18 testimony, every page of the Panel report and  
19 extracting the data from it.

20 MEMBER GWALTNEY GIBSON: But didn't  
21 the process, excuse me, initially begin with  
22 there being multiple individuals who had

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1 divided up the recommendations and each were  
2 going to go through and code for their  
3 specific recommendation and then for staff  
4 reasons, I'm sure, that got changed and it  
5 became one person who did it all?

6 MS. ROTH: There were two people  
7 involved. And, again, one of the individuals  
8 is one who has many, many, many years of  
9 experience in the disability adjudication  
10 process both in state disability determination  
11 services and working as a staff individual on  
12 vocational policy for the Office of Disability  
13 Programs, and then working within the project  
14 team.

15 The other individual who is working  
16 with her is an intern, a Ph.D. candidate from  
17 Johns Hopkins University, a very bright person  
18 with a lot of potential and not as much  
19 experience, programmatic experience.

20 So, they worked together in this  
21 process with the person with the disability  
22 experience having the lead for it.

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1                   MEMBER      GWALTNEY      GIBSON:      My  
2      recollection is still different, Shirleen.  
3      And it's only important because I want to  
4      understand the process completely.

5                   Initially when I received this  
6      report, I received this report with three tabs  
7      in it which corresponded to three different  
8      recommendations. And the determination for  
9      how to organize the comments, unless I'm  
10     terribly mistaken, was really driven initially  
11     by the needs of the User Needs Subcommittee in  
12     putting together a report because we discussed  
13     that and how we needed it, but I'm sure it was  
14     helpful in multiple areas and that worked out  
15     very well.

16                  When I expressed concern that this  
17     only covers three of the recommendations, we  
18     thought oh, no, something has fallen down in  
19     this process.

20                  And I'm sorry I do not know the  
21     names of the staff, but my understanding it is  
22     Raphael who saved us on this one, whichever of

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1 these members she is, and I'm exceedingly  
2 thankful to her, but that it was one  
3 individual who then went back and re-coded  
4 everything for the report. And that there was  
5 a significant change there because there had  
6 been several members essentially initially; is  
7 that correct?

8 MS. ROTH: Again, I was not involved  
9 in that communication process with you, but  
10 your understanding is not correct.

11 The, again, public comments - and  
12 these comments began with receipt of the Panel  
13 Recommendation Report in September. The  
14 process began in October.

15 The process did not complete until  
16 after close of public comment in June on June  
17 30th, 2010.

18 From the beginning, this project  
19 involved a synthesis of every and all comments  
20 received in relationship to every and all  
21 recommendation made by the Panel. Again, it  
22 was organized according to the seven

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1 recommendation reports.

2 I think what you're referring to is  
3 again the synthesis included - we had to  
4 continue multiple iterations of the synthesis  
5 because of the ongoing nature of public  
6 comment. And we could not complete the  
7 process until public comment had been  
8 completed, and so that process remained open  
9 through the end of June 2010.

10 That first document that you  
11 received was an extract of the master document  
12 that we were using specifically within the  
13 content model effort. It was an extract of a  
14 master document.

15 So, if there was a breakdown in  
16 communication, I apologize for that. I was  
17 not - again, I don't know how exactly that  
18 happened, but that's something we can  
19 certainly take under advisement and I'll take  
20 an action item accordingly.

21 But as I mentioned, the entire  
22 process of the synthesis involved every

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1 recommendation and every comment that we've  
2 received since February 20, 2009.

3 MEMBER GWALTNEY GIBSON: I have not  
4 doubt this is comprehensive. What I'm  
5 referring to is that on July 22nd I received a  
6 comment synthesis document which only included  
7 three tabs, and that is when I expressed grave  
8 concern that we were missing information, and  
9 then on the 30th it was completed. But at  
10 that point, there was definitely a breakdown.

11 Before that we did receive an  
12 abstract piece much earlier which showed the  
13 format that it was using and that we were very  
14 thankful to see. It was an excellent format,  
15 but there definitely were problems with this  
16 process as it was carried out.

17 MS. ROTH: Shanan, again I believe  
18 I've addressed your question. I'm going to go  
19 back over my answer. And what part of that  
20 you're not understanding, I'd appreciate help  
21 with because then I'll provide a further  
22 elaboration of that particular issue.

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1                   MEMBER    GWALTNEY    GIBSON:    What  
2 happened between 7/22 and 7/30?

3                   CHAIR BARROS-BAILEY: I think Sylvia  
4 was trying to say something.

5                   MEMBER KARMAN: Yes.    I think that  
6 perhaps the issue at hand is, one, the actual  
7 format for the synthesis which you're seeing  
8 today was the format and the process by which  
9 we gathered all of the information that was  
10 available to us as of the end of December - or  
11 the end of January, actually.

12                   Then when we found that we were  
13 going to go to public comment through the  
14 Public Register, we held off completing that  
15 and retrieving all of that material to put  
16 into the final version of the synthesis which  
17 then you saw as the document after the 22nd.

18                   When the User Needs and Relations  
19 Subcommittee was interested in seeing what we  
20 had gathered to date, what was given to the  
21 User Needs and Relations Subcommittee had to  
22 do with those particular issues relevant to

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1 content model, some of the other issues that  
2 the staff was working on at the time that they  
3 could produce at that moment.

4 So, as we were moving along through  
5 July, because of course the public comment  
6 period ended on June 3, we were still  
7 compiling all of the other information  
8 relevant to the other areas for which the  
9 Panel had made recommendations.

10 So, we began with the things that  
11 were most critical in terms of what's up front  
12 for us. And I don't know what discussion went  
13 on within the User Needs and Relations  
14 Subcommittee, but that's what you had seen.

15 So, the differences between those  
16 documents had a lot to do with at what point  
17 SSA was retrieving the information coming from  
18 the final public comments which finished in  
19 the Federal Register on June 30th.

20 MS. ROTH: And again from the very  
21 beginning of the process when we began in  
22 October 2009, the document was a complete

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1 document in terms of all panel  
2 recommendations.

3 Again, we could not incorporate the  
4 public comments until the public comment  
5 period had closed. So, we held that document  
6 open.

7 But, again, it was a complete  
8 document again from the beginning, of all of  
9 the Panel recommendations.

10 MEMBER GWALTNEY GIBSON: I'm in no  
11 way questioning the completeness of the  
12 document. Please don't understand it as such.

13 As a matter of fact, I would say  
14 the information in the document predates  
15 October because we integrated information from  
16 any feedback we received at any time and did  
17 that very purposely so that we didn't miss  
18 anything.

19 MS. ROTH: Are there any questions  
20 about the synthesis before we go on?

21 Okay. Thank you.

22 Now, in engaging in the effort

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1 specifically that we're - before I do go on  
2 though I do want to again thank all of the  
3 members of the public who have - there are  
4 many organizations and many individuals who  
5 have expended a great deal of time, effort and  
6 resources to provide us and you with  
7 information about their point of view.

8 Those resources come from a wide  
9 variety of types of organizations and a wide  
10 variety of communities, and I need to express  
11 my personal opinion that their involvement is  
12 critical to this process.

13 And so, I do want to make sure that  
14 we acknowledge all of those efforts that have  
15 been underway.

16 Now, in terms of the actual effort  
17 that we're talking about, the staff analytical  
18 effort in order to provide one concise  
19 document that lists data elements and  
20 dimensions that we could go forward and test,  
21 again I'm going to come back to that a little  
22 bit with the understanding that these are -

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1 what we're working on is the identification of  
2 user needs.

3           There has yet as not been any  
4 conversation with the researchers and with the  
5 I-O psychologists, the industrial-  
6 organizational psychologists, who will  
7 actually be involved in creating a work  
8 analysis instrument.

9           So, what we have been involved in  
10 so far is simply identification of user needs.

11          This effort does not reflect the point of  
12 view of I-O psychologist. So, I do want to  
13 make sure that that is clear before we go on.

14           So, in order to conduct this  
15 effort, the first step we needed to take was  
16 simply to compile the sources of information  
17 that we had available to us.

18           The first source of information,  
19 again the Panel Recommendation Report which  
20 you issued in September 2009, as well as the  
21 later report on the NAS report on O\*NET, as  
22 well as all of the Panel activities.

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1           We built upon all of the workgroup  
2 activities, both the input that they provided  
3 us as experts and as well as upon the  
4 individuals that they represent.

5           We incorporated the user needs  
6 analysis conducted by Social Security, and we  
7 also incorporated and considered all of the  
8 input that we received from the public.

9           In addition to that, because the  
10 charter is very specific for this project that  
11 this is intended to create an Occupational  
12 Information System that is tailored to meet  
13 the needs of Social Security, we had to go  
14 back and do some double-checking to make sure  
15 that all of the data elements required by our  
16 program were named and recommended by at least  
17 one source and have been included.

18           And so in addition to coming at  
19 this from the point of the user needs and what  
20 they're telling us, we also came at this from  
21 the point of view of reviewing our own legal  
22 guidance in terms of what it requires that we

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1 do.

2           And so we reviewed the Social  
3 Security Act and the regulations which in fact  
4 do provide specific guidance for what we must  
5 consider.

6           For example, in the section on  
7 transferability of skills, there are specific  
8 requirements on defining basic work activities  
9 and in identifying elements that we will  
10 consider when we review residual functional  
11 capacity.

12           In a number of regulations, we  
13 provide specific types of activities and  
14 functional capacities that we must consider.  
15 And, in fact, the regulations provide  
16 definitions for many of those data elements.

17           And so we've reviewed those, as  
18 well as policy guidance such as Social  
19 Security rulings, our internal operating  
20 manuals and our training materials.

21           I do want to note that all of these  
22 materials with the exclusion of the training

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1 materials, are available to the public at our  
2 website, [www.ssa.gov](http://www.ssa.gov). And on the right-hand  
3 side of the screen you can access a drop-down  
4 button where you can access something called  
5 our program rules. And the Social Security  
6 Act, regulations, rulings and operating  
7 manuals are there for review by the Panel and  
8 public.

9 We also reviewed Social Security  
10 current forms, the ones that we use internally  
11 at the State Disability Determination  
12 Services, where we record the assessment that  
13 has been given for an individual's residual  
14 functional capacity. We call these residual  
15 functional capacity assessment forms and  
16 mental residual functional capacity assessment  
17 forms, again assessing both physical and  
18 mental functioning.

19 We wanted to make sure that within  
20 the data elements and dimensions that have  
21 been recommended, that all of the data  
22 elements that the SSA currently uses, that

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1 they have in one place or another been  
2 captured.

3 And lastly, we considered a wide  
4 variety of other materials, including the  
5 Department of Labor's own revised handbook for  
6 analyzing jobs and other materials by  
7 Department of Labor, including the DOT itself  
8 and so on.

9 We looked at information about  
10 essential skills compiled in Canada, and we  
11 found consistency between that and some of the  
12 recommendations that we had found.

13 We also reviewed guides, for  
14 example, from the American Medical Association  
15 looking for descriptions of functioning and  
16 definitions for that functioning.

17 We also looked at publications by  
18 the American Psychiatric Association,  
19 including, for example, the Diagnostic and  
20 Statistical Manual of Mental Disorders, fourth  
21 edition, looking for similar descriptions of  
22 functioning and definitions, and any other

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1 guidance that we might obtain.

2 Now, in talking about the  
3 methodology that we used, first I'd like to  
4 talk about the selection criteria for this  
5 concise list.

6 We received a number - some caveats  
7 to begin with. We received a number of  
8 recommendations in terms of specific data  
9 elements.

10 Data elements in a majority of  
11 instances were very consistent between all of  
12 the identified sources, but they may have used  
13 different names, they may have used different  
14 levels of specificity.

15 And so, we're going to be going on  
16 to describe how we resolved those differences  
17 so that we could in fact report that  
18 consistency.

19 And in order to find that  
20 consistency, what we did was we took the  
21 specific recommendations and looked for the  
22 underlying concept that that specific data

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1 element represented.

2 And so when we're going forward,  
3 we're going to be talking about these  
4 underlying concepts.

5 So, for example, some users -

6 MEMBER WILSON: Could you tell us a  
7 little bit more about how you identify an  
8 underlying concept, what that involved?

9 MS. ROTH: That was an analytical  
10 process that we used. Again, I can give you  
11 some examples.

12 For example, some users recommended  
13 that we report on unskilled work or simple,  
14 repetitive tasks. We found those concepts to  
15 be specific to certain types of work, but not  
16 representative of the broad spectrum of work.

17 And so we - if you're talking about  
18 -

19 MEMBER WILSON: Who's "we" in this  
20 case?

21 MS. ROTH: This is the project team.

22 MEMBER WILSON: So, like how many

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1 people did this and, I mean, any kind of  
2 procedural details you can give us. Was this  
3 resolving differences, do you have any kind of  
4 data on disagreements or anything like that  
5 with regard to this distilling comments into  
6 underlying concepts?

7 MS. ROTH: In terms of - there's  
8 many different parts of the method that I'll  
9 be discussing with you.

10 But in particular in terms of  
11 identifying the higher level of concept in  
12 most cases, those were in my own terms, self-  
13 evidence, but of course you can go back and  
14 review the work to find out if you agree.

15 For example, if you're talking  
16 about simple work, simple work is normally  
17 contrasted with detailed or complex work. And  
18 so we raised that concept of simply work to an  
19 issue of complexity because simple work  
20 appeared to us to represent an issue of  
21 complexity.

22 And, again, we will provide a more

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1 detailed - in a public session of this type  
2 we're trying to provide the more general  
3 findings. But to the extent that as you've  
4 recommended to the previous group presenting,  
5 we will certainly draft a technical report for  
6 your review and consideration outlining all of  
7 these different methods and so on.

8 MEMBER KARMAN: So, just excuse me,  
9 Shirleen.

10 I was wondering, Mark, one of the  
11 things that we were considering in developing  
12 the selection criteria when we were looking at  
13 underlying concepts, to a large degree the  
14 Panel's recommendations and definitions  
15 certainly, for example, from the mental  
16 cognitive recommendations in the Panel report,  
17 that was where we began. And that was, you  
18 know, what we used as a basis to begin with  
19 that, as well as definitions that were  
20 provided through these other sources that we  
21 had reviewed.

22 Is that the kind of information

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1 that you're asking about?

2 Is that what you mean?

3 MR. WILSON: Well, to me the issue  
4 is just more curious about the methodology  
5 here, the extent to which that was done, how  
6 many - was there any disagreement with regard  
7 to that, you know.

8 Shirleen's indicated that she  
9 thought a lot of them self-evident, you know.

10 It would be nice to know that.

11 Especially any time you inject  
12 judgment into a process, you know, it's  
13 important that we understand how that took  
14 place and all of that.

15 MEMBER KARMAN: Absolutely.  
16 Absolutely. And, you know, one of the ways in  
17 which we encountered, perhaps, the need to use  
18 some judgement is that we receive public  
19 comment and sometimes we don't even know who  
20 we received it from.

21 So, you know, you receive the  
22 comment and you take it at face value and you

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1 try to assign it to some category so that you  
2 can make sure you're capturing it in the  
3 manner that one can try to presume that it  
4 meant.

5 When we had questions, for example,  
6 from workgroup comments or from panel, that  
7 was much easier for us to be able to go back.

8 In fact, when IARP provided some  
9 comments, I know that some of our panel  
10 members, the user needs and relations, were  
11 able to go back and ask IARP, well, what did  
12 you mean with regard to this and that?

13 So, is that what you're getting at?

14 MEMBER WILSON: Right. Exactly.

15 MEMBER KARMAN: Okay.

16 MEMBER WILSON: Who the "we" is, how  
17 many people were involved, how large a  
18 component were these kinds of decisions of the  
19 total number of decisions that had to be made,  
20 you know.

21 MEMBER KARMAN: Okay.

22 MEMBER WILSON: All those kinds of

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1 things I think would be useful because this is  
2 such an important issue. You know what I  
3 mean?

4 This really is the sort of  
5 beginnings of some sort of foundation and  
6 we've got to get this right.

7 MEMBER KARMAN: So, would you be  
8 looking for then something that would be  
9 procedural, the outlines procedurally how that  
10 was accomplished and that - so, within the  
11 methodology we'd be looking for the actual  
12 procedure as to how that was performed?

13 MEMBER WILSON: Yes.

14 MEMBER HARDY: Could I add  
15 something?

16 I'm kind of running through and  
17 taking notes as we're going along looking at  
18 some of the draft documents that we have. And  
19 the simple question I have is well, who's the  
20 team member, you know?

21 In different places team members  
22 are cited. Well, I'd like to know who, and I

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1 think we should have that on our record as to  
2 who's doing what and when and where and how.

3           There's a statement regarding  
4 worker autonomy and the decision to make a  
5 linkage with worker autonomy to something  
6 else.

7           I actually have questions about  
8 that, and I know this isn't the time or place,  
9 but I'd like to be able to say okay, well, you  
10 got to this point how and please show me how  
11 you made this linkage.

12           And there's no way to go back right  
13 now based on what we're talking about at this  
14 point, and specificity is going to be  
15 important, I think.

16           MEMBER KARMAN: I completely agree.

17           One thing though that I want to be  
18 mindful of is that under FACA rules it may be  
19 that there needs to be a more formal process  
20 by which if a panel member has a question  
21 coming back to the Agency, that we are able to  
22 track that.

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1           So, we have not been providing  
2 necessarily - unless the actual SSA staff  
3 involved with the work is actually presenting,  
4 we typically don't indicate specifically which  
5 individuals in Social Security Administration  
6 were involved with that, but that does not  
7 detract from the need to engage in that kind  
8 of conversation.

9           So, I'm just letting you know that  
10 that's one of the reasons that that isn't  
11 made, you know, isn't part of the presentation  
12 is that individual isn't sitting there, and so  
13 the panel member can't literally ask them.

14           MEMBER WILSON: Well, what would be  
15 helpful for me is if you look at the previous  
16 presentations where they said, you know, we  
17 had two raters and in over 95 percent of the  
18 cases they, you know. That's the kind of  
19 thing I think that would be useful here to the  
20 extent that that occurred. And I think it  
21 speaks to Tom's question.

22           It's not so much who in terms of,

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1 you know, we want to know specific names, but  
2 is it the same person throughout, is it the  
3 same sort of raters all the time, was it  
4 different people, did they come and go? Those  
5 sort of things.

6 MEMBER GWALTNEY GIBSON: I'll say  
7 during Mark's presentation that was one thing  
8 that was evident. They had delineated a  
9 really - they spent a lot of time planning  
10 their activity, the creation of the forms, the  
11 training of the people to go through the  
12 files, what their decision criteria and rules  
13 would be, if there were errors in so many,  
14 they kept going until they had five where they  
15 were not errors. They had a plan up front and  
16 that was very clear moving forward.

17 And my fear is with here, we're  
18 getting the plan after the fact. And I can't  
19 see where the plan was in place with the  
20 decision points and the criteria that guided  
21 the content domain elements at this point.

22 I want to know that the plan was

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1 there and how it was carried out, how many  
2 people, what were the agreement indices, what  
3 were the evaluation criteria for keeping  
4 elements or not keeping elements. That  
5 scientific model.

6 MEMBER KARMAN: I completely  
7 understand or believe I understand, because we  
8 did pursue the study design for the occ, med-  
9 voc study certainly in that manner.

10 And we were also well aware of the  
11 fact that we were in a situation where we  
12 could in many cases quantitatively count  
13 something.

14 And obviously when one is reviewing  
15 a claimant's file, there is judgment involved  
16 with, you know, the meaning of whatever you're  
17 seeing on the 3369, for example, in terms of  
18 their description of what they've done at  
19 work.

20 With this particular process, not  
21 that it does not require a plan and  
22 methodology, there are also qualitative

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1 elements of that and to some extent there may  
2 not be a possibility to count something.

3 But I do hear what you're saying  
4 about being able to delineate or provide the  
5 information as to how procedurally some of  
6 these things were resolved.

7 MS. ROTH: Okay. I do want to  
8 mention one thing, and that is that as a FACA  
9 panel, you are considered special government  
10 employees. And as a result of that, you have  
11 access to pre-decisional documents before  
12 those documents are released to the public.

13 And before those documents are  
14 finished, documents were shared with you which  
15 are not finished, the process is not complete.

16 In fact, I'm describing to you a project and  
17 an effort that is underway. It's not been  
18 finished.

19 There is a plan, there has been a  
20 plan since the beginning that this effort has  
21 been underway. We will document that plan  
22 based on your request. And any guidance that

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1 you would like to provide us in terms of what  
2 you would like to see that report reflect, we  
3 would be happy to provide that with you.

4 But again, documents have been  
5 shared with you that are pre-decisional  
6 documents. And as we've received information  
7 based on FACA guidelines, those documents,  
8 pre-decisional documents, cannot be discussed  
9 in a public forum. So, I'm going to ask you  
10 not to refer to that document when we have  
11 this discussion today. Thank you.

12 So, again in going through the  
13 selection - and I do want to - I want to  
14 follow that on with something that was in my  
15 talking points that I had forgotten to mention  
16 earlier.

17 It is our intention that once that  
18 document is finished and that all necessary  
19 review and revision has been completed, that  
20 we will be sharing that document in its  
21 entirety with the public, because the public  
22 needs to know what we intend to do.

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1           The document at the present time,  
2           though, is pre-decisional. The decisions have  
3           not been reached on it, and that is why we  
4           cannot release it to the public, but we have  
5           every intention of making sure that it is  
6           available to the public when it's been  
7           completed.

8           So, the presentation I'm going to  
9           be providing you with, I will go into the  
10          methodology, but I'm not going to be going  
11          into the detail of the methodology that has  
12          been provided to you for the occ, med-voc  
13          study.

14          Again, that process is almost at  
15          least at the disability determination services  
16          level. At the initial claim level, it's  
17          almost complete. And so it's at a different  
18          stage in development than this particular  
19          effort that's underway.

20          Again, I want to point out that the  
21          concept has been critical. To the extent that  
22          this document and the information that we

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1 present will be provided to you and all of the  
2 users, you will inform us how successful we  
3 were at that.

4 One other issue we faced was that  
5 the data elements presented to us are from a  
6 wide variety of users. Some of them were very  
7 focused and not necessarily broad based.

8 For example, some focused as I  
9 mentioned before, on simple work. We had to  
10 broaden that concept and look for the  
11 underlying concept behind it so that we could  
12 help it to be - identify that concept as it  
13 might relate to all work.

14 We also found similar  
15 recommendations in terms of individual  
16 functioning. For example, there was a  
17 recommendation that we include an element for  
18 whether or not people could respond to  
19 hallucinations at work.

20 That is so narrowly focused that it  
21 would be difficult to construct, in our  
22 opinion, a work analysis instrument at least

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1 to start an analysis of that with whether or  
2 not an individual would be permitted to  
3 respond to hallucinations at work.

4 And so we took that concept and  
5 looked for what that underlying concept might  
6 be. And again in an analytical process, made  
7 a suggestion that one way that could be  
8 captured might be whether or not - the types  
9 of appropriate behavior at work rather than  
10 specifically behavior in terms of responding  
11 to specific hallucinations.

12 So given that, we developed this  
13 set of criteria that's on your screen as Slide  
14 14. The first selection criteria was to  
15 include all concepts recommended by the Panel  
16 or workgroup.

17 And as Sylvia has mentioned when we  
18 go on in terms of the analytical process in  
19 terms of how we took each one of these up,  
20 you'll find out that we started with the  
21 recommendations that you provided, but our  
22 general selection criteria was to literally

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1 include all of the concepts that you or the  
2 SSA internal workgroup included.

3 Now, I say that with one caveat.  
4 That is that you in your recommendation  
5 report, you recommended that SSA consider  
6 certain extra data elements for research  
7 purposes.

8 There were several that we did not  
9 - we have not so far suggested because they  
10 appear to not necessarily reflect SSA's needs.

11 We don't necessarily have a programmatic need  
12 for certain information that you suggested.

13 That includes gender, health  
14 insurance enrollment or availability, mode of  
15 transportation to and from work, race and  
16 ethnicity or health insurance offered.

17 So, those data elements have not  
18 been so far included in our list of suggested  
19 data elements, but again that's something that  
20 could be revisited with our executives in  
21 management if we have some additional  
22 rationale for why we might want to include

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1 those particular data elements.

2 In terms of the -

3 MEMBER WILSON: Excuse me a minute.

4 So, if I'm following this, you said  
5 in all concepts recommended by the Panel or  
6 workgroup were adopted, but did I just hear  
7 you say that several weren't?

8 MS. ROTH: I said -

9 MEMBER WILSON: They didn't rise to  
10 the level of the concept or - I just want to  
11 make sure I'm following what -

12 MS. ROTH: They conflicted with the  
13 last bullet which is include all concepts that  
14 reflect SSA's needs. They were not reflective  
15 of SSA's needs. Sylvia, you were -

16 MEMBER KARMAN: I just wanted to  
17 make a point that the way when the Panel had  
18 voted on in September of 2009 on its  
19 recommendations to Social Security, the  
20 physical and mental work experience-related  
21 data elements were ones that the Agency took  
22 as recommendations directly.

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1           The way that the recommendations  
2 were framed under the user needs and relations  
3 recommendations to the Agency, it was framed  
4 those data elements that may be useful for  
5 research were not - were provided for the  
6 Agency's consideration.

7           I mean obviously all of it is for  
8 the Agency's consideration, but we took the -  
9 we distinguished between the recommendations  
10 for the physical, mental work experience-  
11 related data elements as direct  
12 recommendations versus those which the Panel  
13 offered for consideration for the Agency with  
14 regard to research.

15           We just took those to mean that,  
16 you know, we could consider them. They may  
17 also prompt us to think of some other things.

18           So, we didn't see them as rising to the  
19 level, as you point out, as a concept  
20 literally recommended by the Panel. That's  
21 what we meant.

22           MS. ROTH: And, in fact, my

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1 understanding is that the way that that  
2 recommendation came to SSA was that those  
3 particular recommendations, those extra data  
4 elements, were data elements that would  
5 actually not be included in the OIS. They  
6 would not be available to disability  
7 adjudicators or to users of occupational  
8 information, but would only be available  
9 behind the scenes to specific research  
10 organizations.

11 So, in terms of creating a user  
12 needs basis for an Occupational Information  
13 System with application to internal and  
14 external users, those were not data elements  
15 that, from my reading of the Panel report,  
16 were ever intended to be used in that  
17 particular application.

18 Going on to the next bullet, we  
19 considered all concepts suggested by the  
20 Social Security Administration user needs  
21 analysis or through public testimony and  
22 comments.

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1 I mention we considered, because we  
2 did not necessarily include them all. I point  
3 specifically to the Social Security user needs  
4 analysis project.

5 That project was intended not to  
6 develop consensus within the Agency, not to  
7 vote on or to obtain - do some kind of coding  
8 of the incidents and the frequency of  
9 responses.

10 Instead, that particular activity  
11 was designed to identify the unique idea, make  
12 sure that no stone had been unturned, to  
13 consider all of the different experiences that  
14 SSA adjudicators have in adjudicating claims.

15 For example, considering all of the  
16 briefs provided by claimant representatives at  
17 hearings and all of the different types of  
18 functional capacities that are introduced in a  
19 claim file that must be addressed by the  
20 disability adjudicator.

21 And so we wanted to make sure that  
22 we had drawn upon that adjudicative experience

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1 to identify all of the types of different  
2 functional capacities that have been, again,  
3 found through disability claim adjudication.

4 Having said that, I would like to  
5 go through a series of the kinds of  
6 recommendations that we received from the  
7 public and from the user needs analysis, and  
8 how we resolved a few of those.

9 I will tell you that there was a  
10 high level of consistency between the  
11 suggestions from the internal and external  
12 users.

13 A few examples of that consistency,  
14 both groups recommended separate data elements  
15 for sitting, standing, walking and so on. All  
16 of those capacities that are incorporated into  
17 the concept of strength level in the DOT.  
18 Strength levels including sedentary, light,  
19 medium and heavy work.

20 Users consistently both inside and  
21 outside the Agency, asked that those elements  
22 be rated separately. That's something that we

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1 are also going to be suggesting to you and to  
2 Social Security.

3 We note that by gathering that data  
4 individually, we will have the individual  
5 information, as well as have an opportunity as  
6 needed to aggregate that information back to  
7 those types of work; sedentary, light, medium,  
8 heavy and very heavy, so that we can use that  
9 information to meet our regulatory  
10 requirements.

11 MEMBER WILSON: And again here as  
12 before, the important thing - I know you're  
13 just summarizing at this point and don't want  
14 to get into some of these methodologies, but  
15 how many people agree and what was the level  
16 of agreement, all those sorts of things are  
17 going to be very important for any kind of  
18 technical report.

19 MEMBER KARMAN: Duly noted. I  
20 already took it as a note.

21 MS. ROTH: And I've taken a note as  
22 well. Thank you.

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1 Another example of the consistency  
2 that we found had to do with, for example, the  
3 difficulty in evaluating claims given the DOT  
4 in terms of individuals who might have an  
5 impairment to one hand, but not the other, or  
6 one arm, but not the other.

7 Internal and external users agreed  
8 that we needed what they call unilateral and  
9 bilateral information. And what they mean by  
10 that is they need to know whether the work  
11 activity can be performed with one hand or  
12 whether both hands are required to perform a  
13 work activity.

14 So, those are just a few of the  
15 consistent suggestions provided by both  
16 internal and external users of occupational  
17 information.

18 There are some areas where there  
19 might have been some - not necessarily  
20 disagreement, but I would like to talk and  
21 explain to you how three areas - actually,  
22 four areas in particular were resolved.

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1           You have heard and we have heard  
2 consistently from users external to Social  
3 Security, that they are interested in  
4 maintaining what the Dictionary of  
5 Occupational Titles calls aptitudes.

6           Now, while we expect to base job  
7 demands in the OIS on the requirements of work  
8 as opposed to the capacities of job incumbents  
9 as described by aptitudes, we do believe that  
10 the same kind of information represented by  
11 aptitudes would be included in the OIS through  
12 elements that we are describing instead as  
13 demands of work.

14           And some examples of those, for  
15 example, aptitudes includes an element called  
16 general learning ability. We are recommending  
17 that that be on the person side included  
18 through an evaluation of cognition.

19           Cognition again as the Panel has  
20 reported and has recommended, includes  
21 activities such as reasoning, identifying and  
22 solving problems and so on.

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1           We also think that general learning  
2 ability on the work side can be addressed  
3 through an evaluation of the complexity level  
4 of an occupation.

5           Another aptitude, verbal aptitude,  
6 we have addressed that through a mental demand  
7 of work in terms of language and communication  
8 as recommended by the Panel. Also, job  
9 complexity. And we are recommending that  
10 there be competency requirements, for example,  
11 in reading text, in writing and in speaking.

12           Numerical aptitude would be  
13 captured, for example, again, as job  
14 complexity or competency in Math.

15           Spatial aptitude could be captured,  
16 for example, with competency in reading  
17 nontext.

18           So, there's a number of ways we've  
19 looked through all of the aptitudes and we  
20 believe that there is an opportunity for most  
21 of them, if not all of them, to be captured in  
22 specific data elements that we are suggesting

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1 for the OIS so that information would not be  
2 lost.

3 CHAIR BARROS-BAILEY: Shirleen, we  
4 had a lot of public comments in terms of  
5 aptitude. So, I didn't want to interrupt you  
6 during that process.

7 I see you have about ten slides  
8 left and we're at 15 minutes over.

9 MS. ROTH: Okay.

10 CHAIR BARROS-BAILEY: So, would you  
11 be able to wrap it up in the next, maybe, five  
12 to seven minutes?

13 MS. ROTH: The entire presentation?

14 CHAIR BARROS-BAILEY: We're over.

15 MS. ROTH: I'll move through it  
16 quickly.

17 CHAIR BARROS-BAILEY: Thank you.

18 MS. ROTH: Okay. Again, we did the  
19 same thing with temperaments. We believe that  
20 those will be captured through work content.  
21 We have asked that work activities be  
22 described to a specific enough level that each

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1 occupation can be identified separately from  
2 all other occupations and through different  
3 data elements that we have recommended.

4 We have not recommended going  
5 forward with interests, which has been  
6 recommended by the public.

7 Specifically, Social Security can't  
8 cut in. The Social Security Act limits us to  
9 considering the person's residual functional  
10 capacity, age, education and work experience.

11 So, while we understand that  
12 interests may be an important placement  
13 factor, it's not something that we  
14 programmatically can consider. But we do hope  
15 that other organizations and universities will  
16 do follow-on research with the OIS to make  
17 sure that interests, which is an important  
18 characteristic for vocational rehabilitation,  
19 be captured.

20 We are recommending that SVP be  
21 captured, but perhaps under different - a  
22 specific vocational preparation, but perhaps

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1 under different terms such as job complexity,  
2 time to sufficiency which would be the length  
3 of time it takes to learn a job, and also  
4 through capturing the mental demands of work.

5 We are recommending that we go  
6 forward with testing GED, general educational  
7 development, through such elements as  
8 competencies including reading text, reading  
9 nontext, writing, speaking, Math, reasoning,  
10 working with others, computer use and  
11 continuous learning.

12 I've already noted that there is  
13 particular concepts required by Social  
14 Security regulations, which we've included.  
15 We've included concepts contained in the  
16 residual functional capacity forms, and we've  
17 included the concepts that reflect SSA's  
18 needs.

19 In terms of definitions, we do ask  
20 - we are interested in the Panel's comments.  
21 Regarding definitions, we actually need two  
22 types of definitions. One is a conceptual

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1 definition. The other is an operational  
2 definition that can be used by job analysis as  
3 they go out and actually look at work, and can  
4 be used as reference for users of occupational  
5 information.

6 Operational definitions being  
7 specific enough so, for example, that you can  
8 identify the flexion involved in forward  
9 bending, for example.

10 We have a sequential process for  
11 identifying the definitions that we have  
12 identified, but again we are interested in the  
13 Panel's comments on those.

14 Resolving differences, basically we  
15 said the concept is primary, the methods for  
16 resolving. If a concept is representing by  
17 both a general term and detailed term, we  
18 identify the general term as the data element.

19 And we identified the additional information  
20 as additional occupation desired by users with  
21 the intent that all of that information will  
22 be captured in the work analysis instrument,

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1 and will be tested again in the world of work  
2 and with users.

3 If the same concept was represented  
4 by different names, we had another process for  
5 resolving that. And those processes will be  
6 reported in the technical report that we will  
7 be providing you.

8 We have documented this in a  
9 document that we provided to you. Again,  
10 that's a draft document, pre-decisional.  
11 There are three columns. One is for the  
12 person-side data element. One is for the  
13 work-side data element that would be work-side  
14 dimension that would be completed by I-O  
15 psychologists. And the third is the  
16 additional details.

17 This is a communication document  
18 between the users of occupational information  
19 and the developers of that information.

20 We are also - have provided you and  
21 are continuing to work on explanatory notes  
22 describing where each and every data element

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1 comes from, who, what organization and so on  
2 requested that data element and so on, the  
3 rationale, how those resolutions took place,  
4 and citations within Social Security  
5 regulations and the residual functional  
6 capacity forms.

7           Again, we conducted an analysis by  
8 a project staff. There were five team members  
9 involved. We discussed each data element  
10 until agreement was reached.

11           We started with the data element  
12 that was recommended by the Panel, identified  
13 all of the information that we received from  
14 the workgroup and from the user needs analysis  
15 and from external users.

16           Reviewed Social Security  
17 regulations and other agency guidance, the RFC  
18 forms. We applied the criteria and  
19 methodology described, and then we reached  
20 agreement.

21           So, again, this is the kind of  
22 presentation of the first example, the type of

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1 information you'll see in the draft document  
2 we've provided to you. To the extent this  
3 format works, we will keep it. To the extent  
4 it needs to be changed, we can certainly  
5 change the format. But the information,  
6 though, we believe would remain the same  
7 because it is consistent with the information  
8 that you have asked for.

9 For example, we've identified the  
10 higher level concept as fine manipulation, but  
11 that includes a wide variety of words such as  
12 picking, pinching. Otherwise, working  
13 primarily with the fingers rather than with  
14 the whole hand.

15 And again, users desire information  
16 on whether that can - the fine manipulation  
17 work activity can be performed with only one  
18 hand or if both hands are required.

19 Again, fingering, handwriting,  
20 pinching, picking, using the keyboard and so  
21 on are very consistent with the Panel  
22 recommendations as reflected in your report.

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1                   Now, some examples of data elements  
2 that were not selected, again I mentioned  
3 interested before. I will give two examples.

4                   One is dizziness. Now, dizziness  
5 as we see it within the Agency is not a  
6 function. You are not required when you go to  
7 the world of work to be dizzy. Instead,  
8 dizziness is a symptom of a medical condition.

9                   And so to that extent, what we have  
10 included in our suggestions are the functional  
11 correlates of dizziness.

12                   So, for example, someone who is  
13 dizzy may have difficulty balancing. They may  
14 have difficulty working at heights because it  
15 would be - they would have a restriction  
16 working at heights because that would be a  
17 dangerous location for them if they were to  
18 lose their balance.

19                   So, we looked at the functional  
20 correlates of the symptoms that were  
21 expressed.

22                   Stress was another factor that we

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1 included in terms of job demands that we  
2 believe might be stressful to individuals.  
3 And to the extent that we could identify those  
4 stressors, we have listed those as job  
5 demands.

6 For example, some people find  
7 deadlines to be stressful. Some people find  
8 public speaking to be stressful. Some people  
9 may find working at a production pace or  
10 under specific precision standards to be  
11 stressful.

12 And so to the extent that we can,  
13 we are identifying stressors and including  
14 those within our suggestions for inclusion in  
15 the OIS.

16 We haven't included stress as a  
17 specific factor itself because we believe, and  
18 this is agency policy, that stress is in fact  
19 an individual response to specific stimuli.  
20 And what I may find stressful may be quite  
21 different than what other people find  
22 stressful.

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1           So, certainly response to stress  
2 can be something that we look at on the person  
3 side, but on the work side instead we are  
4 focusing on the OIS itself, we are focusing on  
5 individual stressors.

6           So, we have a number of next steps.

7           Again, this is a communication document that  
8 we are working on that we are reporting today.

9           Additional work needs to be done as we have  
10 described and as you have requested.

11           When this document has been  
12 completed and when these data elements and  
13 dimensions have been completed, we anticipate  
14 first having a conversation with I-O  
15 psychologists and identifying the related work  
16 demands, work dimensions, work activities  
17 related to each of these person-side data  
18 elements.

19           And then taking that to the next  
20 step and developing instruments so that these  
21 concepts can be tested going out into the  
22 world of work and working with disability

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1 adjudicators to test the concepts.

2           And then we need to follow a  
3 process, my understanding, of revision and  
4 refinement so that the testing process will  
5 provide information to us that will inform the  
6 next revision of an iteration of a document of  
7 this type again listing the data elements and  
8 dimensions.

9           Any changes would then need to be  
10 retested. That process would be iterative  
11 until the data elements and dimensions we  
12 describe are not only an accurate and  
13 appropriate reflection of the adjudicative  
14 needs of Social Security's disability  
15 programs, but also an accurate and appropriate  
16 reflection of the world of work. So, those  
17 would be the next steps. Thank you.

18           CHAIR BARROS-BAILEY: Thank you,  
19 Shirleen.

20           I know that we are over time, but  
21 there are a couple of things that we need to  
22 deal with before we break for lunch.

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1           Fortunately we have a little bit  
2 more time this afternoon. We do have a  
3 request for public comment for tomorrow, but  
4 we don't have any for this afternoon. So, we  
5 have a little bit of time to work with.

6           I understand that this process took  
7 a long time and a lot of people, and I  
8 appreciate the efforts to date.

9           I understand that there are  
10 questions from the Panel and that we will be  
11 seeing additional documents, including the  
12 list of the data elements that were not  
13 included in the pre-decisional document that  
14 we had.

15           I do want to make a couple  
16 clarifications in terms of the pre-decisional  
17 documents. You are correct. We are special  
18 government employees and we're able to take a  
19 look at this.

20           It took a while to get to that  
21 answer where we could actually get to the  
22 level of looking at things.

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1 I think that you mentioned to Tom  
2 that maybe we shouldn't talk about, I mean the  
3 fact that we have access to this is evident to  
4 people in the audience or listening in.

5 So, maybe we're talking about the  
6 contents of the pre-decisional, not that they  
7 don't exist and we don't have access to them.

8 So, I just wanted to clarify that.

9 MS. ROTH: Thank you.

10 CHAIR BARROS-BAILEY: And then we  
11 suffer - have continued to suffer from a  
12 preconception that the Panel is developing the  
13 OIS instead of providing advice and  
14 recommendations to SSA about the OIS.

15 And I think a couple times there  
16 was reference to the charter of the project,  
17 and I think it's the charter of the Panel.  
18 And I just want to make that hard line because  
19 that's -

20 MS. ROTH: Thank you.

21 CHAIR BARROS-BAILEY: - a big  
22 distinction.

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1 I want to pass this on to Sylvia to  
2 kind of close it up and summarize it in terms  
3 of the next steps, in terms of what you're  
4 looking for to the Panel to do, you know, when  
5 the timeline is, what you expect, that kind of  
6 thing.

7 MEMBER KARMAN: Thank you, Mary.

8 It would be helpful for us if we  
9 were able to receive comments from the Panel  
10 members on the information that we've shared  
11 to date so that we can begin, you know,  
12 stabilizing this initial list for our next  
13 stages of development.

14 Also, because we will be working  
15 closely with a variety of the Panel members  
16 who are on different subcommittees to, first  
17 of all, complete this stage of the  
18 identification of user needs for data  
19 elements, and for measures and scales and the  
20 development of that.

21 So, as we're moving from one  
22 activity to another, we're going to need to

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1 lay out methodology for that and what our plan  
2 of attack is, and we obviously would want to  
3 be working with the Panel and those whom we  
4 hope to bring on board through our  
5 consultative contracts.

6 So, I would be - it would be great  
7 if we could get comments from panel members on  
8 the documents that we've provided, by October  
9 1st.

10 I do recognize that there is some  
11 work by some of the other panel members  
12 particularly in the Mental Cognitive  
13 Subcommittee who need to do some other things  
14 as well.

15 So, if we are receiving their  
16 comments by the middle of October, I can  
17 certainly understand that. And that's just  
18 for the documentation that we've given you to  
19 date.

20 CHAIR BARROS-BAILEY: I just want to  
21 clarify because we had the dizziness and  
22 stress that were not included, and the pre-

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1 decisional documents that we have to date  
2 don't include those data elements.

3 MEMBER KARMAN: Right.

4 CHAIR BARROS-BAILEY: And so will we  
5 have those by next week so that we can go to  
6 the next level of review?

7 MEMBER KARMAN: Yes. We are pulling  
8 that - well, we have the list. We did discuss  
9 yesterday some of the points that we would  
10 want to capture historically for that, and  
11 then to be able to capture that in a database.

12 The database will not be ready  
13 within a week, but we can give you the list  
14 and show you the disposition.

15 CHAIR BARROS-BAILEY: Mark.

16 MEMBER WILSON: Just a couple  
17 comments. Could someone bring up Slide 4,  
18 please?

19 There we go. Oh, you had it.  
20 There it is.

21 To contrast with the other two  
22 presentations this morning, if you look at the

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1 second bullet research question, and then  
2 based on the discussion, and I know you didn't  
3 get the time to go through the presentation in  
4 the way you planned because of questioning and  
5 other things, but it strikes me that one  
6 difference is that as I understood, and  
7 correct me if I'm wrong, that the procedures  
8 and methodologies are still evolving. There  
9 are multiple ones. They were not stated in  
10 advance that in order to address this  
11 question, we're going to follow the following  
12 procedure; is that correct?

13 MR. ROTH: As I said earlier, as I  
14 mentioned before, it was an analytical  
15 process.

16 Could you expand upon your  
17 question? I'm not sure what you're referring  
18 to.

19 MEMBER WILSON: Did you outline a  
20 procedure of how you were going to address  
21 that research question in total before -

22 MS. ROTH: What occupational

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1 information does SSA need or desire? That  
2 research question has been the focus of all of  
3 the staff activities since the inception of  
4 the project.

5 We brought that - that was the  
6 research question we posed in the SSA user  
7 needs analysis. It was the question we posed  
8 to the workgroup in its activities. And it is  
9 the research question that we have posed in  
10 reviewing all of the comments.

11 So, it's been a consistent question  
12 -

13 MEMBER WILSON: I understand the  
14 question.

15 MS. ROTH: - throughout the  
16 process.

17 MEMBER WILSON: What I was asking  
18 is, was there a procedure and a series of  
19 methodologies that were determined in advance  
20 before you began to address this question?

21 MS. ROTH: Before we began to  
22 address the question? Again, in each of the

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1 activities whether it was the Social Security  
2 user needs in all of the different activities  
3 that we have engaged in, yes, there's been a  
4 plan and a method in which we're going about  
5 addressing that particular question. And a  
6 method by which we would address that  
7 question.

8 MEMBER WILSON: It was only one  
9 question that I'm referring to. This one  
10 here.

11 And so in the other two cases, and  
12 I was involved in some of this, so I'm aware  
13 of it, there was a discussion of how should we  
14 go about addressing this question and what are  
15 the issues and threats to validity of the  
16 study that we need to be concerned about?

17 And if I understood your comments  
18 earlier to Shanan is this isn't completed,  
19 there may be other activities.

20 And so to me, that seemed to be a  
21 clear indication that the procedure wasn't  
22 laid out in advance, that this is to some

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1 extent a post-hoc exercise.

2 MS. ROTH: My understanding is the  
3 research effort that you're describing in  
4 terms of that discussion that took place, that  
5 was not a research effort involved in this  
6 particular question.

7 If I'm understanding you correctly,  
8 that was a research question which we have  
9 described in the past as OIS Design 1.

10 There has been a process by which  
11 the Panel and staff is learning how to work  
12 with one another. And that is do we work with  
13 you in consultation as we're developing a  
14 research strategy, or do we work with you in  
15 retrospect after that research strategy has  
16 been developed, obtaining your comments?

17 There have been numerous  
18 discussions about that other - the OIS Design  
19 1 which this effort is not incorporated in  
20 this analytical process that we're describing  
21 here. That is a separate and - a separate  
22 research effort underway with the staff.

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1           So, again there are some procedures  
2 by which the Panel and staff is learning to  
3 work together. I believe Sylvia will probably  
4 have some comments about that.

5           Some of those as we develop  
6 particular expertise on our staff, I believe  
7 that some of those procedures will perhaps  
8 move in a different direction.

9           But those comments in those  
10 discussions that we had earlier were not this  
11 particular effort. That was a separate  
12 research effort and, again, had to do with the  
13 question of do we involve the Panel in  
14 developing the study designs or do we ask the  
15 Panel to respond to study designs?

16           CHAIR BARROS-BAILEY: We're about 35  
17 minutes over at this point. And I think, you  
18 know, a variety of questions have been asked,  
19 action items have been taken. Shirleen has  
20 indicated that she will respond in terms of  
21 those specific ones, and I think we need to  
22 give her a chance and the group a chance to do

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1 that.

2 So -

3 MEMBER HARDY: Can I interject,  
4 Mary?

5 CHAIR BARROS-BAILEY: Sure.

6 MEMBER HARDY: It seems that there  
7 are still a lot of questions we need to  
8 discuss.

9 CHAIR BARROS-BAILEY: Correct.

10 MEMBER HARDY: So, maybe we could  
11 append it to the time -

12 CHAIR BARROS-BAILEY: Absolutely.

13 MEMBER HARDY: - that's open for  
14 public comment this afternoon and continue if  
15 Shirleen is willing to answer some more  
16 questions.

17 MS. ROTH: Absolutely.

18 MEMBER HARDY: I think we're all  
19 hungry.

20 CHAIR BARROS-BAILEY: You're reading  
21 my mind. And we also have time for  
22 deliberation this afternoon. Quite a bit of

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1 time.

2 And so what I would like to do is  
3 it is 20 past the hour. I would like to break  
4 for an hour and 15 minutes. So, we will be  
5 back here at 1:50.

6 Did I do the math right? Okay.  
7 Let's get back here at 1:50. Thank you.

8 (Whereupon, the proceedings went  
9 off the record at 12:20 p.m. for a lunch  
10 recess and went back on the record at 1:50  
11 p.m.)

12 CHAIR BARROS-BAILEY: We're going to  
13 finish up in the next 15 minutes or so of the  
14 present topic, and then we will go from there  
15 to my review in terms of about 15 minutes  
16 regarding the topic of public comment. We  
17 don't have any actual public comment.

18 And then we'll go to Shanan in  
19 terms of the presentation of the User Needs  
20 and Relations Report that summarizes the  
21 public feedback.

22 We will then to go Mark Wilson that

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1 will review the activities of the Research  
2 Subcommittee.

3 And then we will review over  
4 deliberation, topics for consideration and  
5 close the day.

6 I just wanted to summarize and  
7 actually make some comments before we get  
8 started back into this process.

9 Who would have thought that the  
10 issue of an Occupational Informational System  
11 would be so passionate, but I think that's  
12 what keeps us here at the table. We're very  
13 passionate about this, and particularly  
14 regarding the issue of doing it right.

15 And so I think that it's important  
16 to acknowledge that. It's important to  
17 understand that we're all coming from  
18 different perspectives.

19 We had quite a bit of discussion  
20 throughout and at the last presentation. I  
21 just want to summarize the areas that I noted  
22 to be those that were discussed.

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1           We talked about process. We talked  
2 about the issue of definitions. A variety of  
3 issue on methods such as procedures and  
4 whether the criterion was met understanding  
5 that kind of thing, the content of the actual  
6 document and documentation of the document and  
7 the process.

8           And so I hope that's kind of a  
9 summary of the areas that were covered in our  
10 discussion and questions before we broke for  
11 lunch.

12           And I wanted to open it up, let's  
13 say, for, like I said, another 15 minutes, see  
14 if there are additional questions of the  
15 content model and of Shirleen, and then kind  
16 of wrap up this particular presentation.

17           Tom did you have before we went to  
18 break, did you have a particular question?

19           MEMBER HARDY: I didn't have a  
20 question. It was kind of more wanting to echo  
21 some of the things I had been hearing from the  
22 Panel to the workgroup about the structure and

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1 way that this particular piece of work is  
2 going forward.

3 I think from - I'm trying to think  
4 of it dancing around topics. From a legal  
5 perspective, my concern is always should we  
6 ever have to defend our work, how would we  
7 defend our work? And if we need to defend our  
8 work, what documentation do we have?

9 So, I think Shanan and Mark are  
10 coming at things from a scientific point of  
11 view, and I'm coming probably from a different  
12 point of view, but my concerns echo in the  
13 same way.

14 It's important to me that we  
15 document who is deciding what, when and how  
16 because those would be the standard questions  
17 that I, as an attorney, would want to know,  
18 you know.

19 Who decided to do this? When did  
20 they do it? And if there was a change, how  
21 was that decision made?

22 And so I would say I know this is a

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1 work in progress and I know that there's going  
2 to be modifications and adaptations. But in  
3 the interest of defensibility and also in the  
4 interest of being wide open so that everybody  
5 knows every step, that I would encourage as  
6 this piece moves on that we do consider those  
7 factors and I just wanted to echo what I had  
8 been hearing all along.

9 MS. ROTH: And I'd be happy to  
10 address that question. I'm going to start  
11 first with your question of documentation  
12 because that seems to - and particularly in a  
13 legal perspective, it's important for us to be  
14 able to document, as you mentioned again,  
15 exactly how we went about what we did and what  
16 our citations are and so forth.

17 The document that we're creating,  
18 again it can be in any format that's mutually  
19 agreed upon, all parties. But basically the  
20 document that we are creating needs to contain  
21 certain elements.

22 In addition to the data elements

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1 themselves and all of the different kinds of  
2 occupational information we need, the  
3 documentation from our perspective needs to  
4 have a historical perspective.

5           So, for example, we may be citing  
6 things that are in existence today. But  
7 rather than simply citing them, we're actually  
8 placing them into the document so that that  
9 record can be available historically for five  
10 years from now, ten years from now. So, when  
11 anybody who comes in the future, can look back  
12 at us and understand the decision points and  
13 the process that we went through.

14           So, for example, the document that  
15 - we have certain criteria that we've  
16 mentioned that I'll go back over again, but  
17 the document that we're creating will contain  
18 certain elements in addition to simply the  
19 data elements, and in addition to the  
20 methodology.

21           And that information will be, for  
22 example, it will contain citations to each of

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1 the sources who have recommended or suggested  
2 each data element. And it will record what  
3 their specific recommendation was because,  
4 again, it could be with a slightly different  
5 language, the underlying concept could be the  
6 same, but they might have a different  
7 underlying - a different word that they used.

8 For example, we gave the example  
9 this morning about fine manipulation. The SSA  
10 workgroup recommended the term "fine  
11 manipulation." On the other hand, the Panel  
12 recommended a variety of different hand  
13 functions that could be raised up into a  
14 higher, more general concept of fine  
15 manipulation.

16 All of those specific  
17 recommendations are not only in the chart  
18 itself as occupational information that we  
19 want both in the general term and in the  
20 detailed terms, but also in resolving this and  
21 in documenting it we will show that this was  
22 the Panel's recommendation in that regard,

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1 this was the workgroup's recommendation in  
2 that regard.

3 And for each of the private  
4 organizations or individuals who made related  
5 comments or to the extent that we received  
6 comments having to do with that data element  
7 from the SSA user needs analysis, all of those  
8 comments will be listed for each data element  
9 with the language, the original language.

10 We are also including citations to  
11 our regulations where those specific data  
12 elements are required by our regulations not  
13 only providing a citation of the number that's  
14 contained in the code of federal regulations,  
15 but also we are copying and pasting the code  
16 of federal - those sections of the code of  
17 federal regulations into the document.

18 Regulations do change over time.  
19 And anticipating that someone may need to know  
20 exactly what the regulations say at this point  
21 in time, we are incorporating that as well.

22 We are providing an explanation for

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1 each data element of the resolution process  
2 that we went through. We will provide an  
3 explanation of the definition process that we  
4 went through.

5 But as I mentioned this morning,  
6 the definition process, we are looking for  
7 some input from you, from the Panel and from  
8 others in terms of definitions.

9 We attempted at this point only to  
10 provide a conceptual definition. We did not  
11 attempt to provide an operational definition.

12 We need assistance from experts in specific  
13 fields to move to that step.

14 So, the documentation that we are  
15 providing again for each data element  
16 specifically will provide who made these  
17 suggestions, what the suggestions were, how we  
18 resolved any differences between those  
19 recommendations and then the citations from  
20 which those recommendations came.

21 Now, in terms of the general  
22 methodology that we followed, we provided you

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1 this morning in the slide show which I don't  
2 have available at this time, but we provided  
3 you with an explanation of the selection  
4 criteria that we used. And I'd like to go  
5 over that a little bit more in detail.

6 The selection criteria -

7 CHAIR BARROS-BAILEY: I'm going to  
8 have to stop you from getting into that level  
9 of detail.

10 MS. ROTH: Okay.

11 CHAIR BARROS-BAILEY: This was to  
12 ask questions and to kind of summarize that.

13 Are there any other questions from  
14 the Panel? Okay.

15 A couple things I wanted to bring  
16 up. Tom, when you started asking your  
17 question, you mentioned the workgroup. And I  
18 just want to make it very clear there are two  
19 groups within SSA.

20 There's the workgroup that  
21 represents the different components, and  
22 there's the OID Team. And I think, Shirleen,

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1 correct me if I'm wrong, but you were  
2 describing the process of the team in terms of  
3 - and I think -

4 MS. ROTH: Correct. Correct. It  
5 was the process of the project staff, which is  
6 also called the team.

7 CHAIR BARROS-BAILEY: And a lot of  
8 people see because both groups are within SSA,  
9 a lot of people see them as the same group,  
10 but I think it's important to delineate which  
11 group we're talking about sometimes.

12 I always considered the workgroup  
13 basically being us inside the Agency. I mean  
14 they are the internal kind of panel, what my  
15 conceptualization is of it.

16 MS. ROTH: That's correct.

17 CHAIR BARROS-BAILEY: And this will  
18 come up later during Shanan's presentation,  
19 but I wanted to bring it up shortly: For  
20 people who are looking for that synthesis  
21 document that there was a slide about it,  
22 basically in all intents and purposes it's in

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1 the User Needs and Relations Public Comment  
2 Report.

3 The things that are not included in  
4 there are the individuals, and Shanan will  
5 explain why when she gets to that part of the  
6 afternoon, and the disposition for each of  
7 those.

8 But if anybody is looking for that  
9 synthesis document, the contents of that  
10 document are within the public comment report.

11 Appendix B, yes.

12 So, any other questions of  
13 Shirleen?

14 Okay. Sylvia, did you want to -

15 MEMBER KARMAN: Yes, I think this  
16 might be an opportune time for me to just  
17 summarize a bit not only from what we've seen  
18 this morning, but just an overall perspective.

19 First of all, obviously we've had  
20 some very good presentations this morning on  
21 the work that SSA has accomplished throughout  
22 the year.

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1           And, you know, some discussion  
2 about things that we need to consider, things  
3 that we need to be doing, you know, when we  
4 leave here tomorrow.

5           But one of the things that I think,  
6 you know, an observation that is apparent to  
7 me from the questions that we have received  
8 this morning, as well as my review and  
9 reflection on the work that we've done over  
10 the last year, is that, you know, the Panel in  
11 the first seven months of its existence  
12 obviously spent, as you all well know, spent  
13 seven months pulling together the  
14 recommendations.

15           And then from basically the end of  
16 September through now, our staff, you know,  
17 was working through all of the activities -  
18 well, at least the presentation on the two  
19 activities that were the last two, the occ  
20 med-voc study and the content model.

21           Staff in another part of Richard  
22 Balkus' office where Renee Ferguson works,

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1 conducted that review of our administrative  
2 data.

3 So, the Agency had done a lot of  
4 work over the last year. However, one of the  
5 things that I'm recognizing is that especially  
6 - and I think the questions that we were  
7 hearing sort of go to this fact, is that I  
8 think it will be really important for our team  
9 to develop a business process in which we can  
10 conduct the work that we're going to do.

11 Obviously, Social Security does  
12 have business processes in place for other  
13 work that it does. And that it for many years  
14 has had those functions within its purview.

15 This function of developing an  
16 Occupational Information System is new to the  
17 Agency. So, given the questions that we have  
18 I think that really points to the need for us  
19 to have a business process and it's something  
20 that we've been thinking about. And I think  
21 it just confirms it today that that would be  
22 necessary.

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1                   Certainly       it       would       have  
2 forestalled,   I   think,   some   amount   of  
3 confusion.   Certainly would have provided the  
4 Panel, perhaps even workgroup members to be  
5 able to know - and staff to be able to have an  
6 understanding clearly that there's sort of a  
7 combined mindset or a combined understanding,  
8 a meeting of the minds with regard to, you  
9 know, whatever stage of research that we are  
10 in.

11                   Whatever stage that we are in with  
12 a particular activity, there is an understood  
13 expectation for what documents will come from  
14 that, what interaction might be required  
15 between and among panel members and staff and,  
16 you know, others, what kinds of methods, you  
17 know, might be among the things that would be  
18 appropriate given that stage of work.

19                   I just think that if those things  
20 were laid out in a process, a business  
21 process, I think that that would have been  
22 more clearly articulated and it would have, I

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1 think, gotten at a number of the questions  
2 that were brought up.

3 So, that's basically one of the  
4 things I'm observing. Thanks.

5 CHAIR BARROS-BAILEY: Okay. Thank  
6 you, Sylvia.

7 And just from having been part of  
8 this process from the very beginning, I think  
9 everybody has worked very hard in this  
10 process. And I think one of the difficulties  
11 is that we saw it in the public comment,  
12 everybody is desperate for a solution because  
13 everybody sees the problem.

14 And that's a lot of pressures to be  
15 able to deal with that. And so it's the  
16 matter of creating and trying to deliver at  
17 the same time.

18 And this is an incredibly important  
19 project. It affects people. It will help  
20 people with decision making and underscore the  
21 importance of doing it right as quickly as  
22 possible.

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1           And when you look at other  
2 Occupational Information Systems, we are way  
3 ahead in terms of timeline, but also being  
4 able to do it right through the process.

5           So, thank you for the presentations  
6 this morning. Thank you for the discussion.  
7 I think this was very important discussion to  
8 have. And I think we will continue to have  
9 these kinds of discussions and it will be very  
10 exciting when we get to the final product.

11           So, at this point I'd like to say a  
12 few words. And maybe before I move forward I  
13 wanted to see if Abigail is on the line and  
14 see if she has any questions.

15           Abigail, are you there?

16           MEMBER PANTER: Hi, I'm here. And I  
17 just wanted to say that I'm listening  
18 intently. And thank you, Sylvia, for your  
19 comments because I think they were right on.  
20 So, thank you very much.

21           I'm just listening and I appreciate  
22 the wrap-up just now because that's an

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1 important wrap-up. And I also appreciate the  
2 comments that you made, Mary, because this is  
3 a key project and enterprise. Thanks.

4 CHAIR BARROS-BAILEY: Thank you,  
5 Abigail.

6 So, this afternoon Shanan is going  
7 to review the results of the nine-month public  
8 comment and feedback period that ensued after  
9 our vote on the content model and  
10 classification recommendations that were  
11 completed almost a year ago. It's hard to  
12 believe it's been almost a year ago.  
13 September of 2009.

14 The feedback periods span three  
15 quarterly meetings where those wishing to  
16 provide public comment verbally and on the  
17 record always have had time allotted to do so.

18 Indeed, except for the last meeting  
19 where no one signed up for public comment  
20 although we set out an hour-and-a-half for  
21 that within the two days of meeting, at every  
22 quarterly meeting since the OIDAP started

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1 we've received public comment from those who  
2 have requested time either as individuals or  
3 organizations to provide that to us.

4 Either Nancy Shore or I announced  
5 at each quarterly meeting over the nine-month  
6 period, a request for public feedback on the  
7 Recommendations Report.

8 We also invited input from specific  
9 user groups to our January 2010 meeting that  
10 included NADE, NCDDD, IARP, ABBE, NOSSCR and  
11 NADR, with five of those organizations  
12 presenting to us at that time.

13 Our solicitation efforts for  
14 feedback included a fact sheet to try to  
15 minimize - or not minimize. Reduce 750 pages  
16 into four to make it more accessible.

17 It included requests and input  
18 through our electronic e-mail list, conference  
19 presentations with an estimated cumulative  
20 attendance of about 3500 people. I lost count  
21 of the conferences. I think it would be about  
22 10 to 12 that we all went out to and presented

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1 to.

2 We had messages and call for input  
3 on the home page both at the home page and on  
4 the chair's page. And then article requested  
5 by the Commission on Rehabilitation Counselor  
6 Certification that went out, 16,000  
7 certificates, and wider distribution through  
8 its website through notices along with every  
9 meeting and teleconference announcement in the  
10 Federal Register.

11 Over the nine-month public comment  
12 period, the period was an iterative process.  
13 It didn't start off as nine months. We kept  
14 on expanding it and extending it as we  
15 continued to see that initially we weren't  
16 getting a lot of feedback to try to expand it  
17 to more individuals.

18 The content model and  
19 classification recommendations was the reason  
20 for the 2009 report. Thus, the report was  
21 titled as such.

22 Any lessons we learned through the

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1 public comment process that will be forwarded  
2 to SSA, will assist with the content model  
3 development as it continues into the future.

4 Because of the December 2009 pre-  
5 publication notice of the National Academy of  
6 Science's report regarding the review of the  
7 O\*NET, in January we were asked to review the  
8 report and decided as a panel to invite the  
9 NAS to present to us at our March meeting.

10 Before the March meeting, I  
11 requested that the Panel read the NAS report  
12 in its entirety.

13 The agenda for March announced in  
14 the Federal Register and was disseminated  
15 through professional listservs and blogs  
16 announcing there would be a presentation by  
17 the National Academy of Science on the O\*NET  
18 at the March meeting.

19 All of our meetings that required  
20 deliberation by the entire panel are open  
21 either live or telephonically. That is  
22 required by FACA in our charter.

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1           That presentation interaction with  
2 the entire panel was open to the public.  
3 Therefore, anyone wishing to provide public  
4 comment specific to anything at the March  
5 meeting, including the NAS' report of the  
6 O\*NET, had their first opportunity to do so at  
7 that March meeting. No one did.

8           What we learned at the March meeting  
9 about the NAS O\*NET review was presented at  
10 our various conferences, including IARP  
11 chapters of Texas, Nebraska, Montana and the  
12 northeast, at the NOSSCR, NCRE and NADE  
13 Pacific region conferences.

14           After the March 11th release of the  
15 final O\*NET report by the National Academy of  
16 Sciences, I reviewed it vis-a-vis what we had  
17 learned during the March meeting transcript  
18 and prepared a draft report for the June  
19 meeting.

20           The Executive Subcommittee reviewed  
21 that report on the 9th of June. We as a panel  
22 reviewed it at the 10th of June. As we know,

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1 any draft report we put out is available to  
2 the public at our meetings.

3 After the June 10th report, I had  
4 input from the Panel. We finalized that input  
5 and I sent it to the Panel with a requested  
6 note that if none of the changes which were  
7 typographical in nature or error in nature and  
8 tone in nature affected the meaning or intent  
9 of any finding per the deliberations in  
10 Memphis, or there were any modifications that  
11 modified the intent of any finding per the  
12 deliberation, then we would go to a vote.

13 That means that all panel members  
14 have to be okay with the report in its final  
15 form. If any panel member had any problem  
16 with any finding at any point, we would go to  
17 voice. That's required by Robert's Rules. We  
18 couldn't do it by e-mail.

19 There were no problems with any  
20 findings. We finalized the report. Our  
21 project director who's also a panel member,  
22 delivered the report to the Commissioner on

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1 the 28th of June. And it was disseminated  
2 online three weeks after it was available to  
3 the public.

4 I describe these events in detail  
5 to illustrate that the reason for the nine  
6 months of a public comment period had  
7 specifically to do with the recommendations we  
8 provided to SSA on the content model and the  
9 classification of the OIS.

10 Concurrent with public feedback for  
11 that September report, we have performed other  
12 work. That includes a review of the NAS  
13 report over several months. That's a  
14 different kind of report.

15 The OIDAP report on the NAS'  
16 findings on the O\*NET was available to the  
17 public, as I said, about three weeks before it  
18 was released online.

19 The public feedback process for the  
20 content model and classifications  
21 recommendation has undoubtedly taught us that  
22 the topic of the OIS is of vital importance to

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1 many users.

2 Internal and external to SSA and  
3 for various reasons, we had received numerous  
4 comments that are spot on with the topics  
5 associated with our recommendations, others  
6 that have caused us to reflect on those  
7 recommendations, and others that are outside  
8 of our charter.

9 I recognize that our public comment  
10 and feedback process provides us with a  
11 platform for many voices and respect those  
12 taking the time to express themselves to us.

13 Because the opinions are important  
14 to those voicing them and the process and  
15 responsibility of providing advice and  
16 recommendations, we will continue to listen to  
17 those voices.

18 If the comments are directly  
19 relevant to the scope of our work as  
20 identified in our charter, these will be  
21 considered in our advice and recommendations  
22 to SSA. In short, we need to hear those

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1 voices and we will listen.

2 If these comments fall outside of  
3 our charter and our work, again we will  
4 listen, but we will pass those on to SSA for  
5 their consideration.

6 We will remain responsible to the  
7 task put before us when we are appointed to  
8 this historic and humbling challenge to assist  
9 with the development of the first Occupational  
10 Information System for disability programs.

11 To be taken off task would be to  
12 relinquish the responsibility we have to the  
13 claimants whose cases depend upon the use, a  
14 fair and sound occupational information and to  
15 the American public.

16 The mission is too important to  
17 derail and it's vitally important to do it  
18 correctly.

19 Because of the nature of the first  
20 report we provided to SSA as the start of an  
21 OIS development process, we had to provide an  
22 ex post facto public comment period. That

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1 means SSA couldn't get going until they had a  
2 report.

3           However, I requested that the User  
4 Needs and Relations Subcommittee review the  
5 model for future recommendations reports and  
6 to provide the Panel with the recommendations  
7 for consideration in our operating procedures.

8           These recommendations from the  
9 subcommittee to the Panel will be discussed by  
10 Shanan who will deliver the subcommittee's  
11 public comment summary shortly right after I'm  
12 done here.

13           There may be other findings,  
14 reports by the OIDAP in the future such as the  
15 findings that we did in the NAS report that  
16 may not need to go to public comment.

17           Discussion on these reports and  
18 findings will continue to be part of our  
19 agenda as has been in the process.

20           So, anybody wishing to deliver  
21 public comment on these findings reports that  
22 follows our agenda is welcome to do so.

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1           At this point, I would like to turn  
2 the meeting over to Shanan who will be  
3 delivering the report for user needs.

4           MEMBER GWALTNEY GIBSON: Would you  
5 please put my PowerPoint up for me? There we  
6 go. Thank you so much.

7           I will admit I created the  
8 PowerPoint not realizing that you all had a  
9 copy of the report in the audience.

10          So, if you'll excuse me one second,  
11 I just realized the clicker for the PowerPoint  
12 - first I want to say "thank you" on behalf of  
13 everyone on the Panel.

14          As Mary has indicated, we really  
15 are appreciative of the amount of feedback we  
16 received.

17          She did a very good job of going  
18 through much of the process for collecting  
19 that. So, that will actually shorten my  
20 presentation to some degree. And now knowing  
21 that you have the report in front of you means  
22 that we don't have to look at each slide with

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1 quite so much emphasis.

2 I also want to point out that the  
3 goal of the User Needs and Relations  
4 Subcommittee in compiling this summary, was  
5 truly to convey the concerns of users and in  
6 no way, shape or form seek to address or rebut  
7 them based on panel knowledge or feelings.  
8 This is simply, we hope, an accurate summary  
9 of what we received.

10 Also, as Mary said in Appendix B,  
11 you can see the complete summary of all  
12 reports, all comments there. They are a  
13 bulleted list that's probably, heck, I don't  
14 know, many, many, many pages long. 20, 30  
15 pages there of comments you can see that are  
16 organized by recommendation.

17 Which is, as I said earlier, the  
18 file we utilize, the synthesis, was very, very  
19 helpful in this process.

20 So, as you realize in September the  
21 Panel issued its recommendations to the Social  
22 Security Administration regarding the

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1 development of an OIS. And one of the things  
2 we have consistently said is that we feel  
3 public feedback from different stakeholders is  
4 vital to this being a successful project.

5 Understanding the diverse viewpoint  
6 of scientists, practitioners and other  
7 individuals who will be potentially impacted  
8 by this is the only way we can craft a product  
9 that will work.

10 So, we've been welcoming input from  
11 the very beginning. And some of the input  
12 that is included here actually occurred prior  
13 to our ever having a formal comment process.

14 As I said, we've included  
15 everything humanly possible that anyone has  
16 said to us whether it was in person, through  
17 fax, e-mail, whatever format possible.

18 This just says that the official  
19 window was from November to June. As Mary  
20 indicated, that was not the original time  
21 frame we had planned on allowing for public  
22 comment.

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1           However, in light of the amount of  
2 feedback, and quite frankly in light of how  
3 long the report was that we issued and the  
4 request for additional time to digest the 700  
5 plus pages that were out there, the comment  
6 period was extended at least twice to the end  
7 of June. And I think some of the comments  
8 here even exceed and go into the first part of  
9 July.

10           In terms of what we received,  
11 comments were received from 50 distinct  
12 individuals and 18 distinct organizations. In  
13 some instances, we had organizations or  
14 individuals how provided us with comment on  
15 multiple occasions, and that's certainly  
16 understandable.

17           If they are participating in our  
18 meetings and they come and they hear something  
19 new, they many times responded immediately to  
20 us. And so in those cases, we have many  
21 pieces there.

22           In terms of who responded, this is

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1 just a broad summary and we don't name names  
2 here. And I'll tell you why we don't in just  
3 a moment for most cases, but we heard from  
4 individuals who were primarily either current  
5 users of the DOT in the current system, or  
6 potential new users such as disability  
7 examiners, vocational and rehabilitation  
8 experts and the like.

9 The organizations we heard from ran  
10 the gamut. We had advocacy groups,  
11 professional membership organizations, groups  
12 that represent individuals with disabilities,  
13 groups that represented disability examiners,  
14 groups that represent attorneys who represent  
15 individuals with disabilities.

16 The list goes on and on and that's  
17 probably the best generic list I can give.  
18 And you have that in your report as well.

19 One inconsistency we encountered  
20 when - and quite frankly we created this  
21 inconsistency ourself by allowing feedback to  
22 come in from multiple people in multiple ways.

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1 And as we went along the process actually  
2 trying to expand the ways that individuals  
3 could respond to us, is that some individuals  
4 at the time they provided us with public  
5 comment, gave disclosure allowing us to  
6 publish their names, and others did not.

7 That's why you'll see in Appendix B  
8 the listing of all comments, but not who they  
9 necessarily came from or who they were  
10 attributable to.

11 Now, let me assure you that when we  
12 realized this was going to be a problem, we  
13 immediately made every effort to go back and  
14 contact those groups and individuals who had  
15 not given us distinct permission to utilize  
16 their name associated with their comments and  
17 asked them if we could do this.

18 And in some cases we heard back,  
19 and in some we did not, and so we decided the  
20 safest thing to do was to publish all  
21 comments, but with no identifying information  
22 here.

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1           So, if you're looking for your  
2 comments, I'm sorry you can't sort it by your  
3 organizational name or individual name.  
4 You'll just have to look through the list.

5           Our goal, as I said, was to present  
6 all commenters' feedback and suggestions  
7 accurately and completely. In some cases  
8 people - well, in most cases people sent us  
9 comments and feedback which dealt with more  
10 than one recommendation.

11           They may have, for example,  
12 commented initially on the plan to develop a  
13 new OIS, and then they may have also provided  
14 information on specific data elements, and  
15 then they may have also suggested different  
16 types of experts we should be including in our  
17 process.

18           So, if you are an individual or if  
19 you saw someone who provided feedback of that  
20 nature, your comments will be spread  
21 throughout that Appendix B and divided up  
22 among those different places so that it was

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1 categorized according to recommendation or  
2 other as was described earlier.

3 Just as a reminder and then to  
4 generalize the feedback we received, the first  
5 recommendation that the Panel gave was for the  
6 development of a new Occupational Information  
7 System.

8 In terms of feedback, I would  
9 describe the comments we received here as  
10 falling into one of two distinct camps. About  
11 half the individuals said yes, develop a new  
12 Occupational Information System. And about  
13 half said no, update the DOT or learn to use  
14 the O\*NET. That's an honest assessment of  
15 what we heard.

16 Those who suggested that we update  
17 the DOT or the O\*NET typically did so in  
18 conjunction with statements regarding  
19 collaboration with other governmental agencies  
20 to assure success.

21 In terms of the support, as I said,  
22 it was about 50/50. Most cases they were

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1 certainly concerned with the use of government  
2 resources being efficient, as well as the  
3 collaboration to take advantage of any  
4 expertise that might be out there.

5           Despite this difference of opinion  
6 at the macro level with regard to create a DOT  
7 - update the DOT or actually create a new OIS  
8 as we recommended, there was significant  
9 agreement with regard to one. And that is  
10 that in each case no matter what they  
11 recommended we do, they were concerned that  
12 the data we would be utilizing going forth be  
13 reliable, valid, accurate, legally defensible  
14 and the like.

15           The second recommendation is  
16 probably where we received the most number of  
17 comments. And this is the recommendation  
18 dealing with the actual measure of the data  
19 elements that are involved here.

20           As Shirleen mentioned earlier,  
21 going through and creating the list of  
22 possible data elements or dimensions or

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1 concepts depending on what level people chose  
2 to present them, was an extensive endeavor.

3 One thing that was consistent and  
4 came out across many, many commenters who  
5 addressed this, though, was that all data  
6 elements must be empirically derived and  
7 include physical and cognitive or  
8 psychological abilities associated with doing  
9 work so that they address both physical and  
10 cognitive, and that they wanted them to be  
11 psychometrically sound.

12 They also recommended we looked at  
13 work activities and work context. These are  
14 areas that you're already familiar with  
15 looking at in some cases. So, that was  
16 included as something to be remembered.

17 Feedback was universally supportive  
18 in this regard. I don't think anyone  
19 disagreed with any of the actual elements that  
20 were put forth.

21 And if you read the recommendations  
22 report, we actually didn't suggest too

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1 terribly many specific until you got into the  
2 subcommittee reports and they were put out  
3 there for consideration.

4           The third recommendation that we as  
5 a panel gave to Social Security, dealt with  
6 the issue of utilizing a common metric. That  
7 is measuring data elements, whatever they  
8 might be, in a way such that we can talk  
9 across jobs so that they're defined in terms  
10 of a language such as "sitting" where sitting  
11 applies to multiple jobs and we can compare  
12 across that.

13           This recommendation was based upon  
14 the knowledge that a common language was the  
15 only way you could accurately match people  
16 across jobs, for example, when doing a  
17 transferability of skills analysis to see what  
18 others might be able to do.

19           The most frequently occurring  
20 feedback we received here had to do actually  
21 not with our common language concerns, but  
22 rather with individuals saying don't forget

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1 this needs to crosswalk to the SOC. And that  
2 was actually part of our recommendations as  
3 well.

4 They actually pointed out that  
5 there were other classification systems out  
6 there, the SOC, the O\*NET, NAICS, which is  
7 newer, and that we should make every effort to  
8 tie into these other databases so that our  
9 data can be utilized effectively.

10 The fourth general recommendation  
11 put forth from the Panel dealt with the  
12 development of internal expertise necessary to  
13 actually develop an Occupational Information  
14 System.

15 Specifically, the Panel advocated  
16 creating an independent internal unit of  
17 research scientists, and that they also expand  
18 their use of scientists and others within the  
19 community who could inform this process.

20 Within this regard the feedback was  
21 universally supportive and many people  
22 offering examples of researchers and

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1 scientists and other experts that we should be  
2 consulting.

3 They came across a broad range of  
4 experiences and felt that was the only way to  
5 inform the process of both the content model  
6 for an OIS and the actual tool that ultimately  
7 will be used or created as what we frequently  
8 hear as referred to as a job analysis  
9 instrument.

10 But whatever methodology will be  
11 useful, they felt that people should have  
12 input into that as well because it has to  
13 ultimately meet the needs of the users in  
14 order to be effective.

15 I've grouped recommendations five  
16 and six because they are tightly interwoven,  
17 as I say here. They focus on the importance  
18 of research, SSA conducting research to  
19 develop the new OIS.

20 It was recognized by the Panel that  
21 anything that's created not only has to meet  
22 the programmatic needs of SSA, as we have

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1 talked about as part of our panel charter, but  
2 also needs to stand up to intense legal  
3 scrutiny, potentially.

4 Therefore, the need for empirical  
5 research which validates the content and the  
6 measurement itself was of paramount  
7 consideration. Commenters very much strongly  
8 latched onto this and many people commented on  
9 this recommendation.

10 For example, several commenters,  
11 you noted things such as we'd like to see a  
12 comprehensive literature review starting with  
13 the - as a basis for development of any  
14 content model.

15 Commenters called for SSA to  
16 utilize a strong scientific model for their  
17 activities, publishing error rates, giving us  
18 interrater agreements, giving us the knowledge  
19 that we would have to have to evaluate this  
20 scientifically.

21 They wanted to know about our  
22 comprehensive stratified multilevel sampling

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1 plan.

2 So, we had some very well-educated,  
3 well-informed commenters who knew what to ask  
4 for and they were very vocal in this area.

5 They stated that we needed a solid  
6 methodology that's clearly stated with  
7 reference citations. These are just good  
8 research tenets.

9 The seventh recommendation dealt  
10 with ongoing communication. We recommended  
11 that as part of this entire process we  
12 continue to involve the stakeholders and  
13 outside individuals who are involved in this.

14 And judging by the number of people  
15 who took us seriously and responded, I can  
16 think they replied very well and are accepting  
17 of this as a recommendation.

18 In particular, though, commenters  
19 talked about the importance for transparency  
20 and that the involvement of external  
21 individuals and the publishing of reports and  
22 putting these things out there are necessary

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1 for this process to be viewed as transparent  
2 and to have any legitimacy within the  
3 organizations and within society that it will  
4 be utilized.

5 They said they wanted to see what  
6 would be in the new database, what are our  
7 occupational definitions and any instruments  
8 both at the prototype stage and the final  
9 stage, were all requests that users made.

10 There were specific concerns that  
11 were voiced about the lack of an overall work  
12 plan and timeline being distributed to  
13 stakeholders. I think that's consistent with  
14 what Sylvia just talked about a moment ago.

15 It was also recommended that prior  
16 to actually implementing a new system, that  
17 SSA should issue a beneficiary/applicant  
18 impact statement.

19 I've put that here because I think  
20 that in order to issue a beneficiary/applicant  
21 impact statement, that is consistent with the  
22 need for research.

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1           You have to do the research to  
2 identify what the impact would be. So, that  
3 was something that was a direct language use  
4 from a commenter.

5           In addition to the seven areas of  
6 recommendations that we made, some comments  
7 just didn't fit neatly into that strategy, as  
8 Shirleen said a few moments ago.

9           So, we decided in many instances  
10 that although it did not necessarily match  
11 exactly with our recommendations, that these  
12 were areas of vital importance that in the  
13 report we wanted to make certain Social  
14 Security Administration took notice of that  
15 this was feedback that was very important.

16           One area of concern that was  
17 identified by several commenters was that the  
18 process of developing a new OIS is outside  
19 SSA's area of expertise. We heard that  
20 several times.

21           Commenters were also similar in the  
22 fact that they focus, as I said, on

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1 collaborating with other governmental agencies  
2 so that we efficiently use resources and tap  
3 knowledge outside of SSA.

4 It was brought to our attention,  
5 and many of you probably follow the same blogs  
6 that we do, this was a common concern that we  
7 are perhaps acting as the fox guiding the  
8 henhouse by developing this OIS internally.

9 I think it's very important that  
10 SSA be cognizant of this potential perception  
11 as they're going about developing, collecting  
12 and utilizing this new process. So, we wanted  
13 to draw special attention to this comment.

14 There are those individuals who  
15 genuinely - who express genuine concern that  
16 SSA's desire is to control the outcome of  
17 disability decisions by developing their own  
18 process. And I think this is very important  
19 feedback that SSA should be aware of.

20 Having gone through the many, many  
21 pages as you have of bulleted comments and  
22 summarized them as such, and this is obviously

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1 a very brief summary, as a panel or as a  
2 committee we decided that we would actually  
3 focus on a few areas of emphasis that we  
4 wanted SSA to take away in particular.

5 That's not in any way, shape or  
6 form to negate the other comments that are  
7 there, but this was our impact statement, if  
8 you will.

9 One, there was a major emphasis  
10 throughout the comments on science and  
11 expertise. Which as such, we are kind of  
12 expanding our general Recommendation 4 to SSA  
13 and saying you should expand your efforts to  
14 establish internal expertise necessary to  
15 assure a strong research paradigm underlies  
16 the entire OIS development process.

17 This should include a lead  
18 scientist and supporting staff that are well  
19 versed in psychometric theory and work  
20 analysis, and also the identification of  
21 internal staff with disability and program  
22 expertise that can work in conjunction with

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1 this group.

2 The other area of emphasis with  
3 regard to science and expertise is that until  
4 such time its internal research unit is  
5 present, it's very important that we believe  
6 that SSA's staff continue to work closely with  
7 the Panel seeking its advice and  
8 recommendations on issues that are directly  
9 related to scientific practice.

10 The second area of strong emphasis  
11 that the Committee wishes to emphasize to the  
12 Panel and others deals with the issue of  
13 transparency in this process.

14 We believe that SSA should continue  
15 efforts to involve stakeholders in the  
16 scientific community in this process. In  
17 particular, we want to recommend that they  
18 adopt a procedure that provides public  
19 opportunity to comment on any internally-  
20 developed prototype content models or tools.

21 There's a lot of concern out there  
22 about what the actual instrument is going to

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1 look like. And so to give people the  
2 opportunity to see it and understand it as  
3 it's developed, and hopefully maybe tweak it  
4 and offer advice, would be a welcome thing.

5 We also felt that associated with  
6 transparency was to continue collaborative  
7 efforts with other governmental agencies.

8 Those who are a part of the Panel  
9 and those who have been listening in to all  
10 the meetings obviously realize that there is  
11 ongoing dialog with other agencies such as the  
12 Department of Labor. But apparently others  
13 are concerned that this needs to be disclosed  
14 more fully so that we understand what's  
15 happening and that you can understand where  
16 things are going as a user.

17 So, our process going forward, in  
18 addition to emphasizing the foregoing issues  
19 related to transparency and scientific rigor,  
20 one of the things that the User Needs and  
21 Relations Subcommittee Panel is asking Social  
22 Security to do, and actually I guess what

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1 we're actually asking the Panel to adopt, is  
2 we would like to see an official procedure for  
3 public comment on all recommendations before  
4 they are issued.

5 Let me step back a moment. As Mary  
6 explained, our process from inception to  
7 issuing of recommendations happened very, very  
8 quickly. And we issued a Recommendation  
9 Report as a panel to the Agency, before anyone  
10 who was outside actually got to see it and  
11 comment on it.

12 That's not generally the way in  
13 which public comment occurs. Usually we would  
14 draft recommendations and we would place them  
15 out in the public to be scrutinized and make  
16 recommendations and say oh, wait, you didn't  
17 think about this. And then we would come back  
18 and draft the final version and make  
19 recommendations.

20 We realized we didn't do that the  
21 first time. We feel like it's imperative at  
22 this point that going forth the Panel adopt an

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1 operational procedure that says we will not  
2 issue recommendations until they've been put  
3 out into public comment.

4 So Appendix C - Allan can correct  
5 me, you've got it there in your hand - is  
6 actually our draft of an official  
7 recommendation for the Panel to adopt this as  
8 a policy going forth because we think it's  
9 vitally important in the interest of  
10 transparency and doing this.

11 CHAIR BARROS-BAILEY: And, Shanan, I  
12 just want to clarify that it was really - the  
13 reason we didn't do it with the first report  
14 is -

15 MEMBER GWALTNEY GIBSON: Time.

16 CHAIR BARROS-BAILEY: We'd still be  
17 doing it. We'd just be getting started. SSA  
18 would be just getting started now. And so it  
19 didn't make sense to do it on the first  
20 report. We recognize that we probably need to  
21 do it in following reports.

22 And I think that there's also a

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1 need to clarify the difference between a  
2 finding and a recommendation within our  
3 context.

4 Our designated federal officer, I  
5 know, is making copies for us of the  
6 definition that we had at the meeting  
7 yesterday for user needs and relations. So, I  
8 don't have that wording before us.

9 But to paraphrase it, a finding is  
10 something that we come up with in terms of  
11 review of documents. It doesn't result in a  
12 specific recommendation as defined under FACA.  
13 Under FACA, any recommendation we do as a  
14 panel is actually tracked by GSA.

15 And so those are sometimes  
16 semantically used interchangeably. They mean  
17 something in our context. And so what we are  
18 recommending is not putting out a findings  
19 report such as we wouldn't put out the public  
20 comment summary report that Shanana just did  
21 for public comment, and then summarize that  
22 public comment.

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1           And then put that out again and  
2 summarize the public comment on the public  
3 comment, you know. You could see that get a  
4 little ridiculous.

5           We are looking specifically at  
6 recommendations, those issues that deal with  
7 the technical aspects of this panel, the  
8 recommendations that are in addition to  
9 recommendations already issued.

10          So, are there any questions in  
11 terms of the difference between a findings and  
12 a recommendations report, and then our  
13 recommendation that - to the Panel, not to  
14 SSA.

15          So, this would be specific to our  
16 operating procedures as a panel, not for SSA  
17 to deal with.

18          To include and adopt a formal  
19 process, any recommendation we put out there  
20 would go out for whatever time we designate to  
21 review by the public to receive their thoughts  
22 and processes before we finalize deliberation

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1 and actually vote on the recommendation.  
2 Sylvia.

3 MEMBER KARMAN: Yes, I just wanted  
4 to - well, maybe this is a question to clarify  
5 finding - that a finding then would be  
6 something where the Agency - I mean the Panel  
7 is making an observation or providing  
8 information for Social Security to consider as  
9 opposed to a recommendation to take an action?

10 I'm asking. I'm wondering if this  
11 is clear to everyone.

12 CHAIR BARROS-BAILEY: Our DFO is  
13 looking for that definition right now. But  
14 basically a finding would be something we  
15 reviewed and made some conclusions about, but  
16 it doesn't rise to advice to SSA about next  
17 steps or an actual action.

18 So, a recommendation is action  
19 oriented. Finding is we reviewed this and this  
20 is what we found.

21 Go ahead, Allan.

22 MEMBER HUNT: Given that - well, I

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1 guess my question is how much time does this  
2 mean?

3 I mean are you talking potentially  
4 nine months like - I mean or are we talking  
5 next meeting at a minimum, or will there  
6 actually be some mechanism for assessing when  
7 the public has commented and we could make a  
8 decision?

9 CHAIR BARROS-BAILEY: And we  
10 specifically did not put any time element to  
11 the recommendation because it depends. Some  
12 recommendations, the recommendations for  
13 content model and classification, that's a big  
14 one.

15 And so initially we had not  
16 anticipated going nine months. We anticipated  
17 going five months or four-and-a-half months.  
18 We actually doubled that over the two  
19 extensions to be able to be as comprehensive  
20 as possible because it was so seminal in this  
21 process.

22 It could be that a recommendation

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1 is a single recommendation, one piece of  
2 paper, which would be novel to this panel, but  
3 that's a possibility.

4 And if that is something that we  
5 want to have public comment on, we might put  
6 it out for 30 days to give sufficient time and  
7 notice through the Federal Register and all of  
8 our other means in terms of dissemination of  
9 the information so people can provide comment.

10 So, we specifically did not  
11 recommend a time period because we believe  
12 that's contingent upon the recommendation and  
13 should be made at the time by the Panel.

14 MEMBER HUNT: But the Federal  
15 Register process itself takes, what, 30 days  
16 or more. And then obviously, I mean - so  
17 practically I think we're saying quarterly  
18 meetings.

19 MEMBER BARROS-BAILEY: I think  
20 you're probably right on a practical level. I  
21 mean 30 days in terms of the period  
22 acknowledging that there is time that you have

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1 in the front end and the back end, and also  
2 summarizing the comment in and of itself so we  
3 could review it as a panel to make a decision  
4 and vote.

5 MEMBER KARMAN: I have a comment or  
6 a question on the actual report. The User  
7 Needs Report.

8 So, is this a good time to bring  
9 that up or do you want to complete the  
10 discussion on Appendix C?

11 CHAIR BARROS-BAILEY: Let's go ahead  
12 and have comments on the report while we're  
13 looking for the definitions. I believe it's  
14 really important to - definitions are big here  
15 and I think it's important for us to be very  
16 clear on those before we vote to include it in  
17 our operating procedures.

18 MEMBER KARMAN: Okay. So, one of  
19 the comments I have is where we reference the  
20 benefit - the comment - the public comment  
21 received on the benefit impact statement.

22 The Panel did in fact make a

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1 recommendation toward that, and that was under  
2 - it was captured under Recommendation Number  
3 5, but it was actually the User Needs and  
4 Relations comments in the first 62 pages of  
5 our final report. And that was about studying  
6 the affects of new occupational information on  
7 the disability process and claims review.

8 So, I'm wondering if there is any  
9 intent to reference that or -

10 MEMBER GWALTNEY GIBSON: Well, as I  
11 said at the get-go, we actually discussed that  
12 because I felt like several of the things they  
13 brought up were obviously actually addressed  
14 in our report.

15 MEMBER KARMAN: Right.

16 MEMBER GWALTNEY GIBSON: But I felt  
17 it was very important that this document only  
18 describe and summarize what people asked for  
19 and in no way, shape or form rebut.

20 To say yes, we hear you, but we  
21 already said that, could be construed as a  
22 rebuttal, I'm afraid. And I didn't want

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1 anyone to feel that we were trying to shut  
2 down or not acknowledge their comments fully.

3 So in those cases, again it was -  
4 you're right. I could probably change where  
5 it's added in the report, but we certainly  
6 didn't want anyone to -

7 MEMBER KARMAN: So, then to the  
8 extent that the Agency has in fact taken into  
9 consideration not just - well, maybe not even  
10 just the Panel, but the Agency also moreover  
11 has actually taken into consideration all of  
12 the comments and is moving forward on several  
13 of them. And on others, is acknowledging the  
14 need for thus and such, whatever things have  
15 been recommended.

16 Are we then following up with  
17 documentation? I mean I know we on our  
18 project team are developing that for  
19 historical reference.

20 Is the User Needs and Relations  
21 Subcommittee then anticipating showing that  
22 information or displaying the ways in which

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1 the Panel has taken those things into  
2 consideration not as a matter of rebuttal, but  
3 as a matter of acknowledgment?

4 MEMBER GWALTNEY GIBSON: We've  
5 discussed --

6 MEMBER KARMAN: Okay.

7 MEMBER GWALTNEY GIBSON: - the need  
8 to acknowledge people's comments, obviously.  
9 But in many cases, their comments really are  
10 to SSA and not to the Panel. So, we walk a  
11 very fine line there in some regards.

12 I don't see why we could not, but I  
13 don't think that it would necessarily be  
14 efficient or effective to respond to each  
15 commenter individually on a point-by-point  
16 basis.

17 It might be helpful to take the  
18 major themes and issue a document which  
19 addresses them in group, but I can't see that  
20 we would do that on an individual basis.

21 MEMBER KARMAN: Right.

22 MEMBER GWALTNEY GIBSON: And we have

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1 not moved that far in our planning, but I  
2 could certainly see where it would be a viable

3 -

4 MEMBER KARMAN: Yes, we are not  
5 intending to produce responses to individual  
6 comments either. And I know when I was  
7 participating in that conversation with all of  
8 you, I completely agree with that. I don't  
9 think that's efficient nor effective.

10 But to the extent that the Agency  
11 has taken these things into consideration and,  
12 quite frankly, the Panel did make  
13 recommendations toward those very things, it's  
14 just helpful for people to know that.

15 Someone reading this might say  
16 well, that seems like a really good idea. Why  
17 isn't somebody doing that?

18 Well, somebody is or will be or  
19 it's intended to happen when that becomes -  
20 when we get to that juncture.

21 MEMBER GWALTNEY GIBSON: So, you're  
22 giving our committee another task.

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1                   MEMBER KARMAN: No, I was actually  
2 looking for clarification. I thought maybe  
3 that had already been discussed and that you  
4 guys had come to closure on it.

5                   MEMBER GWALTNEY GIBSON: We've  
6 discussed it, but we haven't made any effort  
7 to actually move forward on that at this  
8 point.

9                   As I said, we received the summary  
10 the end of July. July 22nd. So, getting the  
11 report pulled together was a big task as it  
12 was.

13                   If there's no other questions, I  
14 would like to ask one other thing.

15                   CHAIR BARROS-BAILEY: I think there  
16 are a couple questions.

17                   MEMBER GWALTNEY GIBSON: Okay.  
18 good.

19                   MEMBER HUNT: Well, I'm just  
20 wondering again what - I mean there are some  
21 members of our public, our stakeholders in the  
22 audience.

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1 I guess I would like to know  
2 whether there's any opinion since some of them  
3 are here. And that's obviously not a thorough  
4 or objective sample, but I mean does this -  
5 given that we are making recommendations to a  
6 government agency, I mean I'm sort of on the  
7 fence on this whether it's really - I  
8 understand that it's always a good idea to  
9 have more input. SSA as the final decision-  
10 maker, has to consider that also.

11 So, I'm just not sure where I stand  
12 on this.

13 CHAIR BARROS-BAILEY: My comment is  
14 different. It's contextual. And it's  
15 actually about work context and what we had  
16 talked about previously in terms of the  
17 wording of the report.

18 A lot of our responses include work  
19 fields, MPSMS, that type of thing. And I know  
20 that we have a lingo between us and those  
21 kinds of things, especially the MPSMS,  
22 included within work context.

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1                   MEMBER GWALTNEY GIBSON: Give me  
2 your page reference, Mary. I think it will  
3 help.

4                   CHAIR BARROS-BAILEY: I think it's  
5 Page 7.

6                   MEMBER GWALTNEY GIBSON: It will  
7 help everybody.

8                   CHAIR BARROS-BAILEY: Sorry. I  
9 think it's Page 7, yes. Second paragraph  
10 starts "The importance of conducting  
11 transferability of skills."

12                   I think to kind of help the process  
13 because there are a lot of different people  
14 listening in who might have provided public  
15 comment and they might say well, why are you  
16 discussing beneficiary impact statement  
17 because three or four people mentioned it and  
18 12 of us mentioned MPSMS?

19                   And they don't understand that the  
20 lingo included in there might just be  
21 considered differently. And so -

22                   MEMBER GWALTNEY GIBSON: Once again

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1 this is a draft report.

2 CHAIR BARROS-BAILEY: I know.

3 MEMBER GWALTNEY GIBSON: We can  
4 definitely change the wording. And I do  
5 remember your comment on that, but  
6 unfortunately our lingo's weren't connecting.

7 So, I did the best I could to address it and  
8 it still isn't satisfactory.

9 So, just tell me what you want it  
10 to say and we can talk about it.

11 CHAIR BARROS-BAILEY: Okay. We'll  
12 talk. Okay. Okay.

13 MEMBER KARMAN: So, then I have a  
14 question about do we have an assignment among  
15 panel members to provide comment by a specific  
16 date?

17 And you probably sent me an e-mail  
18 about it and -

19 MEMBER GWALTNEY GIBSON: The entire  
20 panel received this a week or so before.

21 MEMBER KARMAN: Right.

22 MEMBER GWALTNEY GIBSON: And at that

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1 point we decided because it was so close to  
2 the actual panel meeting, that we wouldn't say  
3 give us feedback before because we knew that  
4 would be difficult and it would probably be  
5 better to come in and actually address  
6 questions in person and on site.

7 But certainly if people would like  
8 to send me more written comments within the  
9 next week or so, I can redo this and we can  
10 get the drafts finalized.

11 MEMBER KARMAN: Okay. Because I  
12 have a couple editorial things that probably  
13 aren't worth going over here.

14 MEMBER GWALTNEY GIBSON: Yes, we'll  
15 absolutely take them and I've just been - no  
16 one responded except for my subcommittee  
17 members. So, that wasn't surprising.

18 To go back to Allan's question  
19 though because I didn't want to leave that. I  
20 thought you were going to add to it and not -

21 MEMBER KARMAN: No. Sorry.

22 MEMBER GWALTNEY GIBSON: That's

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1 okay.

2 I think that's a very good  
3 question. I personally strongly believe that  
4 as a panel we need to adopt a procedure that  
5 helps assure transparency.

6 And although at times it may slow  
7 us down a bit, I think the delay is  
8 worthwhile. That's my personal reason for  
9 going there though. And obviously others can  
10 speak up.

11 That's why I think it's vital that  
12 we adopt a consistent model of before we make  
13 a recommendation, we allow others to comment.

14 MEMBER HARDY: I don't have anything  
15 to add, but I'll add something.

16 I think you've got a great point  
17 and we did talk about this and we've gone back  
18 and forth on I think there's different roles  
19 that we have to look at as a subcommittee, as  
20 the Panel, and then keeping in mind - we're  
21 always being reminded, you know, who's got  
22 what.

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1           And I'm kind of stuck with the User  
2 Needs Subcommittee has done a job of gathering  
3 and collating and organizing some information.

4       We would be the logical group to do a  
5 response if a response were indicated, because  
6 it's part of user needs relations.

7           I don't know if that's the role of  
8 the Panel though to respond. And I guess I'm  
9 putting it out there as a - I'm not really  
10 sure responding to comments from the Panel, is  
11 that really where that should come from?

12          And I'm seeing, you know, I'm not  
13 quite sure if that's really what we want to be  
14 doing.

15           MEMBER KARMAN: I'm not suggesting  
16 that we do. I guess what my question was is  
17 that if the Panel has received comments on a  
18 set of recommendations and if, in fact, it  
19 appears to either the User Needs and Relations  
20 Subcommittee and they want to raise this issue  
21 to the Panel or if there is some, you know,  
22 operating procedure that we as a panel want to

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1 adopt, if people are providing comments to the  
2 Panel with regard to recommendations the  
3 Panel, and the Panel feels it necessary to  
4 either summarize those comments and respond,  
5 whether we do so in terms of a presentation as  
6 we are doing today or whether we do it in  
7 writing or whatever, there is a difference  
8 between the Panel responding to comments that  
9 it received versus SSA responding to comments  
10 it receives on work it has done. That's  
11 different.

12 So, I'm not arguing one or the  
13 other. I'm just clarifying that.

14 MEMBER WILSON: Right. And within  
15 reason I think that's a very good idea. And I  
16 think it goes back to some statements that  
17 were made earlier about leaving no stone  
18 unturned here.

19 Whether we respond or not, I think  
20 the idea of before we make a final decision if  
21 at all possible, having public comment is a  
22 good thing.

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1 Do we have to respond? No.

2 Might it change our opinion? No.

3 Does it increase transparency, does  
4 it give us the opportunity to say that we put  
5 it out there for comment before we made a  
6 final decision? Yes, I think it does.

7 And so in that sense I think it's a  
8 good idea, but I agree that, you know, I  
9 understand all the various bureaucratic and  
10 procedural constraints. And I'm very much a  
11 task-oriented kind of person. I want to move  
12 ahead and accomplish stuff. But, you know, in  
13 a lot of cases it might be worth the time.

14 CHAIR BARROS-BAILEY: I have a  
15 couple thoughts on that. One of them on the  
16 report that we're talking about right now we  
17 had - it was content model and classification  
18 recommendations.

19 As part of what went out to the  
20 Panel or the subcommittees, we had talked  
21 about it also at the last meeting that the  
22 subcommittees wanted to take a look at those

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1 recommendations and feedback on those  
2 recommendations that impacted their area. So,  
3 work taxonomy, physical demands, mental cog,  
4 all of those.

5 And so at this point I believe that  
6 all of the subcommittee chairs have been asked  
7 to take a look at those. That's the reason  
8 you have feedback to kind of iterate the  
9 process.

10 I think what we've also been  
11 talking about over the last day is the need to  
12 have documentation in terms of the  
13 recommendations going forward.

14 I think that goes toward if there  
15 are data elements that people give public  
16 comments on, and that includes review by the  
17 subcommittee chairs and the subcommittees on  
18 particular data elements, that those get  
19 documented on the data elements moving  
20 forward.

21 So, I think that's part of the  
22 documentation process and that's on the

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1 present report.

2 I think in future reports it's kind  
3 of - you're already kind of doing it by what  
4 we're proposing. You're already putting it  
5 out there, considering those comments. And by  
6 the very vote we have, that is our response to  
7 those comments that are being considered.

8 Whether after we vote, we have to  
9 put it out again, I think why? I mean we  
10 could be doing that for the rest of our  
11 existence on everything. So, those are my  
12 thoughts within this.

13 Does that address it?

14 (Speaking off mic.)

15 CHAIR BARROS-BAILEY: Yes, so we are  
16 being distributed findings and recommendations  
17 definitions at this point.

18 MEMBER GWALTNEY GIBSON: I feel like  
19 we have two issues here that aren't completely  
20 - one is do we do a response? And if we do  
21 the response, who does the response? Is it an  
22 internal thing or an SSA thing?

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1                   And two, do we adopt a procedure  
2 for the Panel in putting things out for  
3 comment? And we keep -

4                   MEMBER     KARMAN:     They're     two  
5 different things.

6                   MEMBER     GWALTNEY     GIBSON:     We keep  
7 jumping these conversations back and forth.

8                   MEMBER     KARMAN:     They     are     two  
9 different things. And I'm not advocating that  
10 we should develop a procedure by which we  
11 demand of the Panel or the Agency that it  
12 always must respond in every circumstance to  
13 every single thing.

14                   But I was just merely responding to  
15 Tom's - I don't know whether it was an  
16 observation or a question, but there is a  
17 distinction between - so, the Panel can take  
18 up this issue as to whether or not it wants to  
19 respond to comments that come to the Panel.  
20 Because we're mentioning well, you know, some  
21 of these things came really for the Agency.  
22 Well, the Federal Register Notice publish the

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1 recommendations of the Panel.

2 So, those were comments in response  
3 to the, you know, to the recommendations that  
4 the Panel made.

5 CHAIR BARROS-BAILEY: But not all  
6 comments were -

7 MEMBER KARMAN: Right. Exactly.

8 CHAIR BARROS-BAILEY: - on spot  
9 with our charter.

10 MEMBER KARMAN: So, all I'm getting  
11 at is we don't have to hem ourselves in by  
12 saying every single set of comments need to be  
13 responded to.

14 But what the Panel decides with  
15 regard to its commentary process or how it  
16 wants to handle public comments does not  
17 necessarily have to mirror what the Agency  
18 does. That's all.

19 CHAIR BARROS-BAILEY: Any other  
20 thoughts on that particular issue? Go ahead.

21 MEMBER HARDY: I'm a big believer in  
22 transparency. That's something I've been

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1 pushing for a long time.

2           And part of transparency, I think,  
3 is actually acknowledging that we hear what's  
4 going on. I think that's one of the - I send  
5 something out and I never hear back. Well,  
6 did you hear me?

7           And if we're being transparent,  
8 then, yes, I very reluctantly believe that we  
9 maybe have to find a way of communicating at  
10 least acknowledgment that - I know I've read  
11 every single one that's come in, or I think I  
12 have. I can't swear to it, so don't ask me,  
13 but I think I've read every single one. I  
14 think we all have.

15           How do we get that out so people  
16 know that we have seen everything that's come  
17 through? I don't know.

18           I don't think individual responses  
19 are required or necessary. I think -

20           MEMBER KARMAN: Again, I mean I  
21 know, for example, our team, our staff has to  
22 go through and acknowledge at least

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1 summarizing the comments and areas.

2 Now, with data elements we're going  
3 to provide this for reasons of developmental  
4 purposes.

5 There's a need for us to have a  
6 historical record of data elements and where  
7 they came from, the source and thus and such.

8 So, that's one thing.

9 But in terms of the comments, we  
10 already know we're going to go through and  
11 summarize them and indicate the disposition.  
12 That's our process. That's what we will do.

13 But that doesn't make the Panel,  
14 you know, require the Panel to do that as  
15 well.

16 CHAIR BARROS-BAILEY: In effect, I  
17 think what we're talking about doing is what  
18 the public comment report does. I mean it  
19 summarizes, it's the purpose of that comment.

20 We're not having conversation back and forth.  
21 We're saying we heard you, this is being  
22 considered.

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1           Those that are being considered  
2 specific to our recommendations are going out  
3 to the subcommittee chairs, those are being  
4 considered in our process and we're looking at  
5 developing a process where we can get that  
6 information in before we actually vote into  
7 the future.

8           So, in effect, it's almost what  
9 we're doing by the -

10           MEMBER KARMAN: Right. And I mean  
11 I'm just mentioning that to some degree  
12 because our staff staffs the Panel. A lot of  
13 the work that we are doing would be  
14 duplicative if we were doing it for, you know,  
15 for the purposes of the project on behalf of  
16 the Agency versus on behalf of the Panel.

17           I mean it's the same work in many -  
18 in some of these cases. So, we would still be  
19 covering the issue of transparency because in  
20 fact it is being done.

21           CHAIR BARROS-BAILEY: In the  
22 summary, I mean the comments are in the

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1 appendix, I mean and summarized by the  
2 recommendations.

3 So, any other thoughts on that  
4 particular issue?

5 Okay. Allan, did you have - okay.  
6 Tom? No. Okay.

7 Okay. Now, to the other remaining  
8 issue, the OIDAP public report types. So, we  
9 have here findings and recommendations.

10 And the definition here for  
11 "findings," findings are conclusions reached  
12 after examination of investigations of other  
13 documents. A Findings Report is a document  
14 that contains statements about authoritative  
15 decisions and conclusions. Findings do not  
16 necessarily rise to the level of resulting in  
17 a recommendation, but it may reinforce,  
18 clarify or expand existing recommendations.

19 Recommendations are advice or  
20 counsel on a course of action. Under FACA,  
21 recommendations are reported and tracked under  
22 GSA for response by SSA. Recommendations may

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1 be on technical, administrative, procedural or  
2 other issues related to the development of the  
3 OIS and are a result of examinations from  
4 findings. Go ahead.

5 MEMBER KARMAN: I have a question.

6 How would we categorize the annual  
7 report that we will be doing?

8 Is that -

9 CHAIR BARROS-BAILEY: We could add a  
10 third category.

11 MEMBER KARMAN: - a category of its  
12 own? Is that a summary? How do -

13 CHAIR BARROS-BAILEY: We could add a  
14 third category. The annual report.

15 MEMBER GWALTNEY GIBSON: I tend to  
16 think the annual report is a summary report  
17 though. And if there's anything distinctive  
18 that comes from it new, then it becomes a  
19 recommendation that we do separately.

20 MEMBER LECHNER: I was just going to  
21 say that I think the annual report could  
22 include both findings and recommendations.

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1                   MEMBER KARMAN: So, if that is the  
2 case, and I agree it certainly could and might  
3 frequently, would we always then - in other  
4 words, if we're looking to set a rule or a  
5 procedure by which we act consistently, is it  
6 only recommendations that get the, you know,  
7 go out in advance or how do we want to handle  
8 that?

9                   CHAIR BARROS-BAILEY: We actually  
10 had quite a bit of discussion at the  
11 subcommittee level about that. So, I think it  
12 was the consensus of the subcommittee that all  
13 recommendations go out for public comment  
14 regardless of the type. That we owe that in  
15 terms of what a recommendation is, we owe that  
16 to the public in terms of getting their input  
17 and feedback into that recommendation before  
18 we vote on it.

19                   MEMBER KARMAN: So, did we have it  
20 in mind then that before we deliver the annual  
21 report this year, that that would go out in  
22 advance?

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1           Is that what - for example, is that  
2 what you meant? Is that what you're -

3           MEMBER HARDY: I think our thought  
4 was recommendations. And if the annual report  
5 doesn't have a recommendation, then it  
6 wouldn't fall into the category. And that  
7 would leave us with options as well to either  
8 include recommendations in the annual report  
9 if they rise to a certain level that requires  
10 that, or have recommendations coming out  
11 separately and in their own right and being  
12 dealt with.

13           So, I think we've got enough room  
14 to kind of make a decision. But if I'm  
15 summarizing properly, I believe our feeling  
16 was anything that we want to recommend to SSA  
17 should be at such a level that it should have  
18 some import to it and should be open to  
19 comment.

20           MEMBER KARMAN: I hope we're not  
21 beating a dead horse. I just want to be able  
22 to understand this.

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1           So, are we then saying that, for  
2 example, if we were between now and the time  
3 that we prepare an annual report, find  
4 ourselves deliberating, providing the Agency  
5 with recommendations, there's a recommendation  
6 to do or consider A, B, C, it goes out for  
7 public comment or a draft form, but meanwhile  
8 the annual report is due and we need to get  
9 that.

10           So, is it that we then wait and  
11 hold the recommendation until we get the  
12 comments or we just issue the annual report  
13 and say the Panel has done this activity, it  
14 has published this recommendation and is  
15 awaiting public comment?

16           Is that what you -

17           CHAIR BARROS-BAILEY: Let's just  
18 make it easy. The annual report is a summary.

19           If we have any recommendations at the time of  
20 the annual report, let's make it a separate  
21 document.

22           MEMBER KARMAN: That's fine.

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1 CHAIR BARROS-BAILEY: Okay.

2 MEMBER KARMAN: I was just wanting  
3 to be clear about it.

4 CHAIR BARROS-BAILEY: It will just  
5 facilitate the process. So, we probably need  
6 to add a third category here that - not  
7 because it would be -

8 MEMBER GWALTNEY GIBSON: No, it's a  
9 summary report.

10 CHAIR BARROS-BAILEY: It's a summary  
11 report.

12 MEMBER GWALTNEY GIBSON: It's a  
13 findings report.

14 CHAIR BARROS-BAILEY: Okay.

15 Any other questions about the two  
16 definitions of findings and recommendations  
17 reports?

18 MEMBER GWALTNEY GIBSON: So, I'm  
19 back to asking the Panel to consider adopting  
20 a procedure of sending out all recommendations  
21 reports. That would be wonderful.

22 MEMBER HARDY: Would the Chair

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1 entertain a motion?

2 CHAIR BARROS-BAILEY: The Chair will  
3 entertain a motion. And just because we have,  
4 I think, three new panel members since the  
5 last time we actually voted on something to  
6 this level, I would like to reiterate the  
7 voting procedures just so everybody is clear.

8 And this is from our operating procedures  
9 that we're looking to modify or add to.

10 Voting procedure. Any member  
11 including the Chair may make a motion for a  
12 vote. A motion for a vote requires a second  
13 to bring the issue to a vote. Voting will be  
14 conducted by calling the roll and allowing  
15 each present panel member to state yay, nay or  
16 abstention. At the discretion of the Chair,  
17 roll call may be dispensed with. Each member  
18 shall have one vote. If they are unable to  
19 attend the meeting in person, panel members  
20 may participate in meetings and vote via  
21 teleconference. The votes of the majority of  
22 the Panel present and voting shall be

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1 necessary for adoption by the Panel of any  
2 action.

3 Absentee voting, and that pertains  
4 to one member who's available telephonically,  
5 a member of the Panel who is absent from any  
6 meeting may vote at the meeting by providing a  
7 written indication of his or her vote on  
8 specific matters to the Chair prior to the  
9 Panel's decision. A member who is absent may,  
10 for the record, give consent or register  
11 dissent against any action adopted by the  
12 Panel by providing notice to the Chair of the  
13 Panel within five days after the missed  
14 meeting. Such notice will be noted for the  
15 record and will not change the outcome of the  
16 vote.

17 So, I would exercise my ability to  
18 say I will dispense with the roll call and I  
19 would entertain a motion.

20 MEMBER HARDY: I would like to make  
21 a motion that the Panel adopt the document  
22 before it called OIDAP Public Report Types.

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1 Do I have a second?

2 MEMBER GWALTNEY GIBSON: I'll second  
3 that.

4 CHAIR BARROS-BAILEY: Let me call -  
5 is there any discussion? And I do have some  
6 question on that.

7 Okay. You, in your motion,  
8 indicated the types and the definitions. Is  
9 it the policy in addition to the definitions  
10 that you have before you what is in, I think,  
11 Appendix C that we're talking about, are we  
12 talking about the adoption of the whole  
13 policy, the report, Appendix C -

14 (Speaking off mic.)

15 MEMBER WILSON: Page 72.

16 CHAIR BARROS-BAILEY: So with those  
17 omissions, we add to that recommendation, yes.

18 I'm sorry, Mark.

19 MEMBER WILSON: Page 72.

20 CHAIR BARROS-BAILEY: Page 72.

21 MEMBER GWALTNEY GIBSON: Given the  
22 fact that it appears we're going to have

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1 discussion on Appendix C, I would say that  
2 let's go ahead and first move on the motion to  
3 concur with these two definitions and  
4 establish them since this -

5 CHAIR BARROS-BAILEY: Okay.

6 MEMBER GWALTNEY GIBSON: - requires  
7 those two definitions to be consistent.

8 CHAIR BARROS-BAILEY: Okay. I will  
9 call the question.

10 All those in favor of accepting the  
11 definitions, please say "aye."

12 (All respond.)

13 CHAIR BARROS-BAILEY: Any nay's?  
14 Abstentions?

15 Okay. Motion is carried.

16 I will entertain a motion for  
17 action on the actual policy, Appendix C.

18 MEMBER GWALTNEY GIBSON: I'll move  
19 that the Panel consider Appendix C as a policy  
20 for soliciting feedback and user comments in  
21 advance of any formal recommendations being  
22 made to SSA.

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1 CHAIR BARROS-BAILEY: Do I hear a  
2 second?

3 MEMBER WILSON: I'll second it for  
4 the sake of discussion.

5 CHAIR BARROS-BAILEY: Okay.

6 MEMBER WILSON: I think we're going  
7 to have to be a little more specific in terms  
8 of whatever the recommendation is.

9 CHAIR BARROS-BAILEY: Let's go ahead  
10 and have discussion on this matter.

11 MEMBER KARMAN: Are we saying then  
12 that we will leave open to the Panel's  
13 discretion the time for comments?

14 I mean is everyone comfortable with  
15 that in terms of being more - getting to the  
16 specificity issue that Mark Wilson just  
17 raised?

18 MEMBER GWALTNEY GIBSON: I  
19 personally think there's a very compelling  
20 reason to leave the time frame issue open and  
21 to not specify a specific length of time for  
22 public comment.

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1                   MEMBER KARMAN: Yes, I agree. I'm  
2 wondering if we need to just say that. I  
3 don't know.

4                   MEMBER GWALTNEY GIBSON: I think we  
5 don't say it. So, maybe we're saying it by  
6 not saying it, but we could be more specific  
7 in stipulating that.

8                   I mean I think the minimum amount  
9 of time the Federal Register would allow for  
10 is 30 days. So, at a minimum we're looking at  
11 30 days of public comment and then extending  
12 accordingly, I guess, if necessary.

13                  MEMBER HARDY: I know we've had  
14 discussion about this at the subcommittee  
15 level. And our recommendation to the full  
16 panel would be to leave the time period open  
17 to the Panel's discretion.

18                  Obviously, the time period required  
19 to review a 700-page document is going to vary  
20 greatly to a paragraph that we may put out as  
21 a recommendation.

22                  And, therefore, by tying our hands,

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1 we could therefore end up unnecessarily  
2 dragging out the time period required to move  
3 things along in a quick manner.

4 MEMBER KARMAN: Right. So, what I'm  
5 wondering is, is if Mark is getting at that we  
6 want to be clear about what we're  
7 recommending.

8 So, are we recommending that the  
9 Occupational Information Development Advisory  
10 Panel adopt and incorporate in its operating  
11 procedures the strategy to solicit and obtain  
12 comment and feedback from the public on future  
13 recommendations and reports, and that that  
14 time frame will be left to the discretion of  
15 the Panel. That's all.

16 Is that something that the Panel  
17 feels it needs to do or not?

18 Is that first sentence, Mark,  
19 adequate in your mind, is that getting at what  
20 your concern is about being clear with regard  
21 to what we're voting on?

22 MEMBER WILSON: I'd defer to Tom on

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1 this.

2 What do you think? You're the -

3 MEMBER GWALTNEY GIBSON: I think the  
4 third paragraph actually addresses this  
5 though. I'm rereading it. It's been a while.

6 We recommend that the Panel include  
7 in its report process sufficient time to  
8 notify, receive and process comments from  
9 external stakeholders.

10 "Sufficient" is vague, but it gets  
11 to the point.

12 What were the areas of detail that,  
13 Mark or Tom, you wanted to ask, because we can  
14 still edit this. It's still a draft.

15 MEMBER WILSON: No, if you've talked  
16 about - I'm fine. I just wanted to make sure  
17 exactly what we're voting on. And if that's  
18 the language that you came up with and Tom's  
19 happy with it and thinks that that expresses  
20 the intent, let's vote on that specific  
21 language.

22 MEMBER LECHNER: Should the

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1 definition of "recommendation" be included in  
2 this Appendix C?

3 CHAIR BARROS-BAILEY: I think we had  
4 talked about it at the subcommittee level that  
5 the intent was to include these  
6 recommendations as part of the adopted  
7 Appendix C into our operating procedures.

8 MEMBER GWALTNEY GIBSON: Perhaps we  
9 could at the point - and I guess the third  
10 line it says, feedback from the public on  
11 future recommendations reports, maybe that's  
12 where we need a footnote and then where we  
13 differentiate a recommendations report from a  
14 finding report and add that in so that whoever  
15 sees this operational document understands to  
16 exactly which we refer.

17 Would that help, Deb, you think?

18 MEMBER LECHNER: I think just  
19 somewhere so that we have that term defined  
20 and separated out from findings.

21 I don't think it would hurt to  
22 articulate that, you know, we would leave the

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1 time frame open ended depending on the length  
2 and depth or breadth of the document in some  
3 way.

4 Because if we're having - if we're  
5 asking this question and somebody else reading  
6 it -

7 CHAIR BARROS-BAILEY: Allan.

8 MEMBER HUNT: I just wanted to ask  
9 whether we are actually adopting the language  
10 of Appendix C, Page 72, perhaps without the  
11 last paragraph or are we going with this  
12 shorthand?

13 CHAIR BARROS-BAILEY: Tom, I didn't  
14 hear what you were saying.

15 MEMBER HARDY: One of my comments  
16 would be to delete the last paragraph once we  
17 get into starting to wordsmith this, but I  
18 think the last paragraph should be deleted.

19 CHAIR BARROS-BAILEY: Any other - go  
20 ahead, Sylvia.

21 MEMBER KARMAN: I am just reminding  
22 people to speak up so that the

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1 transcriptionist can capture the - if it's  
2 something that you need to - well, so that we  
3 can help clarify the testimony.

4 CHAIR BARROS-BAILEY: So, what I'm  
5 hearing is as written, except for the last  
6 paragraph and with a footnote in terms - okay.

7 Any other changes to Appendix C in  
8 terms of its adoption into our operating  
9 procedures?

10 So, do I have an amendment to the  
11 motion?

12 MEMBER HARDY: I'd like to propose  
13 an amendment to the motion that we on Page 72,  
14 draft document Appendix C, recommendations for  
15 soliciting feedback, remove the final  
16 paragraph and continue with our vote with the  
17 rest of the document in full incorporating one  
18 footnote with the definition as already  
19 decided.

20 CHAIR BARROS-BAILEY: Does the  
21 second agree with that?

22 MEMBER GWALTNEY GIBSON: I will

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1 second that.

2 CHAIR BARROS-BAILEY: Any further  
3 discussion?

4 All those in favor?

5 (All respond.)

6 CHAIR BARROS-BAILEY: Opposed? Any  
7 abstentions? Okay. That passed unanimously.

8 We are at -

9 MEMBER GWALTNEY GIBSON: Mary, one  
10 more second, please.

11 CHAIR BARROS-BAILEY: I'm Sorry.  
12 Okay.

13 MEMBER GWALTNEY GIBSON: I'm sorry.

14 CHAIR BARROS-BAILEY: Okay.

15 MEMBER GWALTNEY GIBSON: Consistent  
16 with the discussion we've just had, I'd like  
17 to ask the Chair to please put a spot on the  
18 deliberation timetable for us as there was an  
19 ancillary issue that arose as a result of our  
20 putting together this summary report. And we  
21 decided it rose to the area of a  
22 recommendation, and therefore needed to be

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1 presented separately.

2 CHAIR BARROS-BAILEY: So noted. It  
3 will be added to the deliberation time.

4 Let's go ahead and take a break,  
5 and then we'll come back and Mark will deliver  
6 the subcommittee report for research.

7 So, 15 minutes. We'll be back at  
8 3:35.

9 (Whereupon, the proceedings went  
10 off the record at 3:19 p.m. for a brief recess  
11 and went back on the record at 3:33 p.m.)

12 CHAIR BARROS-BAILEY: Okay. I think  
13 it's important for us to get back to the  
14 agenda. We have quite a bit of work to do  
15 this afternoon.

16 And just to talk about time a  
17 little bit, there has been a request that if  
18 we are not concluded with the deliberation, if  
19 we could go longer.

20 I would be game for that, but I've  
21 just been informed that there are people in  
22 terms of the transcriptionist and the AV

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1 people, that their drop dead time is five  
2 o'clock. So, we are limited by that.

3 What we might be able to do, Mark,  
4 might it e better if we maybe move your  
5 subcommittee report until the morning to give  
6 us a little bit more time to deal with  
7 deliberation at this point?

8 I don't know how much time you had  
9 anticipated your report will take.

10 MEMBER WILSON: Oh, I think I can be  
11 very brief especially given my history of  
12 speaking at this time when everyone's lunch is  
13 kicking in and things of that sort.

14 I think I've done my audience  
15 analysis and can cut to the chase.

16 CHAIR BARROS-BAILEY: Okay. Then  
17 let me go ahead and kick it off to you and  
18 have you do the Research Subcommittee Report,  
19 and then we'll go from there to deliberation.

20 MEMBER WILSON: Thank you, Mary.

21 As you indicated, I'm the chair of  
22 the Research Subcommittee. If ever there was

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1 an oxymoronic title, it's leader of fellow  
2 researchers. So, don't be particularly  
3 impressed by a chair of a research committee.

4 But one nice thing we get to do is  
5 ceremonial things. And I did want to take  
6 this opportunity even though she's not here at  
7 this particular point, to welcome our new  
8 panel member and encourage her to contact us  
9 if she has questions. She's kind of come in  
10 at an interesting time in the process and I  
11 wanted to make sure that she understood that  
12 we were more than willing to answer any  
13 questions she has and bring her up to speed.  
14 There's a lot of documentation.

15 Secondly, again I'm speaking to a  
16 near empty room here. Welcome, David, who's  
17 also not here at this point, but I did have  
18 lunch with him. And one of my favorite  
19 phrases that I've learned, I think, by one of  
20 the judges is fungible robots. And I do think  
21 the I/Os to some extent are fungible. You're  
22 lucky to have this guy.

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1           We're here on the public record  
2 admonishing him to focus on like a laser beam  
3 on his dissertation at IIT, which I understand  
4 is potentially ready for defense sometime late  
5 in the fall. That, above all else, is  
6 priority number one.

7           Given that, I'll be very brief  
8 about our activities of the Research  
9 Committee. I became chair, I believe, at the  
10 Dallas meeting. The work of the committee had  
11 preceded the Dallas meeting, but we've been  
12 involved in a couple of activities.

13           Probably the first activity was  
14 what Shirleen during her presentation referred  
15 to as Study 1. And during the discussion of  
16 that in Dallas, it became clear that there  
17 were some issues that needed to be explored  
18 further.

19           And to make a long story short, the  
20 Research Committee is in the process of  
21 developing a document on writing research  
22 proposals, which should be to the committee

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1 for their review soon, and hopefully will be  
2 to SSA staff members not too long after that  
3 for their consideration of how to write study  
4 - research study proposals in a way that  
5 science can read and understand and evaluate  
6 them.

7 We also have met with and receive  
8 about biweekly meetings from - briefings from  
9 other members in terms of the occ, med-voc  
10 study and things of that sort. Asked  
11 questions of them, provide some detail.

12 Shirleen in an earlier meeting was  
13 our staff lead and talked to us a little bit  
14 about earlier versions of the - what at that  
15 time was called the content model and has a  
16 slightly different termination now. We  
17 discussed that some.

18 And then Mark Trapani became our  
19 staff lead shortly after that. And so I would  
20 say that where we - to sort of bring a close  
21 to this, it became clear to me and some other  
22 members of the committee - and by the way, our

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1 thoughts are with both Gunnar and David today  
2 who couldn't be with us for family reasons.  
3 And so we are thinking about them.

4 Our hope at this meeting was to do  
5 a little fact finding as a group prior to  
6 meeting with you. And so the hope was is I  
7 would have a more coherent and logical  
8 statement of the Research Subcommittee's views  
9 of what we felt our role was here, how we felt  
10 we could best contribute, focus our efforts in  
11 a way that were both useful to the Agency and  
12 consistent with scientific practices and  
13 principles and things of that sort.

14 We weren't able to do that. The  
15 director and I were able to discuss this  
16 briefly and the hope is potentially in Raleigh  
17 in a couple weeks or at some point when family  
18 issues have been resolved and things of that  
19 sort, that we can again meet as a group,  
20 discuss this and at least come to some  
21 consensus so we can come back to the Panel and  
22 say as a research group, we think that this is

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1 how we can best help and this is the way in  
2 which we can best help.

3 And I think you've seen - it's  
4 certainly a fair conclusion to say there's  
5 some friction with regard to particular  
6 processes and how those took place and things  
7 of that sort.

8 I think that is something that at  
9 this point since we haven't discussed those as  
10 a committee, I can defer all that discussion  
11 to the deliberations.

12 And unless anyone has any  
13 questions, I'm done.

14 CHAIR BARROS-BAILEY: Go ahead,  
15 Sylvia.

16 MEMBER KARMAN: I was just wondering  
17 if it's something we may want to visit  
18 tomorrow given our time frame as today, but I  
19 thought maybe it would be good if Allan Hunt  
20 could give us just a brief overview of some of  
21 the things that we've encountered over the  
22 last - really since June of both the Census

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1 Bureau and the review of some of the  
2 methodology that was in place for sampling for  
3 O\*NET and our work on that.

4 And I don't know if that was part  
5 of what the Research Subcommittee had intended  
6 to present on, but perhaps we can cover that  
7 tomorrow.

8 CHAIR BARROS-BAILEY: And I had also  
9 spoken with Allan as we know we are able as a  
10 committee to get together - or panel to get  
11 together for fact-finding as long as there is  
12 fact-finding and it's not deliberative.

13 And so Allan had given us  
14 presentation yesterday in terms of labor  
15 market information sources. So, I had told  
16 him I would be bringing that back up in  
17 deliberations.

18 So, he's welcome to give those  
19 discussions now in terms of the activities or  
20 - go ahead, Mark.

21 MEMBER WILSON: Well, I just did not  
22 mean to leave out Allan's fact-finding session

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1 yesterday. Again, I sort of saw it as mission  
2 accomplished. I thought it was right on  
3 target and was among the various sort of  
4 frustrating aspects of research.

5 I think it brought a lot of clarity  
6 to some of the issues. And so it was  
7 extremely well done and would encourage him to  
8 provide any additional information that he  
9 thinks we might want to deliberate on at this  
10 point.

11 CHAIR BARROS-BAILEY: Maybe I'll go  
12 ahead and ask Allan to describe what Sylvia  
13 was talking about, and then we will put a kind  
14 of placeholder in terms of implications for  
15 the presentation yesterday until we get to the  
16 deliberations.

17 So, if you could maybe talk about  
18 the fact what Sylvia was referring to in terms  
19 of the activities?

20 MEMBER HUNT: All right. We, first  
21 of all, identified that there are two major  
22 sources of occupational information broadly

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1 writ; the Occupational Employment Statistics  
2 Program at BLS, and the American Community  
3 Survey at the Bureau of the Census.

4 We subsequently scheduled visits to  
5 the staff of both of those programs to further  
6 inform ourselves of the specific  
7 characteristics of the data which of course we  
8 already knew, but more specifically some of  
9 the collection and processing issues that  
10 affect how it might be useful to SSA.

11 Without prejudicing either  
12 potential, the BLS folks were open and  
13 welcoming, but I thought a little bit holding  
14 back in terms of open - jumping into the  
15 carriage with us.

16 They obviously have the database  
17 that could serve as the basis for us from  
18 which we could sample establishments like what  
19 O\*NET does with a slightly different purpose,  
20 of course.

21 The surprise at least for me, and  
22 this came from an original suggestion that

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1 David made about talking about data sources  
2 from the household rather than the  
3 establishment side, the surprise was the  
4 Census Bureau does the household survey that  
5 replaced the long form of the decennial  
6 census.

7 And they have a very aggressive and  
8 a very timely program with huge field staff  
9 and a huge sample which also can generate  
10 occupational employment statistics by almost  
11 anything, any category you want.

12 The attitude there was  
13 surprisingly, I thought, accepting. I think  
14 they were flattered that someone would  
15 possibly use these data for some other purpose  
16 than what they're currently being used for.

17 And as I said yesterday, sort of  
18 the crowning achievement was the chief  
19 sampling guy when asked whether this was a  
20 crazy idea, he said no, I think it's cool.

21 So, at this point I think we are  
22 sort of considering options, talking about how

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1 we would follow up. And in particular at  
2 Census, this amounts to getting special sworn  
3 status beyond what we usually talked about as  
4 sworn status.

5 Because these data are held very  
6 closely, they are responses required by law.  
7 So, it has this special status of not being  
8 given voluntarily.

9 And so we discussed the possibility  
10 of Mark Trapani and the statistician Bill  
11 Davis from SSA acquiring that sworn status and  
12 going to the Bureau of the Census to examine  
13 these data themselves.

14 Just so you know, the interesting  
15 thing, and I alluded to that this morning, is  
16 that they collect essentially the occupation  
17 or the job title, they collect something about  
18 the job duties both in free-form from  
19 respondents.

20 They also ask them about who is  
21 their employer and what business are they in,  
22 in free-form. So, they have raw data that

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1 would be useful to us.

2 At the BLS, the situation is not  
3 quite as promising because what they collect  
4 is already in SOC terms. So, they basically  
5 send a list of SOC titles to an employer with  
6 here are what we think you have, fill in the  
7 numbers and these SOC titles.

8 The only possibility with BLS to  
9 get below that level so we could get the  
10 granularity that SSA needs, is for the largest  
11 employers who submit essentially payroll lists  
12 rather than filling in the blanks on a SOC  
13 form.

14 So, I thought it was particularly  
15 promising on the Census side and we're looking  
16 to follow up.

17 There are no other national,  
18 original data gathering efforts. The O\*NET I  
19 described as an application of the OES because  
20 it builds upon that sample to go out to gather  
21 these data about the job characteristics and  
22 the requirements.

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1           That's, in a sense, parallel to  
2 what we would have to do to build upon some  
3 national sample or link to some national  
4 sample to extract a sample of jobs that we  
5 could analyze.

6           Either of the national databases  
7 could serve that purpose. It's a matter of  
8 design and start a linkage to what our  
9 sampling strategy would be. But we could do  
10 it with either one of those theoretically.

11           CHAIR BARROS-BAILEY: Any questions  
12 of Allan?

13           Any other questions of Mark for the  
14 Research Subcommittee?

15           Okay. Thank you, Mark. I  
16 appreciate it.

17           And before I open up the discussion  
18 and deliberations, I think we forgot to thank  
19 you, Shanan, for the work that you did on the  
20 Summary Report in terms of user needs and  
21 relations. So, thank you for that.

22           Just to make sure people understand

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1 that the public - that we will go ahead and  
2 put that - provide our editing comments to  
3 Shanan. We will do the same thing we did to  
4 the last Findings Report.

5 If everybody is okay with the  
6 editing, then we will go ahead and publicize  
7 that report like we have done with the other  
8 findings report. So, thank you for your work  
9 on that.

10 There were some things that seem to  
11 have emerged throughout the day that I wanted  
12 to make sure got put on the public panel  
13 discussion and deliberation schedule.

14 I'm going to go ahead and ask  
15 Shanan when we get started, to talk about the  
16 item that she asked to be put on there.

17 I would also like to put on the  
18 panel discussion and deliberation agenda,  
19 questions that we'll be asking Allan in terms  
20 of outreach for further exploration on the  
21 LMI, what thoughts you had there.

22 On Tom, yesterday he delivered a

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1 presentation in terms of the long-term  
2 disability community. So, some thoughts for  
3 him in terms of that community and their  
4 comment and then any other thoughts or points  
5 for deliberation that the Panel would like to  
6 bring into this session.

7 So, without further adieu, let's go  
8 ahead and get started.

9 MEMBER GWALTNEY GIBSON: Is it  
10 possible there was a new recommendation for  
11 OIS development? No, not that one. The other  
12 one. It's a Word document, probably.  
13 Everybody should have it in their binder. It  
14 says New Recommendations for OIS Development.

15 It's the next page. It's right  
16 after the draft report. There you go.

17 And I should actually change the  
18 language. This was brought to my attention  
19 during the break. We should call this the  
20 proposed recommendation for OIS development  
21 because it's a proposal, not a new.

22 As a result of summarizing the

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1 public comments, the User Needs and Relations  
2 Subcommittee drafter some different areas of  
3 emphasis which we decided actually extended  
4 beyond our original recommendations.

5 And as you had the first set of  
6 recommendations - the top two areas of  
7 emphasis, we had included this in that report  
8 initially as well. And then when we realized  
9 that we wanted to make these as a formal  
10 recommendation potentially, or at least have  
11 the Panel discuss making them as a formal  
12 recommendation, we pulled them out so that  
13 they could be sent out for public comment  
14 after we discuss them just to be consistent  
15 with our own policies here.

16 So, everyone on the Panel has  
17 actually already seen this because the early  
18 version of the draft report you received  
19 started with these.

20 But what we have proposed as a  
21 recommendation for the Panel to discuss and  
22 potentially put forth to SSA, deals with

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1 things that have been discussed extensively  
2 here today.

3 For example, Sylvia, you talked  
4 very much about the need for developing a  
5 business plan that internally delineates  
6 things. And this is consistent with that.

7 So, what I would ask is everybody  
8 just take a moment to read this and then we  
9 can discuss it, because I personally believe  
10 it's very important that in order for this to  
11 move forward, that SSA focus on meeting the  
12 scientific rigor in establishing the processes  
13 to ensure that going forth so that they can  
14 have the project they need and the outcome  
15 they need at the very end.

16 CHAIR BARROS-BAILEY: Okay. Do we  
17 have any discussion in terms of the  
18 recommendation proposed - the proposed  
19 recommendation by Shanan? Deb, and then  
20 Sylvia.

21 MEMBER LECHNER: I had a question  
22 and it's more just in terms of trying to

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1 differentiate between a couple of terms.

2 In the first - I sort of think this  
3 is two separate recommendations, right?

4 (Speaking off mic.)

5 MEMBER LECHNER: Yes. And so the  
6 first one with the business plan or internal  
7 plan of work, how will that be different from  
8 the roadmap that SSA has already provided?

9 What elements will be different  
10 about this internal plan of work versus the  
11 roadmap?

12 MEMBER GWALTNEY GIBSON: I think you  
13 can probably discuss, Sylvia, what you were  
14 visualizing for your business plan and how  
15 that's different from the roadmap since you  
16 talked about developing one, but I'll say that  
17 my personal feeling is that the roadmap that  
18 we have worked with to this point is really  
19 rather inadequate.

20 It doesn't necessarily show a  
21 methodological consistency that was delineated  
22 that the beginning. And to me that roadmap

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1 seems to show many things happening in  
2 parallel without an overarching umbrella that  
3 organizes them.

4 It doesn't delineate what needs to  
5 happen in what order to achieve things. It  
6 doesn't have the research questions that  
7 they're hoping to answer within it.

8 So, I see it as a much more  
9 detailed statement of their plan of work.

10 MEMBER KARMAN: I had the same  
11 question, Deb, because I wasn't sure - if I'm  
12 going to vote on this, if I'm understanding  
13 what we mean by that.

14 And I agree that our overarching  
15 plan is something that we need. That that is  
16 in fact different from what we have in the  
17 roadmap.

18 And also I might point out that I  
19 didn't intend - I didn't develop this text.  
20 So, I don't know to what extent this hooks up  
21 or links with.

22 Business process, a business

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1 process I was thinking more in terms of if,  
2 you know, we have a set approach by which we  
3 deal with the review and developmental  
4 activities associated with the work that we're  
5 doing.

6 So that, you know, if you're in  
7 Stage 1 of whatever activity, you know as a  
8 panel member how you would - what would be  
9 expected of your interaction with SSA staff,  
10 for example, or, you know, what kinds of  
11 documents might come from that stage or what  
12 kinds of activities might be the things that  
13 would be done in those stages.

14 So, that isn't really a plan.  
15 that's more of like in general how we would  
16 operate to get certain things done so that  
17 everybody understands if, you know, when, for  
18 example, the Agency does notice for proposed  
19 rule making, we know when something goes out  
20 for notice of proposed rule making, people who  
21 are familiar with that process understand what  
22 that is and what's expected and what to

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1 anticipate.

2 But that's not the case with our  
3 work. it's hard to know what - because we  
4 haven't outlined yet that.

5 But I differentiate that from a  
6 formal plan which is overarching and gets at  
7 specific research questions or - and not even  
8 research, but the scientific issues in play  
9 and what are the possible methodologies and  
10 approaches that would be necessary to address  
11 those things.

12 But that then leads me to a  
13 question with regard to I'm not sure that I  
14 understand what's in the second paragraph,  
15 because that gets at scientifically sound  
16 research model and I don't know what that is  
17 when I read through this.

18 Is that like the content model and  
19 if it's something that gets inserted in the  
20 plan?

21 And if it is, then level of  
22 specificity of work descriptors, type of

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1 scales to be applied, the modality that will  
2 be used to collect the information, these are  
3 things that we might want to set out and say  
4 we want to explore or test those things.

5 But I can't say yet what the level  
6 of specificity is, for example, of a work  
7 descriptor until we've done the - certainly  
8 until we've developed the instrument. And  
9 then until we've tested it, we don't even know  
10 if some descriptors may need to be more  
11 specific or less.

12 So, I'm not sure how I understand  
13 how the second paragraph relates to the first.

14 MEMBER GWALTNEY GIBSON: There are  
15 intended to be two different ones and I think  
16 the understanding was right.

17 And the first one is about a  
18 business plan. It is about you're  
19 overarching, here's where we're going in the  
20 order we do it and this is what it means.

21 The second one is really about the  
22 research. And I think what I was trying to

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1 convey here is that these are questions that  
2 you need to make decisions to conduct research  
3 related to.

4 So, your research model is you have  
5 a question. What type of scales are the  
6 appropriate scales for utilizing?

7 As a result of that research  
8 question, we are going to conduct the  
9 following studies that will examine that.  
10 Here are the tests that we will utilize.

11 I want a detailed research model,  
12 is what I was trying to convey here, that goes  
13 with answering these questions as you go forth  
14 so that we feel confident, we know how the  
15 plan is progressing and what's happening  
16 within the research model.

17 MEMBER KARMAN: So, then what would  
18 be in the plan?

19 MEMBER GWALTNEY GIBSON: What do you  
20 mean? Which plan?

21 MEMBER KARMAN: Right. That's what  
22 I'm getting at. Which plan, right?

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1           So, if we're producing a plan along  
2 the lines of what is intended in the first  
3 paragraph, and then we describe the work that  
4 we have in mind to address in the research  
5 model these things -

6           MEMBER GWALTNEY GIBSON: They can be  
7 combined then, but I still say you need an  
8 overarching plan.

9           MEMBER KARMAN: Right.

10          MEMBER GWALTNEY GIBSON: You need a  
11 research model.

12          MEMBER KARMAN: I'll still not clear  
13 on how these two things are different. I'm  
14 not saying that in toto all of this material  
15 isn't important. I'm saying that I don't know  
16 if I'm understanding what these two things  
17 are.

18          MEMBER GWALTNEY GIBSON: Okay.

19          MEMBER KARMAN: That's all.

20          CHAIR BARROS-BAILEY: My question is  
21 who determines if it's a sound model. I think  
22 we discussed yesterday that different -

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1 sometimes professions have different  
2 standards. So, how do we define "sound."

3 MEMBER GWALTNEY GIBSON: I think  
4 that is - you define how your - this just  
5 sounds so rhetorical. Gosh, I hate to say it.

6 You define how you're going to  
7 define "sound" in advance, but this comes back  
8 to that need for an internal expertise. You  
9 have to have a lead scientist who works with  
10 your program people and your research people,  
11 your science people, to determine in advance  
12 what are the acceptable models for testing  
13 this.

14 Is it a qualitative model? Is it  
15 empirical? And you decide in advance. That's  
16 the whole point. You have to delineate what  
17 research studies do we have - what research  
18 questions do we have to answer.

19 I got to quit fidgeting. What  
20 things do we need to do to test or answer  
21 these questions, and what are the appropriate  
22 methods to go about doing that?

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1           In some cases it's qualitative and  
2 sometimes it may be quantitative, but that's  
3 where you have to have a lead scientist who's  
4 directing this process so that it all gets  
5 explained.

6           CHAIR BARROS-BAILEY: So, when you  
7 say "sound," you're talking about the overall  
8 plan and the research questions and the design  
9 to meet those research questions and all of  
10 those factors to get into developing a plan  
11 and - okay.

12           MEMBER KARMAN: I have two things.  
13 First of all, there are many ways in which we  
14 can determine how we can go about getting it  
15 sound. And so we don't necessarily have to  
16 tie down the Panel or tie down the Agency by  
17 necessarily defining that in advance.

18           Certainly as we are now under a  
19 hiring freeze so, you know, that remains to be  
20 seen when such individual and others can be  
21 hired.

22           And so in the interim time, maybe

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1 it would be very valuable, for example, for us  
2 to involve the Panel members in that kind of  
3 discussion, okay, so that we can, you know,  
4 move forward.

5 Also, I'm wondering if given the  
6 nature of what I'm - I think the intent of  
7 what this is about, might it be helpful for us  
8 to recast this language in a way that is more  
9 - where we're just saying perhaps - I don't  
10 know.

11 Maybe simplifying it so that it  
12 isn't like two separate documents or two  
13 separate instruments or vehicles, and I'm not  
14 even sure which one does what.

15 So, maybe it might be, you know,  
16 the Panel is recommending that this kind of a  
17 plan be developed taking into consideration  
18 these things, you know, and then give a list  
19 of bullets with those things in them.

20 MEMBER GWALTNEY GIBSON: I have no  
21 problem with that. I just wanted to get  
22 something out there to be discussed, and that

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1 was the point is that at this point the Panel  
2 does not have a clear idea of your list of  
3 research questions, the plan studies which  
4 will help address those research questions,  
5 the methodologies by which those research  
6 studies will be conducted. We don't have it,  
7 and we can't help you until we know where you  
8 want to go.

9 MEMBER HARDY: And speaking as a  
10 non-scientist, I sometimes get confused by  
11 some of the verbiage as well, but the  
12 philosophical purpose behind these  
13 recommendations I wholeheartedly endorse.

14 And one change I would consider  
15 suggesting that we do is after the word  
16 "develop," it might be useful to put "develop  
17 and submit to the Panel for advice and  
18 comment," which is exactly in our charter.  
19 Which would then allow us to be able to also  
20 give some advice on sound, scientific ideas  
21 coming from the expertise on the Panel that  
22 might allow you to get past one or two of

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1 those other problems you might see.

2 CHAIR BARROS-BAILEY: Other thoughts  
3 or comments?

4 MEMBER GWALTNEY GIBSON: I just  
5 would like to notice the Panel feels strongly  
6 that this is necessary, first of all, that we  
7 need a better understanding of - Tom, thank  
8 you. You've concurred wholeheartedly.

9 MEMBER HARDY: Yes.

10 MEMBER GWALTNEY GIBSON: That we  
11 need a better understanding so that we know  
12 where they're going and how the intend to  
13 accomplish it so that we can be effective in  
14 providing advice.

15 MEMBER WILSON: I agree. I think  
16 it's important. I think the point has already  
17 been made, which is a little frustrating in  
18 terms of the hiring freeze and the whole thing  
19 with the true scientists, but I don't think it  
20 can be over emphasized how important that role  
21 is.

22 And, again, the Research Committee

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1 hasn't met, but what we can and can't do in  
2 this area in the interim remains to be seen  
3 and is clearly something that we have to  
4 discuss as a group and decide what our  
5 position is on this. And so we'll want to do  
6 that to resolve that ambiguity as soon as  
7 possible.

8 But as one of my colleagues who  
9 couldn't be here today said, everything from  
10 here on out is a big research project. And  
11 right now you're pretty light in terms of  
12 science other than members of the Panel.

13 And as we move into operational  
14 phases especially at these foundational  
15 levels, we have no room for error. There can  
16 be no mistakes at this point.

17 In the content model, in the  
18 sampling, you can't back up from this point  
19 and redo a fundamental foundational error in a  
20 research program.

21 So, unfortunately that puts us in a  
22 position of saying yes, we'd like to move

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1 forward, we understand expediency issues, but  
2 until these issues have been addressed, I  
3 think that we really are putting the  
4 effectiveness of any effort at stake at the  
5 expense of expediency, and that's a real  
6 concern.

7 MEMBER HARDY: I, for one, would  
8 like to hear from other panel members. I'm  
9 curious as to what your thoughts are, Bob,  
10 Allan.

11 MEMBER FRASER: I just simply  
12 concur. I just think we're at a point where  
13 the tire now meets the road. And if the  
14 template is soft, you know, we're in  
15 problematic territory.

16 MEMBER HUNT: This comes for me,  
17 down to the question of who's driving the bus  
18 and what's the role of a panel-recommended  
19 panel advisory panel.

20 And I concur that SSA is deficient  
21 in the scientific design element ultimately.  
22 That they probably don't have the horsepower

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1 they need to do this most effectively yet and  
2 obviously have some difficulty getting there  
3 for the budgetary and other reasons.

4 I think - I'm not sure how to  
5 balance the administrative agency needs with  
6 the science. I agree that the design of this  
7 database and the whole operation is critical  
8 to the future success. And I am somewhat at a  
9 loss to define how the experienced  
10 administrators interact with the experienced  
11 researchers to please both.

12 So, I'm still - I tend to favor  
13 this, but I really am counting on some kind of  
14 response from SSA about how they think they  
15 can implement. Because, after all, this is  
16 not what we're going to do. It's what we're  
17 asking them to do, and I'm a little worried  
18 about how that would happen.

19 CHAIR BARROS-BAILEY: Deb.

20 MEMBER LECHNER: Yes, I agree with  
21 the spirit of the proposed recommendations.  
22 I'm just concerned about clarifying how we -

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1 what our operational expectations are because  
2 I know we've had the roadmap in the past.

3 And I would agree that sometimes  
4 I'm trying to feel my way through exactly  
5 where are we and at what points do we provide  
6 feedback, but I think there are many, many  
7 ways to operationalize what's in these two  
8 paragraphs.

9 And it could be operationalized  
10 from, you know, part of me looks at it and  
11 says the things that we're asking for, and  
12 especially in the second paragraph, SSA won't  
13 know that until the research is a lot more  
14 clearly defined and how can they lay that out  
15 beforehand?

16 So, I just think we need to give  
17 some thought about exactly what we're asking  
18 for and maybe more clearly ask for what we  
19 want.

20 CHAIR BARROS-BAILEY: Janine, I'm  
21 going to put you on the spot. You're kind of  
22 new to this process, and Abigail as well.

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1           So, I'm going to ask Janine to see  
2 if she has any thoughts.

3           MEMBER HOLLOMAN: Well, just more of  
4 a general comment in terms of - and I'm not a  
5 scientist. I come from service delivery.

6           But when I am performing my job, I  
7 have certain methods and I have a certain  
8 protocol every time I do an evaluation or  
9 every time I'm preparing a case to go in front  
10 of an ALJ.

11           And that's what I hear this group  
12 wanting is that protocol that no matter what  
13 the project is, that no matter what the task  
14 is, that there's a certain protocol we follow.

15           And then if that protocol is  
16 followed, we will stand the test of the  
17 defensibility that we've been talking about.

18           So, I will leave it up to the  
19 scientists to determine how that happens, but  
20 I truly do agree that that has to happen.  
21 It's how we work.

22           CHAIR BARROS-BAILEY: Abigail, are

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1 you on the line?

2 MEMBER PANTER: Yes, I'm on and I  
3 just wanted to follow up. That protocol  
4 that's been referred to is a scientific  
5 protocol that is in place and is known by  
6 everyone who does research and there's an  
7 expectation that certain research questions  
8 unfold in a particular way.

9 And whether it's reworked or not, I  
10 am totally in favor of the ideas behind the  
11 proposal, and it's because there's an  
12 expectation of how research should unfold.

13 And it is difficult to evaluate  
14 research or to help in the process without  
15 having a clear view about how it will unfold  
16 and that this protocol is being followed.

17 CHAIR BARROS-BAILEY: Okay. It's  
18 occurred to me in listening to all the  
19 comments on this or it's a question in my mind  
20 whether this is more of a finding of the  
21 process we've been through and what we've  
22 looked at and what we've been kind of

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1 introspective about in terms of the whole  
2 process.

3 I know Sylvia has indicated her  
4 desire to do a business process, which I think  
5 is different than the first paragraph. I  
6 think the first paragraph is a component of  
7 the overall research plan.

8 I'm hearing that there's a plan in  
9 place in terms of the roadmap, but there needs  
10 to be a bigger, broader research model or  
11 research design that identifies components  
12 within what needs to be done.

13 I know that Sylvia has been taking  
14 a lot of notes in terms of that, so my comment  
15 is does this rise to the level of a  
16 recommendation or is this more of a finding of  
17 what we've seen and think we need to consider?

18 MEMBER WILSON: I would see it more  
19 as a recommendation. I know it's difficult  
20 and I hope people understand that it's because  
21 it's difficult that it has to be addressed up  
22 front. This isn't something that I think can

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1 be finessed for a while.

2           The sooner we address what's the  
3 overarching research program, what are the  
4 issues, now does that mean you'll know every  
5 last detail, does that mean that you'll - will  
6 this impress upon you the need to retain and  
7 develop internally a credible scientific unit  
8 to help you with this?

9           I mean to some extent I'm  
10 frustrated with myself in that I don't think  
11 I've adequately conveyed the importance of the  
12 development of a credible internal scientific  
13 unit.

14           This isn't an option. This isn't  
15 something that can be subcontracted out. That  
16 doesn't mean that activities can't be  
17 contracted out, but you need these people.  
18 This is going to become a way of life for you.

19           And I know that because you're a  
20 scientific agency, this is a heavy lift. This  
21 is a big change in behavior, but I'm  
22 absolutely dead serious when I say that

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1 without this you won't succeed. I am  
2 absolutely convinced of that.

3 And so that the sooner you get out  
4 at it, the better. So for me, it would  
5 definitely fall in the realm of a  
6 recommendation, but obviously it's up to the  
7 Panel to decide whether it's a finding or a  
8 recommendation.

9 MEMBER GWALTNEY GIBSON: My feeling  
10 is that it is indeed a recommendation as well.

11 However, it's not a recommendation that I'm  
12 set on the verbiage of at this time.

13 We can certainly work to clarify  
14 the language and be more specific in what  
15 we're asking for if that will be helpful to  
16 SSA in achieving it, and I think that's  
17 important.

18 But once again I feel that we've  
19 discussed the difference between a  
20 recommendation and a finding - as the  
21 subcommittee, I know we've also discussed the  
22 difference in accountability that goes with

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1 the recommendation. And as such, I feel it's  
2 important that we put it forth as a  
3 recommendation because of the accountability  
4 and the fact that that seems to carry more  
5 weight with regard to our feelings on the  
6 importance of doing this.

7 CHAIR BARROS-BAILEY: Tom.

8 MEMBER HARDY: I recognize that by  
9 making this a recommendation we make - we make  
10 waves, and we make things harder in some ways  
11 rather than easier.

12 And maybe calling it a finding  
13 would be something that would be more easy to  
14 work with, but I would feel that I was being  
15 remiss if I didn't say I felt it was a  
16 recommendation.

17 I feel strongly, again, that this  
18 is something that we as a panel would not be  
19 doing our jobs if we didn't stand up and say  
20 this is something we really think is  
21 important, and so I agree. I think this  
22 should be a recommendation.

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1                   MEMBER KARMAN: You know, I -  
2 because I've been thinking about this anyway  
3 and unfortunately - no, I don't know  
4 unfortunately, but I have not had time to  
5 think about this particular recommendation  
6 because I wasn't aware of it.

7                   So, while it's certainly something  
8 that we need to do and we're certainly  
9 planning to do this, intending to do - at  
10 least the spirit of it. I don't know about  
11 the - literally what this says, and we've  
12 talked about that, but I'm wondering, you  
13 know, on one hand is it helpful for this to be  
14 a recommendation or is it more helpful for it  
15 to be a finding given what Allan pointed out  
16 with regard to the scope, perhaps, of the  
17 panel.

18                   So - and I imagine that there was -  
19 is this coming out of user needs?

20                   MEMBER GWALTNEY GIBSON: It was part  
21 of the user needs summary. We took it out.

22                   MEMBER KARMAN: Okay. So, obviously

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1 there was some discussion among the User Needs  
2 and Relations Subcommittee. So, perhaps maybe  
3 it's helpful if the member of the User Needs  
4 and Relations Subcommittee may want to provide  
5 some of that background. Because we don't  
6 need to cover all the ground, but I'm just  
7 wondering if maybe that would be helpful and  
8 that may help us decide because ultimately the  
9 idea here is to support the development of an  
10 OIS.

11 CHAIR BARROS-BAILEY: Right.

12 MEMBER KARMAN: And obviously as we  
13 - as the project team is moving forward, we're  
14 going to need that guidance from people on the  
15 panel to do that.

16 CHAIR BARROS-BAILEY: I can state  
17 the stage and the background. We don't have -  
18 I haven't appointed a subcommittee chair to  
19 replace Nancy Shore yet.

20 And we are going through a process  
21 at user needs where we are breaking down in  
22 terms of what communication is, framework of

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1 communication coming in. And as a result of  
2 the exploration, that's how the operating  
3 procedures in terms of the refinement of the  
4 public comment process came about. And we are  
5 also looking at the framework of information  
6 going out.

7 So, trying to do a 360 in terms of  
8 evaluating what we've done, what's worked,  
9 what hasn't worked, and hopefully trying to  
10 put together a plan for the subcommittee into  
11 the future.

12 And as we are going through the  
13 process, we kept bumping up into we really  
14 can't figure out where to go into the future  
15 if we don't know what the plan is from SSA.

16 And so I think that was one of the  
17 things that kind of emerged from that coupled  
18 with some of the public comment in some of our  
19 discussions there.

20 You also said a second thing that I  
21 have our charter before us that's behind Tab 1  
22 that I am looking at because what's within the

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1 scope of our charter. And I just want to read  
2 it because I think I'm - I say this all the  
3 time, but I think it's important to put it  
4 into context.

5 It says the Panel will advise the  
6 Agency on creating an Occupational Information  
7 System tailored specifically for SSA's  
8 disability programs and adjudicative needs.  
9 The Panel will provide advice and  
10 recommendations related to SSA's disability  
11 programs in the following areas. Medical and  
12 vocational analysis of disability claims,  
13 occupational analysis including definitions,  
14 rating and capture of physical and mental  
15 cognitive demands of work in other  
16 occupational information critical to SSA  
17 disability programs, data collection, use of  
18 occupational information in the SSA's  
19 disability programs and any other area that  
20 would enable SSA to develop and Occupational  
21 Information System useful to its disability  
22 programs and improve the medical-vocational

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1 adjudicative policies and processes.

2           And so for me personally, my  
3 question is would this as a recommendation, be  
4 essential to helping - to enabling SSA to  
5 develop an Occupational Information System  
6 suited to its disability programs and improve  
7 the medical-vocational adjudicative policies  
8 and processes?

9           To me, that's ultimately the  
10 question personally whether I think it's a  
11 recommendation or a finding.

12           MEMBER PANTER: This is Abigail.

13           CHAIR BARROS-BAILEY: Abigail, we  
14 can't hear you really well.

15           MEMBER PANTER: Sorry. To me, it's  
16 essential. This is it's a fundamental in my  
17 view, and it's my own view of the - that this  
18 is the reason why I believe that I'm on the  
19 panel, so - is to make a recommendation like  
20 this.

21           So, to me, it's essential.

22           MEMBER LECHNER: I believe it should

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1 rise to the level of a recommendation, but I  
2 would like to - and I don't know if this is  
3 the right time to recommend or propose this,  
4 but that we, the User Needs Subcommittee, take  
5 this - these two paragraphs back and work on  
6 more clearly articulating what we're asking  
7 for.

8 I think that would help guide SSA  
9 as they provide information to us that really  
10 will meet our needs going forward.

11 MEMBER GWALTNEY GIBSON: If we chose  
12 to go that route, and I certainly am not in  
13 any way opposed to it, I'd like to say that it  
14 should actually be a joint effort between the  
15 User Needs and Relations and the Research  
16 Subcommittees.

17 MEMBER LECHNER: I agree. I think  
18 we need to get input from the Research  
19 Subcommittee. Absolutely.

20 CHAIR BARROS-BAILEY: Because of the  
21 way we have the Panel kind of spread between  
22 these two main subcommittees, we run the risk

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1 of going into quorum and going into  
2 deliberation.

3 So, maybe what might occur is if we  
4 select a couple of people from each  
5 subcommittee to be able to have kind of a  
6 subgroup of each subcommittee looking at this.

7 MEMBER GWALTNEY GIBSON: Could I ask  
8 then that we convene an ad hoc subcommittee  
9 perhaps composed of two members from each of  
10 those subcommittees to look at this?

11 CHAIR BARROS-BAILEY: And by when  
12 would the ad hoc group looking at this  
13 recommendation come back to the Panel?

14 MEMBER GWALTNEY GIBSON: No, I'm  
15 leaving early tomorrow, but it will be - I  
16 would - we would certainly have it ready to  
17 present at the next meeting, if not before.  
18 Absolutely.

19 And I would like to say much before  
20 because I don't want it to wait that long.

21 MEMBER WILSON: Yes, my question  
22 would be is that if the purpose is simply to

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1 refine the language in terms if the decision  
2 or the consensus is that this is a  
3 recommendation, then I don't think we should  
4 take until the next meeting to make this as a  
5 recommendation. I don't know what the  
6 machinery is.

7 And for just to give you an example  
8 of how this would be useful, is that once  
9 whatever this is in place, you know, we were  
10 asked to respond to the content model  
11 considerations by October 1st.

12 And for me, the question is well,  
13 where does this fit in the larger picture?  
14 How important is this in terms of the over -  
15 would determine to a great extent what my  
16 ultimate reaction might be to that document as  
17 opposed to what I would know now in terms of  
18 the SSA's plans.

19 MEMBER BARROS-BAILEY: Allan, you  
20 were going to say something. Is that thought  
21 still there?

22 MEMBER HUNT: Yes, it's sort of past

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1 its prime now, but I was going to say that I  
2 was prepared to vote for the first paragraph  
3 as a recommendation, and not the second  
4 paragraph.

5 And the second paragraph could be a  
6 finding, but it seems to me - I understand the  
7 need to push hard, but it just seems to me it  
8 goes a little beyond what we're ready to do.

9 So, as examples and illustrations  
10 of what should be considered, it's fine. As a  
11 recommendation, I just felt it probably goes a  
12 little too far at this point.

13 CHAIR BARROS-BAILEY: Tom.

14 MEMBER HARDY: Two comments. One  
15 when you were - the first page I went to was  
16 our charter when this came out. So, I didn't  
17 even have to flip. And I was tracking what  
18 you said and I almost had the thought of we  
19 should lift that sentence and start with it,  
20 because I do see this so clearly as part of  
21 our charter and what we are here to do.

22 So, in that sense I'm glad you

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1 referred everybody back to it because I was  
2 reading the same thing and thinking this is  
3 what we're here to do.

4 As a way of moving things along,  
5 because again as you know this weekend I'm in  
6 process mode, so I'd like to get things moving  
7 in process, we have two different and discrete  
8 things here. And maybe for the sake of  
9 deliberation we could break them out for now  
10 and deliberate on the first one, and then move  
11 on and do further research on the second.

12 I don't know - again, this is a  
13 User Needs Committee finding, and so that's  
14 just my suggestion as a member of that  
15 committee. I don't know how other committee  
16 members feel.

17 MEMBER LECHNER: I don't know. I  
18 sort of see them as very interrelated.

19 MEMBER HARDY: Okay.

20 MEMBER LECHNER: And maybe that  
21 wasn't Shanan's intent. But to me, if you are  
22 publishing a research model, then your plan of

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1 work is the process for operationalizing that.

2 So, to me, they're very  
3 interrelated. And I think as I understand  
4 these two paragraphs, we shouldn't separate  
5 them out.

6 MEMBER HARDY: Okay.

7 MEMBER GWALTNEY GIBSON: Well, I'll  
8 say I think it - I think that listening to  
9 Mark's comments and Abigail's comments  
10 reinforced for me the necessity of focusing on  
11 the second paragraph and the need for a  
12 research model because - and the deliver - and  
13 how they're going to pursue that, because that  
14 impacts everything including our examination  
15 of the content model, which we're not looking  
16 at.

17 So, I think I'm back to the can we  
18 take two people from each committee and is  
19 there a mechanism, is there a machine that  
20 would allow for us to do that, but to act  
21 quickly so that we're not delayed until the  
22 next meeting or is that impossible, because I

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1 don't know.

2 CHAIR BARROS-BAILEY: I think  
3 probably the mechanism that we have is a  
4 teleconference. And I think the soonest we  
5 can do that is September 24th in terms of -  
6 around there because we'd have to -

7 MEMBER KARMAN: Actually, I think it  
8 was later than that. It was like September  
9 27th, I think.

10 CHAIR BARROS-BAILEY: That last week  
11 of September because we'd have to give notice  
12 in terms of the Federal Register and do the  
13 logistics of it. So, I think it would be the  
14 end of September that we'd be looking at.

15 So, if the Panel is wanting to go  
16 in that direction, we could have an ad hoc  
17 group, maybe two members from each  
18 subcommittee take a look at this and bring it  
19 back to the Panel as a full panel for  
20 deliberation at the end of September.

21 MEMBER GWALTNEY GIBSON: Since I  
22 drafted the initial, would it be okay if I

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1 asked people to consider serving with me on  
2 the rewriting of this?

3 CHAIR BARROS-BAILEY: Yes.

4 MEMBER GWALTNEY GIBSON: Would that  
5 be inappropriate?

6 Tom, would you -

7 (Speaking off mic.)

8 MEMBER GWALTNEY GIBSON: Yes, I  
9 know, but I want a legal perspective. I'm  
10 sorry.

11 And, Mark and Abigail, would you  
12 both be willing to collaborate with Tom and I  
13 on this?

14 MEMBER PANTER: Yes.

15 MEMBER GWALTNEY GIBSON: Thank you.

16 MEMBER PANTER: Did Mark say yes?

17 MEMBER WILSON: Go Wolfpack, by the  
18 way.

19 MEMBER LECHNER: All right.

20 MEMBER KARMAN: I just want to  
21 register kind of we're getting back to what  
22 Deborah was bringing up.

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1 I see them as related. Really  
2 closely related. So, I would want to suggest  
3 that in editing - and I don't know, you know,  
4 how I'm feeling about finding versus  
5 recommendation at this point, but - and it may  
6 come up in terms of how I see the final  
7 language is going to make a big difference to  
8 me.

9 So - especially since this is  
10 really the first time I'm seeing all this.  
11 So, I would recommend that in editing, that  
12 you all consider showing these things as  
13 examples or this is the kind of information  
14 that the Panel is looking for.

15 Because in order for SSA to ask the  
16 Panel for assistance and guidance, we need to  
17 be coming to you with some sense of well, we  
18 need guidance about these things in this time  
19 frame and we need to be interacting with you  
20 in this way in order to achieve that.

21 So, which I know, but it just - a  
22 lot of these things in the second paragraph

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1 just seem to me like as if they - the way  
2 they're worded, I would almost need to finish  
3 the project and then come back and tell you  
4 what this is.

5 I just don't know how to respond to  
6 it.

7 CHAIR BARROS-BAILEY: Mark, and then  
8 I'm going to - we are at 4:35, and we have a  
9 variety of other things to deliberate about.  
10 And so I'd like to kind of wrap this up and  
11 see if we can move forward.

12 MEMBER WILSON: Right. Just a point  
13 of clarification if I understand our task, is  
14 to prepare a revised recommendation around  
15 these two paragraphs for a teleconference  
16 meeting to be held on September 24th.

17 CHAIR BARROS-BAILEY: Well, we don't  
18 have a specific date. I mean we have to work  
19 that out. It would be the last week of  
20 September I think is the soonest we could do  
21 it according to our -

22 MEMBER WILSON: But that's the

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1 consensus of the group, right? That we will  
2 have a teleconference and address whatever  
3 proposed recommendation at that time. Is that

4 -

5 MEMBER LECHNER: Is that a  
6 teleconference with the entire panel?

7 MEMBER WILSON: Yes.

8 CHAIR BARROS-BAILEY: Because if it  
9 would be a recommendation for us to put forth,  
10 we would all have to vote on it. Okay.

11 MEMBER WILSON: Okay.

12 CHAIR BARROS-BAILEY: And I would  
13 ask if there are any other comments or  
14 thoughts or anything, that those be submitted  
15 to the ad hoc group in terms of this  
16 recommendation for their consideration for  
17 that teleconference.

18 Okay. I had also mentioned that  
19 yesterday we had a professional development  
20 session by two members of the Panel. Tom did  
21 one on the long-term disability industry. And  
22 we had one from Allan in terms of labor market

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1 information sources.

2 So, I've asked both of them at this  
3 point in the meeting if they would provide the  
4 Panel with their thoughts in terms of  
5 considerations of any future implications,  
6 direction or activities that would assist us  
7 with any information as we provided by sending  
8 recommendations to SSA.

9 So, Tom?

10 MEMBER HARDY: In brief yesterday I  
11 tried to provide a - what I call the LTD  
12 primer for people who may not be familiar with  
13 how LTD works and the interface between LTD  
14 and SSA and their utilization oftentimes of  
15 the same materials. So, we kind of went over  
16 that.

17 I tried to also indicate that there  
18 is a - kind of a bleed over in our profession  
19 from vocational counseling, because vocational  
20 counselors are present in both systems often  
21 utilizing the same materials.

22 And while there are many

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1 similarities, there are differences. And I  
2 hope to get, you know, everybody up to about  
3 the same page on that.

4 Having formerly worked for an LTD  
5 carrier, I have tried to keep channels of  
6 communication open with the different  
7 carriers. I'm going to continue to do so  
8 through individual comment and trying to get  
9 out and attend some functions where I will be  
10 able to see them and talk to them and keep  
11 them apprised of what we're doing as well.

12 CHAIR BARROS-BAILEY: Okay. Any  
13 thoughts or comments?

14 Okay. Allan.

15 MEMBER HUNT: In terms of next  
16 steps, we have the obvious follow-up with  
17 Census that I'm not sure - it's underway in  
18 some sense. Obviously not a first priority at  
19 this point. So, Mark and Bill, I believe, are  
20 pursuing that possibility.

21 That would be if they go, they will  
22 be allowed to look at the data in-house at

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1 Census. Obviously none of that leaves the  
2 premises, but it will give them a feeling for  
3 how useful getting to this detail about the  
4 job title, the job duties, the employer,  
5 etcetera, how useful that might be.

6 In the first instance in testing  
7 any taxonomy that we tried to develop or that  
8 we pilot as opposed to going out and finding  
9 people, you could actually get these  
10 representations of what people are doing. So,  
11 it would have some value at that level.

12 I would think the next step beyond  
13 that would be to discuss with Census sampling  
14 people how they would see informing our needs  
15 from a sampling - sub-sampling perspective.

16 Because obviously when they've got  
17 every individual in the country represented in  
18 this massive database, there's a question of  
19 okay, how do we find those constellations of  
20 workers of this type that we could go and  
21 measure those jobs?

22 So, to meet the operational needs

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1 of the research, we would need to make that  
2 crosswalk, so to speak, and I don't actually  
3 know how you'd do that.

4 I mean I think they have the  
5 expertise to help us with that, so I would  
6 like to see that explored.

7 At BLS, I think I guess I'd want  
8 some agreement maybe from Sylvia because we  
9 were at both of them, but the only follow-up  
10 that I would see at this point would be to  
11 discuss with them perhaps face to face or  
12 perhaps in some interrogatory, how helpful  
13 they could be in identifying employer units  
14 with specific kinds of SOC jobs.

15 Now, that would leave us with the  
16 difficulty of okay, we've got cashiers. What  
17 are we going to do about cashiers? And the  
18 only help that we could get would be okay,  
19 cashiers by industry.

20 Now, again, never having been into  
21 the depths of these data, I'm not sure how  
22 much help that might be, but maybe that

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1 reduces 600 cashiers to 50 cashiers. I don't  
2 know.

3 So, and I believe probably Dixie  
4 would be amenable to that. And the one thing  
5 I didn't mention yesterday either that occurs  
6 to me as I'm just ad hoc'ing this, but she did  
7 mention that there was one staff person who  
8 would be delighted to hear about this request.

9 Someone internal at BLS who found this sort  
10 of question interesting. So, maybe we could  
11 find that person.

12 So, the biggest question in my mind  
13 and what I would like to have some input on is  
14 the question of a roundtable because we had  
15 all along discussed roundtable possibilities.

16 And I'll just preface this by  
17 saying I'm kind of dubious at the moment,  
18 because I'm not sure what it would do for us.

19 It seems to me the choice between  
20 these two approaches is pretty stark. And I'm  
21 not sure what convening group of labor market  
22 experts could do for us.

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1           Obviously we can talk about the  
2 issues, but I'm not sure it would move us  
3 along. And it would obviously take some time  
4 and some money and some energy and all that.

5           I did put together a list of  
6 possible roundtable participants. But I just  
7 haven't pursued it because I didn't - I would  
8 much rather talk to Census and BLS and get  
9 another step along rather than listening to  
10 another group of experts.

11           But I guess I tend to be over  
12 confident, so maybe that's not good advice.

13           CHAIR BARROS-BAILEY: Sylvia.

14           MEMBER KARMAN: Thank you very much,  
15 Allan. I also concur with your observations  
16 here, a sense of the kinds of questions that  
17 you're raising.

18           One thing I think that might be  
19 helpful at least in terms of what our staff  
20 might be doing next is talking with people at  
21 the Department of Labor in terms of the  
22 development of their sampling methodology. and

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1 that may be something, again, that we, Allan  
2 and I, may want to explore with some of our  
3 staff to go do that. And then that might help  
4 round out some of the investigation we want to  
5 do before we set up a roundtable.

6 And then we may want to consider  
7 the possibility of what kind of information do  
8 we need, we the Panel need to have in place  
9 before we would be prepared to have a  
10 roundtable about sampling issues.

11 And I'm wondering if that's perhaps  
12 what is kind of - sort of hanging out there  
13 unaddressed yet.

14 For example, there are the first-  
15 stage issues of well, what possible sampling  
16 frames are out there with regard to the kinds  
17 of data that the federal government collects  
18 on a national level across the nation, that  
19 is.

20 And then the second thing is given  
21 that we don't yet know what our instrument is  
22 going to look like, would that change the

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1 kinds of questions that we would be pursuing  
2 with such a group or a group of people  
3 gathered together to talk about sampling.

4 So, I'm putting that out there. I  
5 too am not a scientist, so I'm putting that  
6 out there for someone on the Panel to respond  
7 to.

8 CHAIR BARROS-BAILEY: Allan.

9 MEMBER HUNT: Again, my fear is that  
10 once one of these two fundamental directions  
11 is taken, either using an establishment base  
12 or an individual base, the path before us will  
13 become clear and we will have to walk down it  
14 and make sure we coordinate with all the other  
15 efforts. Because it will dictate how we get  
16 to those job - that we do analysis on and how,  
17 you know. So - well, that's enough.

18 MEMBER WILSON: A point of  
19 clarification, Allan, in terms of do you think  
20 we are or will soon be at the point where we  
21 could make some sort of recommendation as to  
22 which path or do you think there should be

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1 some sort of research as to both methods and  
2 what they might, you know?

3 I just want to get more of your  
4 thinking on next steps in terms of -

5 MEMBER HARDY: Well, I think, Yes, I  
6 think we should pursue both paths at the  
7 moment and basically see how promising they  
8 both are from both a technical point of view,  
9 but more importantly from a cooperative point  
10 of view, you know, department to department.

11 And I think that - I think I said  
12 yesterday the politics are more difficult at  
13 BLS because they have a sister organization at  
14 the O\*NET operation over at ETA. And  
15 certainly our impression at Census was that  
16 they were much more interested in our problem  
17 as a technical sampling issue and an  
18 information-providing issue.

19 But I think we definitely should  
20 explore both until it becomes clear which path  
21 is better for us.

22 Ultimately, of course, we have to

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1 end up finding groups of individuals employed  
2 in different kinds of jobs so that we can go  
3 out and do job analysis, but I'm confident  
4 that either database and ultimately either  
5 approach could give us that.

6 MEMBER LECHNER: Allan, yesterday  
7 based on your presentation to us, I got the  
8 sense that you felt that the granularity or  
9 the specificity of the data that ACS provided  
10 was a bit superior to that of BLS.

11 MEMBER HUNT: Yes, clearly depending  
12 upon what we find when we look at those  
13 individual responses as they are keyed into  
14 their system.

15 So, the fact that OES is collecting  
16 data predominantly in SOC categories is a  
17 serious problem.

18 That would mean, if you think about  
19 it, some sort of sub-sampling strategy that  
20 says okay, take an SOC category, find out  
21 where those people are employed, and then  
22 develop some method to estimate well, which of

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1 them would be of interest to us and which  
2 wouldn't. And there's going to be some error  
3 rate there, obviously.

4 Now, depending upon the amount of  
5 detail, the clarity with which it's reported  
6 and analyzed at Census Bureau, that may be  
7 much less of a problem with the ACS, but we  
8 don't know until we actually see it.

9 MEMBER KARMAN: So, there are really  
10 actually two major issues. One is are the  
11 data at - that the Census Bureau collects  
12 under the ACS with regard to the question  
13 specific to the person's work and industry and  
14 so forth, would that even be helpful to us,  
15 how might we use it?

16 And then the second thing is given  
17 that we don't know what our instruments look  
18 like yet, how would we know what we're looking  
19 for until we get there?

20 It's sort of the instrument, in a  
21 way, defines how we would be describing the  
22 occupation in the end. So, obviously we have

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1 to start somewhere, but I'm just wondering  
2 what kinds of questions, what sort of things  
3 do we need to get to first before we can do  
4 the first roundtable and feel like we have  
5 enough there to explore this.

6 We're not getting a lot of people  
7 together and we're not, you know, explored it,  
8 done enough of the developmental work to make  
9 that worthwhile.

10 MEMBER BARROS-BAILEY: Okay. Any  
11 other thoughts or discussions on that?

12 I'm assuming that this will  
13 continue to be part of the agenda of the  
14 Research Subcommittee in terms of discussing  
15 future activities and reporting back as this  
16 kind of evolves.

17 Any other thoughts that emerge or  
18 have emerged from the last day or so?

19 If not, I have one to bring up.  
20 And, you know, we, I think, sometimes walk  
21 around kind of an elephant in the room. And  
22 the elephant in the room, I think, sometimes

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1 is this whole question about the DOL.

2 And I know that there are - there  
3 has been encouragement in terms of  
4 collaboration with DOL.

5 There are questions in my mind  
6 whether DOL has the ability or even interest  
7 to do something like that.

8 I know there's the perception that  
9 they have the resources to be able to do this  
10 psychometrically. I don't know if I have an  
11 answer on that.

12 I think it's something that's out  
13 there. We definitely saw it in the public  
14 comment as something that's kind of plaguing  
15 this process a little bit. And there are a  
16 lot of perceptions or sometimes, I think,  
17 misperceptions out there.

18 So, I wanted to bring this to the  
19 table in terms of seeing if there are any  
20 thoughts from the Panel in terms of this  
21 issue.

22 MEMBER GWALTNEY GIBSON: While I

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1 can't cite data, I will go on the record as  
2 saying many years ago when I was working on my  
3 dissertation and the O\*NET was just getting  
4 off the ground and they were working toward  
5 that, one of the thing I learned was that the  
6 Department of Labor was not handling that  
7 process in-house. That it was handled largely  
8 through external contractors who were brought  
9 in to work with that. And so, there is this  
10 perception that DOL created this Occupational  
11 Information System.

12 Well, they were responsible for  
13 creating it, but they created it through the  
14 use of external contractors. Which certainly  
15 isn't unusual within government entities, but  
16 it's very similar to what SSA is probably  
17 going to do as well.

18 So, to assume that they have the  
19 internal resources, I think, was a fallacy.  
20 They simply have done it before, and done it  
21 in a way that met their needs.

22 I don't know that we have a record

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1 that they have ever attempted it since - well,  
2 they didn't create the DOT for our needs  
3 either. They created the DOT for another  
4 need, and you took it on because that was the  
5 only thing you had.

6 So, I would say there is no other  
7 entity out there that has ever created an OIS  
8 for disability adjudicative needs. And I  
9 personally think it's probably a fallacy to  
10 assume that they have the talent in-house that  
11 you're somehow lacking.

12 CHAIR BARROS-BAILEY: So, are you  
13 saying that if SSA would go to DOL, it would  
14 go through DOL to contractors? Is that what -  
15 or we don't know?

16 MEMBER GWALTNEY GIBSON: We don't  
17 know.

18 MEMBER KARMAN: I just want to  
19 clarify that we are not necessarily doing the  
20 same thing, you know. I mean we're not - it  
21 is not in our plans at this moment to be  
22 contracting out the planning, the major, heavy

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1 lifting that goes with the research and  
2 development for this particular work.

3 Yes, we have talked about  
4 contracting out boots-on-the-ground kind of  
5 thing with data collection, but certainly not  
6 the developmental aspects of this, which I  
7 think everybody has agreed with are very  
8 critical.

9 Development of content model or  
10 whatever it is we end up calling it, but  
11 certainly the development of those data  
12 elements and then the items and scaling and  
13 measures needed for work analysis, I think,  
14 you know, a lot of all of development and  
15 measures and things.

16 So, all of that work is intended to  
17 be within Social Security.

18 CHAIR BARROS-BAILEY: Allan.

19 MEMBER HUNT: And not to contradict  
20 what Shanan said, but we would be working with  
21 the Bureau of Labor Statistics, not ETA. And  
22 they are the scientists, and they are the

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1 people who do the sampling for the OES.

2 MEMBER GWALTNEY GIBSON: Yes, but  
3 the comments we received weren't about  
4 sampling. So, I think you're right. We need  
5 to differentiate that, certainly.

6 CHAIR BARROS-BAILEY: I think that  
7 we're assuming that the O\*NET was being  
8 developed internally within DOL and totally  
9 managed within DOL internally.

10 MEMBER LECHNER: Just to play a  
11 little bit of a devil's advocate, I think that  
12 the whole concept of consulting with  
13 Department of Labor could be operationalized  
14 in many, many ways. And that's been a fairly  
15 high-frequency recommendation from - for  
16 externally so that we might want to consider  
17 as a panel, what aspects or what departments  
18 within Department of Labor could provide the  
19 most insight such as statisticians from BLS.

20 We might find other areas in which  
21 we believe there is expertise or former  
22 expertise, people who were formerly at

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1 Department of Labor that could help provide  
2 input.

3 And just as we as panel members can  
4 make recommendations, you know, a consultant  
5 or an advisor from another department, their  
6 suggestions or recommendations aren't binding.

7 So, I think just to help us be as  
8 inclusive as possible, I think there are many  
9 ways we could reach out and achieve that goal  
10 and get some good advice from individuals.

11 MEMBER KARMAN: I completely agree.

12 I thought that that's certainly the direction  
13 we've been heading all along in terms of  
14 collaborating where and when possible with  
15 ETA, Employment Training Administration within  
16 the Department of Labor, as well as the Bureau  
17 of Labor Statistics.

18 But I thought that Mary's comment  
19 initially was regarding this perception. So,  
20 that was all we were covering was the  
21 perception that there was expertise in a  
22 specific place to do that work, not that we

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1 were - not that we wouldn't pursue  
2 collaboration with the Department of Labor,  
3 because clearly there are things we can stand  
4 to learn.

5 We're not going to want to redesign  
6 something such as some of the sampling  
7 approaches, working with Dunn and Bradstreet,  
8 for example, you know, looking at that.

9 How that was used is certainly  
10 something that we may want to build upon in  
11 our work. So, I completely agree.

12 CHAIR BARROS-BAILEY: Mark.

13 MEMBER WILSON: Sorry. I want to  
14 make sure I understood. And I'm on a little  
15 bit of cough medicine, so I remember hearing  
16 something about an elephant in the room and  
17 DOL and things of that sort. So, I think I'm  
18 following what the question is and, you know,  
19 there is a lot of history here. Some of which  
20 various panel members know aspects of and  
21 things of that sort.

22 But I think regardless of what the

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1 history is, we should never not - and I think  
2 Sylvia said several things that reassure me  
3 about plans of the Agency and different  
4 approaches.

5 And a lot of the comments today I  
6 think have focused around trying to get more  
7 detail in that area and pushing the Agency to  
8 think about some of these issues.

9 And so my recommendation is that  
10 any area in which the Department of Labor is  
11 ready and willing to help and can, we ought to  
12 seek that out.

13 I think that it's the  
14 responsibility of all of us to make sure that  
15 resources are being used effectively. But at  
16 the same time as we worry about things like  
17 efficiency, you got to keep the goal in mind,  
18 you got to keep the kinds of data that various  
19 agencies collect and what they collect it for  
20 in mind.

21 And I think it's fair to say that  
22 the Department of Labor in terms of

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1 occupational analysis information has chosen  
2 to focus on a very different kind of  
3 information for a very different purpose.

4 And it's something I don't know how  
5 many times we have to say this as a panel, but  
6 it doesn't seem to suit the needs as we all  
7 understand them.

8 MEMBER FRASER: They no longer have,  
9 actually, occupational analysis expertise, do  
10 they?

11 MEMBER WILSON: There is the O\*NET  
12 Research Center, and Shanana or some other  
13 panel members may know more about this.

14 I mean the way I - there was  
15 apparently at like right towards the close of  
16 the comment period on our document, a response  
17 from the O\*NET Center. But it was whoever the  
18 experts were, were cited as unnamed, you know,  
19 our technical experts have the following  
20 comments.

21 And we read those and I think those  
22 are included in the document. And they

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1 exclusively focused on the report that - the  
2 subcommittee report that Shanan and I wrote as  
3 opposed to the - so, do they have some people  
4 who have expertise in this area? Yes.

5 And what role they're in and are  
6 they contractors or employees, I don't know.

7 CHAIR BARROS-BAILEY: Tom.

8 MEMBER HARDY: I think you for  
9 bringing this up, because I agree with you.  
10 this is always the elephant in the room and  
11 I'm glad that we at least are recognizing this  
12 here.

13 So many of our perception problems  
14 would not be perception problems if DOL was  
15 doing what SSA needed. And I think that's  
16 another elephant in the room that just -  
17 that's putting it boldly and baldly.

18 Would we no longer have the  
19 comments and the certain perceptions if we  
20 were helping to advise DOL how to do this? It  
21 would be gone. It wouldn't be an issue.

22 That being said, that's not what's

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1 happening. So, the reality is this is what  
2 we've got and here's where we are.

3 To help allay the perception  
4 problems, I have suggested and am suggesting  
5 again on the record that any contact between  
6 SSA, whether the workgroup, the team, the  
7 panel be documented in some way because I know  
8 that you had said you had spoken to DOL.

9 I think it would help not just me  
10 as a panel member, but the public at large to  
11 know, you know, I had this conversation with  
12 this person on this date. And I don't want to  
13 know - I want to know you talked to somebody,  
14 you know.

15 We talked about this or that on  
16 this day or date. We got a response back from  
17 DOL that delineated these things.

18 And to let us know that contact is  
19 there, it's ongoing, that there is, you know,  
20 whatever is happening, is happening. I think  
21 that would go a long way towards helping make  
22 the elephant smaller too.

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1                   So, that's a request I've made, and  
2 I'm making it again.

3                   MEMBER KARMAN: Actually, we have  
4 been begun providing summaries to the Research  
5 Subcommittee on those kinds of meetings.

6                   Also, largely because Allan and I  
7 have been going to them. And so coming back -  
8 it's sort of along the lines of when we give  
9 presentations and we, you know, come back and  
10 say okay, we have a form that we've been  
11 filling out and sending to the User Needs and  
12 Relations Subcommittee about, gave this  
13 presentation, got these kinds of questions  
14 when we were presenting, blah, blah, blah.

15                   Kind of informs the User Needs and  
16 Relations Subcommittee as to what people are  
17 understanding, what they're not understanding.

18                   So toward that end we've been doing  
19 the same thing with the Research Committee,  
20 you know. Met with so and so with this unit  
21 or group at Department of Labor at such and  
22 such a level, i.e., was it management or staff

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1 and these topics were discussed, you know, led  
2 to blah, blah, blah outcomes and next steps,  
3 and you just indicate what they are.

4 So, it wouldn't be a big, heavy  
5 deal for us to do that.

6 CHAIR BARROS-BAILEY: Shanan.

7 MEMBER GWALTNEY GIBSON: I was just  
8 going to say that - and it's actually one of  
9 the things - it's listed as one of the major  
10 areas of emphasis from our summary of user  
11 comments.

12 One of the things we asked you to  
13 do was to basically not just disclose, but  
14 publicize this to put the information out  
15 there because we thought that was a major,  
16 perceptual problem is that it wasn't evident  
17 that SSA is trying to, and is, collaborating  
18 with DOL and figuring out where areas of  
19 overlap might exist and how they could help  
20 each other. So, that's very important.

21 MEMBER KARMAN: Not only are we  
22 collaborating with DOL, but whatever federal

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1 agency has information that we could use,  
2 we're going to go there and talk with them  
3 and, yes, collaborate with them.

4 So, I mean that's absolutely -

5 MEMBER GWALTNEY GIBSON: The second  
6 thing I was going to say was that it is  
7 reassuring to hear Sylvia say that your intent  
8 is to do this internally.

9 That just brings to mind, and I  
10 hate to beat the dead horse, but that reminds  
11 us of the fact that you have to have the  
12 internal resources scientifically in order to  
13 effectively accomplish this.

14 CHAIR BARROS-BAILEY: I have a  
15 variety of thoughts about this. It takes me  
16 back to the original DOT that I have a 1939  
17 copy of that you can pull out the  
18 organizational chart and you could see what  
19 kind of internal unit they had.

20 It takes me back to the Miller  
21 study of 1980 that really emphasized the need  
22 to have the strength of the internal unit.

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1 Takes me back to the breakfast that  
2 we had with Margaret Hilton and Tom Plewes  
3 about how in terms of the Miller study, that  
4 wasn't something that's really been affected  
5 over the last 30 years.

6 And that was part of their  
7 recommendation again in terms of the NAS  
8 report. And so that internal expertise in the  
9 scientific unit becomes really important  
10 within this process.

11 And it also goes to again the  
12 original DOT and every DOT since then, the  
13 comment at the very beginning of the DOT that  
14 basically insinuates this documentation is not  
15 to be used for forensic purposes. And one of  
16 the three main goals of this project is that  
17 it has to be forensically defensible.

18 And if our comments today and our  
19 emphasis and our rigor in terms of trying to  
20 have the scientific unit, in terms of trying  
21 to have methodologies doesn't speak to that  
22 more than anything, I don't know what does.

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1                   And I don't know - part of the  
2 reason for me bringing this topic up is has  
3 DOL expressed understanding of this very  
4 fundamental concept in terms of one of the  
5 three main goals?

6                   Because what I read in that O\*NET  
7 Center's response was that it was not - the  
8 O\*NET was not forensically defensible and  
9 could not be, was my understanding of that  
10 feedback.

11                   So, I mean it goes to the very  
12 fundamental understanding of what we're doing  
13 here and what we're doing in the context of  
14 disability.

15                   And so that's one of my reasons for  
16 bringing this up is to put the question out  
17 there and not ignoring however comments we got  
18 on this and that it's a perception that I  
19 think is affecting this project and  
20 potentially this process into the future,  
21 including now.

22                   We are after 5:00, and they haven't

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1 shut us down yet. So, our very effective  
2 designated federal officer was able to extend  
3 our time. I appreciate her for that.

4 I wanted to see if there were any  
5 other thoughts or comments on this last topic  
6 at all. Sylvia?

7 MEMBER KARMAN: Yes, I do want to  
8 just put out there that, you know, in order  
9 for this Occupational Information system to be  
10 forensically suitable, certainly I think it's  
11 important that - and I don't know what the  
12 rationale was behind why the Department of  
13 Labor had that statement, caveat, if you  
14 would, with regard to the use of its  
15 occupational information resource.

16 But it seems to me that we could  
17 not produce an OIS not only without the  
18 scientific or technical expertise, but  
19 certainly not without the programmatic  
20 expertise.

21 And Social Security, quite frankly,  
22 does have that. Who else would know about the

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1 specifics of the disability programs and the  
2 needs for that better than Social Security and  
3 its users?

4 And many of the other users in the  
5 sphere of the Social Security community and  
6 claimant representation - representational  
7 community, vocational experts so that, you  
8 know, that to me seems like a really big piece  
9 of this that - if we're going to talk about  
10 the elephant in the room and where this  
11 perception is that there is expertise in one  
12 agency versus another, certainly the  
13 Department of Labor does in fact have  
14 expertise that's relevant to its missions, but  
15 we also have expertise relevant to ours.

16 CHAIR BARROS-BAILEY: Okay. Any  
17 other thoughts or comments on this topic?

18 Okay. I want to thank the Panel  
19 for working very hard today and for everybody  
20 in the audience for listening and keeping up  
21 with us as we got through a lot of material  
22 today.

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1 We will resume in the morning. We  
2 will lose a member of our panel. Apparently  
3 there is some weather issues happening on the  
4 east coast and they are - they're shutting  
5 down airports and they're forewarning people.

6 So, one of our panel members needs  
7 to leave if she's going to get home this week.

8 And so we will lose Shanan after today.

9 So, should - Tom, go ahead.

10 MEMBER HARDY: I would like to make  
11 a motion to adjourn for the day.

12 CHAIR BARROS-BAILEY: Do I have a  
13 second?

14 MEMBER HUNT: Second.

15 CHAIR BARROS-BAILEY: Allan seconded  
16 that motion, and so we are adjourned. Thank  
17 you.

18 (Whereupon, at 5:09 p.m. the  
19 meeting was adjourned.)  
20

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