

OFFICE OF HEARING OPERATIONS
Augmented Video Hearings Process for COVID-19: Microsoft (MS) Teams

A. Purpose

The Office of Hearings Operations (OHO) is temporarily expanding the use of video technology for administrative law judge (ALJ) hearings due to COVID-19 office closures.

B. Background

Due to the COVID-19 nationwide public health emergency, OHO closed its offices in March 2020 and has been conducting hearings only by telephone. In order to augment our hearing capacity, OHO will offer claimants the option to attend a video hearing using Microsoft (MS) Teams. This technology will allow individuals in multiple locations to attend a video hearing while our offices remain closed. Use of MS Teams is separate and distinct from OHO's standard video teleconferencing technology, and will be utilized during the COVID-19 public health emergency.

C. Business Process

The following guidelines apply to OHO staff contacting representatives to obtain consent to appear at a video hearing using MS Teams.

1. Beginning with a pilot program in August 2020, OHO staff will offer the MS Teams video hearing option for represented claimants with hearings in Ready-To-Schedule (RTS) status.
 - It is critical that we protect the claimant's privacy. OHO staff will call the representative from his/her agency issued Softphone at the number on file and proceed as directed below. Additionally, due to recent scamming attempts, you may recommend at the beginning of the call that the claimant or representative call the hearing office main line and dial your direct extension to reach you.
2. Upon contact, use the following script:
 - Good morning/afternoon. My name is _____ and I am with the Social Security Administration. May I speak with _____?
 - I want to let you know that I am taking precautions to protect privacy during this discussion, such as using a secure headset and computer.
 - To ensure I am speaking with the proper party, would you verify your name and address? [Follow POMS [GN 03340.015](#) and [DI 39567.210](#) for proper verification and consult iAccommodate in CPMS as necessary.]
 - Are you the representative for the claimant [Claimant Name]? [If the representative indicates that he or she does not represent the claimant,

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politely end the call. If the representative confirms that he or she represents the claimant,

- o If a signed form SSA-1696 (or other written notice of appointment) is not in the electronic file, OHO staff should inform the representative that form SSA-1696 must be entered into the file before a hearing can be held.
- While our offices have been closed due to the current COVID-19 public health emergency, we have conducted hearings by telephone only. However, we now have a way to conduct video hearings remotely using Microsoft Teams, a third party communications technology, which allows individuals in multiple locations to attend a video conference using a private computer, tablet, or mobile device with a private internet connection.
- The Administrative Law Judge assigned to hear the case will conduct the hearing from his or her personal residence. The ALJ will take reasonable precautions to protect personal information and to ensure the hearing remains private.
- In order for us to conduct a hearing by video at this time, all participants will need to agree to participate using Microsoft Teams. To participate in the hearing, you and the claimant may need to agree to Microsoft's terms of service and privacy policies for Microsoft Teams, which are not controlled by SSA. Depending on the device you plan to use to connect to the hearing, you may also need to download the Microsoft Teams application from the App Store or Google Play.
- It is important that all video participants know that SSA cannot guarantee the security of Microsoft Teams technology. The agency recommends that all participants use a private internet connection, in a private location such as your home or office, when participating in a video hearing using Microsoft Teams.
- If you and the claimant agree to a Microsoft Teams video hearing, we will provide precise instructions on how to attend. Prior to the scheduled hearing, we will email you and the claimant a link to access the video hearing directly, along with a document containing clear instructions on how to access and use Microsoft Teams. You must use this link in order to access the video hearing. We will also provide technical assistance on the day of the hearing if necessary. If you or the claimant do not receive an email with the video hearing link at least a day in advance of the hearing, please call the assigned hearing office.

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- We ask that you contact us as soon as possible after confirming whether your client authorizes and is able to attend a video hearing using Microsoft Teams. Following this call, we will send you an email with general information regarding the video hearing process using Microsoft Teams, which we recommend you discuss with your client, as well as any information we require for authorization to conduct a video hearing using Microsoft Teams. As soon as possible, please call the hearing office at [HO phone number], and provide your verbal authorization for the claimant's participation in the video hearing via Microsoft Teams. Alternatively, you may send us a general written statement acknowledging your client's authorization to participate in a hearing using Microsoft Teams by uploading it directly to the electronic record using Appointed Representative Services, or by faxing it to [HO desktop faxing number beginning with "833"].
 - We will need an email address, phone number (including a cell phone number), and, if you will be attending the hearing using a Smartphone, the internet provider, for both you and the claimant, so that we may send the Microsoft Teams link. On the day of the hearing, we may call you and the claimant at the number(s) you provide to confirm that all parties can access the Microsoft Teams video hearing. If you or the claimant choose to join the video hearing using a cell phone, you must inform us that the phone is Wi-Fi accessible and compatible with the web-based Microsoft Teams technology. [Confirm with the representative the phone number and email address for the claimant and representative that we have on file and make any changes that the representative provides.]
 - When applicable, ask if the representative if the claimant will waive the right to a notice of hearing mailed at least 75 days before the hearing.
 - o ""We generally must provide a claimant with at least 75 days' notice in advance of the hearing. However, since less than 75 days remain before the date of the hearing, we cannot proceed with a video hearing unless the claimant waives his or her right to an amended notice of hearing. If the claimant does not waive the right to advanced notice of hearing, we must either schedule the hearing by telephone or delay the scheduling of the hearing until our offices reopen. Does the claimant waive the right to an amended notice of hearing?"
3. If you or the claimant are concerned about using Microsoft Teams technology, you are not obligated to agree to a video hearing using Microsoft Teams. You may also revoke your authorization prior to the hearing. If you decline to proceed with a video hearing using Microsoft Teams, or revoke a previous authorization, the scheduled telephone hearing date will remain unchanged.

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[If claimant or representative states that the claimant does not consent to a video hearing, end the call and document in a Report of Contact]

[If representative requests blanket denial of video hearing in all cases, end the call, document in a Report of Contact and alert hearing office management]

4. OHO staff will document any phone conversation with a representative, including a claimant's authorization to conduct a hearing using MS Teams and any hearing notice waiver in an SSA-5002 (Report of Contact (ROC)). The ROC should include the date and time of the conversation, the general statement of authorization, and a copy of the script read to the claimant. OHO staff should also include a brief summary of the conversation in the Remarks section of the Case Processing Management System (CPMS). OHO staff will also document any follow up conversations regarding the claimant's consent to the video hearing and any waiver, if applicable, in a ROC.
5. Once the claimant agrees to a video hearing, update the hearing type in CPMS, and process the case consistent with current COVID-19 case processing guidelines and the COVID-19 Microsoft Teams Video Hearings Desk Guide – ALJ Script.
6. HO staff should track cases by adding the following case characteristics, as appropriate:
 - CVVA – MS Teams Hearing Accepted
 - CVVD – MS Teams Hearing Declined