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Disability backlog brings big doctor bonuses

The county's two top-paid state employees benefit from the program

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The two highest-earning state civil-service employees working in San Diego County made hundreds of thousands of dollars in bonuses last year reviewing Social Security disability claims.

Both of the psychiatrists work for the California Department of Social Services, which uses federal money to employ dozens of physical and mental health analysts who review claims for disability benefits.

Dr. Robert B. Paxton, 62, made \$440,068 last year including \$306,315 of bonus, making him the top-paid across California among the analysts in this field and the ninth-highest earner in the overall state workforce.

Dr. Kelly J. Loomis, 45, made \$368,917, of which \$237,168 was bonus.

The bonuses come from a program that pays them \$27 for each case in excess of 18 that they review in a day.

Social Services officials would not say how many cases Paxton reviewed in 2010, what their outcome was or how many days he spent at work. When reached by telephone, Paxton said he was told not to comment for this story.

Assuming Paxton took all state holidays, 21 required furlough days and one week's vacation, that left him 221 weekdays to work. He would have had to review about 70 cases per weekday, or more than 15,000 in a year, to earn the bonus he was paid.

Because he is salaried, the state has no record of his hours. If he worked 10-hour days without breaks, that's an average of just under 9 minutes per case.

Social Services spokesman Michael Weston reviewed The Watchdog's assumptions and calculations and said they were reasonable.

A substantial number of the cases are hundreds of pages long, according to attorneys with decades of experience representing disability claimants. Those attorneys questioned the quality of the reviews.

"It's impossible to review that many cases in one day, and give a thorough review, a fair review," said San Diego attorney Alise M. Kellman, who has handled such cases for 27 years. "It seems like it would take more than that to read the files, much less think about them and make a decision."

California cases

Year	Backlog	Percent Approved
2007	74,842	37%
2008	71,932	36%
2009	97,154	35%
2010	107,160	33%
2011*	97,796	32%

* Until August

Source: U.S. Social Security Administration

State Social Services officials say the process is working, pointing out that multiple levels of quality review are conducted. They say the program speeds up the process amid a shortage of mental health specialists.

Lucy Washington, assistant deputy director of Social Services, noted that some cases contain only a few pages of records.

"This is a plan that we have to help the citizens of California," said Washington, who also has decades of experience. "Without this plan, Californians would wait much longer for a decision, and this is one way that we serve the public."

The program paid out \$1.9 million in bonuses in 2010, according to Weston. That's enough bonus pay for the review of 71,147 disability cases, or 20 percent of the 353,414 cases reviewed in 2010, according to Social Security data.

Washington said the bonus pay program was initiated by the doctors' union in 1996 as a way to help the state reduce a claims backlog resulting from a shortage of mental-health consultants. Social Services spokesman Oscar Ramirez said the state currently has 10 open mental-health consultant positions. In August, the claims backlog totaled 97,796 cases.

After someone applies for Social Security disability and the claim is sent to the state, a disability examiner collects and reviews the necessary medical records and recommends whether the benefits should be approved.

The examiner, who is not required to have a medical degree, dispatches the claim to various specialists and the medically-trained consultants. According to Social Security policy, the consultants must review the case file, analyze the disability's severity and fill out several forms that assist in determining a claim's outcome.

Ramirez said the typical consultant works 40 hours a week, but described Paxton and Loomis as dedicated consultants working long hours reviewing claims. Loomis did not return a voicemail seeking comment.

"These are people who are really high performers," Ramirez said. "Our division does review and make sure these cases are accurate. These are reviewed later. It's verified."

Sacramento Attorney Gail Stassinis, who has represented Social Security clients for 20 years, said she has wanted the Social Security program to be streamlined for her clients for years. She had never heard of the bonus pay program.

"Anytime you have high-paid officials who are going to benefit by reviewing records based on volume as opposed to based on quality, it just seems like there is a real opportunity there for paying more than necessary," Stassinis said. "So, as a taxpayer, of course I'm a little concerned and surprised to hear about the bonuses."

"As an advocate for disabled people who have often complained to me that it does not appear that their records have been thoroughly or correctly reviewed, I'm not surprised, but am concerned."

According to Washington, the consultants' cases are subjected to a quality review process performed by their supervisor, then by the state office, and finally by Social Security. For each review, a sampling of cases is checked for errors and any inaccurate cases are sent back for correction. Social Security spokesman Lowell Kepke said California's performance is on par with that of other states.

"Generally, our reviews show that California's accuracy is quite good, and better than 90 percent," Kepke said.

According to Social Security claims data, California approved 33 percent of the claims it reviewed in 2010. Nationally, 32 percent of claims were approved.

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