



U.S. Department of Health and Human Services
Office of Medicare Hearings and Appeals

Medicare Administrative Law Judge Hearings Survey

Case Information: Interview Date: _____ Sample ID # _____
Appeal Case #: _____ **Hearing Date:** _____ **Appellant Name:** _____
Survey Respondent Name: _____ **Phone #:** _____
No. of Appeals in last 6 months: _____ **Appellant Type:** _____ **Medicare Appeal Type:** _____
OMHA Field Office: Arlington Cleveland Irvine Miami
Actual Hearing Format: In-person Phone VTC **Sample Type:** Provider/Supplier Beneficiary

SECTION I - INTRODUCTION & APPELLANT INFORMATION

I am calling on behalf of the Office of Medicare Hearings and Appeals within the U.S. Department of Health and Human Services. The purpose of my call is to ask some questions about your experience with the Medicare Administrative Law Judge hearing process to learn more about the level of customer service you received.

OMHA has asked my firm, Coray Gurnitz Consulting, to administer the survey in order to keep your answers completely anonymous. We will not reveal your name or other personal identifying information with your comments to the survey in any report to the government.

If you would like to make a comment about this survey or confirm that this is a valid collection, please contact the OMHA Survey Team at 1-866-207-4466.

Do you have any questions for me before we begin the survey?

As we go through the survey, when we say "OMHA" we mean the Office of Medicare Hearings and Appeals. When we say "A.L.J." we mean the Administrative Law Judges within OMHA who preside over hearings.

(to be included in internet version and read upon request for telephone version)

According to the **Paperwork Reduction Act** of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0990-0330. The time required to complete this information collection is estimated to average 11 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Health & Human Services, OS/OCIO/PRA, 200 Independence Ave., S.W., Suite 537-H, Washington D.C. 20201, Attention: PRA Reports Clearance Officer

Survey Respondent Information:

1. We show that you participated in a hearing with OMHA on [date]. Do you recall that case?

- a. Yes
- b. Not specifically, but I have had recent experience with OMHA hearings
- c. I've never had experience with OMHA. This case was handled by (attorney, representative, other, N/A): _____, whose telephone number is: _____ and address is: _____.

2. Approximately how many OMHA hearings have you participated in during the last six months?

- a. 1
- b. 2 to 10
- c. Greater than 10

3. [If question 2 response is b or c, i.e. > 1, then switch to multiple hearing phrasing throughout and read:] Please respond to the survey questions based on the aggregate of your hearings experience with OMHA over the last six months.

SECTION II – OVERALL EXPERIENCE

7. Independent of the judge's decision, to what extent do you think you were given the opportunity to have your case fully heard and considered? (old 10)

- a. Very great extent - fully heard and considered
- b. Great extent - heard and considered
- c. Some extent - heard and considered
- d. Very little extent - heard and considered
- e. Not heard and considered at all

8. Independent of the judge's decision, how satisfied were you with your experience with OMHA overall (i.e. the full process from requesting an ALJ hearing through receipt of decision)? (old 11)

- a. Very satisfied
- b. Satisfied
- c. Neither satisfied nor dissatisfied, it was okay
- d. Dissatisfied
- e. Very dissatisfied

4. Are you the actual appellant?

- a. Yes [**Go to question 7**]
- b. No [**Go to question 5**]

5. What is your relationship to the appellant?

- a. Third party or outside counsel
- b. Employee of appellant
- c. Hired representative on behalf of State
- d. Hired representative or an organization
- e. A family member or friend
- f. An estate executor
- g. Other. Please specify: _____

[If answer to question 8 is d or e, then read:]

For now, please hold your comments on why you were not satisfied. You will have multiple opportunities to provide further explanation later in the survey.

9. Overall, were OMHA staff courteous and professional when they assisted you with the ALJ hearing process (i.e. the full process from requesting an ALJ hearing through receipt of decision)? (old 12)

- a. Very courteous and professional
- b. Quite courteous and professional
- c. Somewhat courteous and professional
- d. Not very courteous or professional
- e. Very discourteous and unprofessional

SECTION III – HARD COPY AND INTERNET INFORMATION

[Do not read the second sentence, i.e. the definition in “Type of Information” below, to responders with multiple cases (question 2 answer greater than 1.)

<i>For each document listed indicate its clarity.</i>	<i>Check if</i>					
<i>Type of Information</i>	<i>Didn't Receive/ Don't Know</i>	<i>Very Clear</i>	<i>Generally Clear</i>	<i>Some-what Clear</i>	<i>Generally Unclear</i>	<i>Not at all clear</i>
10. <u>Appeal Rights within the Notice of Decision from the second-level of appeals conducted by Qualified Independent Contractors (QIC)</u> (i.e. the Level II QIC). This is the cover letter attached to the unfavorable or partially unfavorable decision from the Level II QIC. (old 13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. <u>Information Sheet on What to Expect In a Video Teleconference</u> (Sent with the acknowledgement letter or the notice of hearing) (old 16)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. <u>Exhibit List</u> . Included in the case record and often contains the medical record evidence. (old 18)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. [Skip if Disposition is Fully Favorable] In the Notice of Decision were your rights to appeal the OMHA ALJ decision to the next higher level (i.e. to the HHS Departmental Appeals Board, Medicare Appeals Council) clear? (old 21)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

14. Have you used the Office of Medicare Hearings and Appeals website?

- a. No, I did not try [**Skip to question 15a**]
- b. I do not have access to a computer [**Skip to question 15a**]
- c. No, I tried to but could not find it [**Skip to question 15a**]
- d. Yes [**Skip to question 15b**]

15a. [**If no, 14a, 14b, or 14c then**] If you could access the website, what types of information or content would be useful for you to find listed on the site? (new)

15b. [**If yes, 14d, then**] What suggestions do you have for improving the website?

SECTION IV- EXPERIENCE SCHEDULING YOUR HEARING

The next questions are about scheduling your hearing.

16. Did (do) you schedule the hearing(s) yourself? (old 30)
- Yes
 - No, my staff or others scheduled the hearing(s) for me **[Skip to #18]**
17. Which hearing options were described to you by OMHA staff or were you aware of? (select as many as apply) (old 31)
- VTC
 - Telephone
 - In-Person
 - On the Record
 - Don't Know/Don't Remember
18. Overall, how well did OMHA staff explain the different hearing format option(s) to you? (old 32)
- Very well, I understood all of my options
 - Generally well
 - Somewhat well, I understood some of my options
 - Not very well
 - Not well at all, I couldn't understand my options
19. **[If hearing format was not *in-person*]** Did you request (or for responder with multiple hearings, "In the last 6 months have you requested") an in-person hearing? (old 33)
- Yes and it was (typically) granted
 - Yes, but it was not (never) granted
 - No
20. If you requested that your hearing be rescheduled, was your request (typically) accommodated? (old 34)
- I did not request to have (any of) my hearing(s) rescheduled
 - Yes, it was (they were typically) rescheduled to my satisfaction
 - No, it was not (they were never) rescheduled to my satisfaction
21. Overall, how satisfied would you say you were with the scheduling process associated with the ALJ hearing(s)? (old 35)
- Very satisfied
 - Satisfied
 - Neither satisfied nor dissatisfied, it was okay
 - Dissatisfied
 - Very dissatisfied
22. **[If answer to prior question is *d* or *e*]** Please specify: (old 36)

SECTION V – INTERACTION WITH OMHA BETWEEN SCHEDULING AND HEARING

23. Did you have any [for responders with >1 hearing]: “Do you typically have”] interaction with OMHA staff after the hearing was scheduled, but before the hearing was conducted? (old 37)
- a. Yes
 - b. No [**Go to Hearing Sections Branching Logic below.**]
- 24a. Overall, how satisfied were you with your interaction with OMHA staff after scheduling the hearing and prior to the hearing itself? (new)
- a. Very satisfied
 - b. Satisfied
 - c. Neither satisfied nor dissatisfied, it was okay
 - d. Dissatisfied
 - e. Very dissatisfied
- 24b. Did your interaction with OMHA staff after scheduling the hearing and prior to the hearing itself help to make the hearing more effective? (old 38)
- a. Very helpful in making hearing more effective
 - b. Generally helpful
 - c. Neither helpful nor unhelpful, just okay
 - d. Generally unhelpful
 - e. Not helpful at all
25. [**If answer to question 24b was d, or e**] Please describe why your interaction with OMHA staff was less than helpful? (old 39)
26. Did you request a copy of the record or case file? (Multiple hearing version: “Within the last 6 mo’s have you ever requested a copy of the record or case file?”) (old 40)
- a. Yes
 - b. No, but it was automatically sent to me
 - c. No
27. [**Multiple hearing only if answer “a” to 26**] In what percent of the appeals did you request the record or case file? (old 41)
- ____ %. Please fill in the blank
28. What was the purpose of the interaction between you and OMHA staff [please check all that apply]? (old 42)
- a. Get evidence not in the record on the record
 - b. Preparation of the exhibits
 - c. Discuss procedural matters
 - d. Get general questions about the hearing process answered
 - e. Other, please specify:


HEARING SECTIONS

Branching Logic:

If answer to question 2 is “ a) 1” and Hearing Format in Case Information is:

Telephone hearing 

[Continue to Section VI]

Video Teleconference hearing 

[Skip to Section VII]

In-person hearing 

[Skip to Section VIII]

SECTION VI – TELEPHONE HEARING. Next are questions about your telephone conference hearing.

29. **[Single hearing only]** During the telephone hearing, what percent of the time were you able to hear people clearly when they were speaking? (old 44)
- 100% **[skip to 33]**
 - 75%-99%
 - 50%-74%
 - 25%-49%
 - 0%-24%
- 29a. **[Multiple hearings only]** For what portion of hearings over last 6 months did you experience difficulties hearing people clearly when they were speaking? (old 44a)
- 0%
 - 1% - 25%
 - 26%-50%
 - 51%-75%
 - 75%-100%
30. **[Only ask if answered b, c, d, or e to question 29 or 29a]** Did you notify the ALJ of the technical difficulties? (old 45)
- Yes
 - No
31. **[Single hearing only]** Were the technical difficulties resolved? (old 46)
- Yes, completely
 - More or less, some technical difficulties continued
 - No
- 32a. **[Multiple hearings only]** Were the technical difficulties resolved? (old 47a)
- Technical difficulties were almost always resolved
 - Technical difficulties sometimes continued
 - Technical difficulties were seldom resolved
32. **[Only if ‘b, c, d, e’ to question 29 or 29a]** Did these technical difficulties **[for multiple hearings: “ever”]** result in the need to reschedule the hearing? (old 47)
- Yes
 - No
33. Overall, how satisfied were you with the **use of the telephone** to conduct your ALJ hearing(s)? (old 48)
- Very satisfied
 - Satisfied
 - Neither satisfied nor dissatisfied, it was okay
 - Dissatisfied
 - Very dissatisfied
34. **[If d or e to question 33]** Please specify: (old 49)

Go on to Section IX if video teleconference or in-person hearing format was *not* experienced. Otherwise continue with appropriate section(s) below.

SECTION VII – VIDEO TELECONFERENCE HEARING. Next are questions about your video teleconference hearing.

35. What type of video teleconferencing facility was used for **[for multiple hearings: “the majority of”]** your VTC hearing(s)? (old 52)
- a. Federal building or court house
 - b. FedEx Kinko’s
 - c. Stratosphere
 - d. Courtroom Connect
 - e. ACT Proximity
 - f. Other: _____
36. Approximately how many miles did you travel to get to the **[for multiple hearings: “most frequently used”]** video teleconferencing facility? (old 53)
- a. 15 miles or less
 - b. 16-45 miles
 - c. 46-75 miles
 - d. Over 75 miles
37. During the video teleconference hearing(s), what percent of the time were you able to hear and/or see people clearly when they were speaking? (old 54)
- a. 100%
 - b. 75%-99%
 - c. 50%-74%
 - d. 25%-49%
 - e. 0%-24%
38. **[Only ask if answered b, c, d, or e to question 37]** Did you notify the ALJ of the technical difficulties? (old 55)
- a. Yes
 - b. No
39. **[Single hearing only]** If so, were the technical difficulties resolved? (old 56)
- c. Yes, completely
 - d. More or less, some technical difficulties continued
 - e. No
- 39a. **[Multiple hearings only]** If so, were the technical difficulties resolved? (old 56a)
- a. Technical difficulties were almost always resolved
 - b. Technical difficulties sometimes continued
 - c. Technical difficulties were seldom resolved
40. **[Only if ‘b, c, d, e’ to question 37]** Did these technical difficulties **[for multiple hearings: “ever”]** result in the need to reschedule the hearing? (old 57)
- c. Yes
 - d. No
41. Overall, how satisfied were you with the use of video teleconferencing to conduct your ALJ hearing(s)? (old 58)
- a. Very satisfied
 - b. Satisfied
 - c. Neither satisfied nor dissatisfied, it was okay
 - d. Dissatisfied
 - e. Very dissatisfied
42. **[If d or e to question 41]** Please specify: (old 59)

Go on to Section IX if in-person hearing format was *not* experienced. Otherwise continue if in-person hearing format was experienced.

SECTION VIII – IN-PERSON HEARING. Next are questions about your in-person hearing. [Carry whether judge traveled to appellant site]

43. Approximately how many miles did you travel [Multiple hearings: “do you typically travel”] to get to the hearing? (old 60)
- a. 15 miles or less
 - b. 16-45 miles
 - c. 46-75 miles
 - d. Over 75 miles
44. Overall, how satisfied were you with the use of an in-person conference to conduct your Medicare ALJ hearing(s)? (old 61)
- a. Very satisfied
 - b. Satisfied
 - c. Neither satisfied nor dissatisfied, it was okay
 - d. Dissatisfied
 - e. Very dissatisfied
45. [If *d* or *e* to question 44] Please specify: (old 62)

SECTION IX – Final Questions for ALL Appellants

46. Independent of the administrative law judge’s decision, were you satisfied with the nature of your interaction with the judge? (new)
- a. Very satisfied
 - b. Satisfied
 - c. Neither satisfied nor dissatisfied, it was okay
 - d. Dissatisfied
 - e. Very dissatisfied

47. Please respond to the following statements about the administrative law judge(s) for your hearing(s) experience. (old 63)	Always	Often	Some-times	Never	Don’t know
a. The judge clearly understood the record in my case(s) (old 63bhalf)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. The judge clearly understood the issue(s) in my case(s) (old 63bhalf)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. The judge was professional (old 63c)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. The judge was courteous (old 63d)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. The judge was an effective listener (old 63e)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. The judge was prepared (old 63f)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. The judge ran an orderly hearing(s) (old 63g)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

48. Is there anything else you would like to tell us about your Medicare ALJ hearing experience that you haven’t already told us? (old 64)

END, closing statement ►

These are all the questions we have today. Thank you very much for taking the time to speak with us. Again, if you would like to make a comment about this survey or confirm that this is a valid collection, please contact the OMHA Survey Team at 1-866-207-4466.