

2024 ANNUAL REPORT



Kansas Office of Administrative Hearings

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Introduction

Welcome to the inaugural Annual Report of the Kansas Office of Administrative Hearings (OAH). This Annual Report serves as a summary of the achievements of OAH during this past year. The Annual Report seeks to collect data from the year and summarize the efforts and achievements of OAH over the past year. The purpose is to create more transparency in the operations of OAH, provide accountability, and communicate the achievements of the past while looking towards the goals for the future.

HISTORY:

OAH was established on July 1, 1998. Its original purpose was to conduct all adjudicative proceedings for the Kansas Department of Social and Rehabilitative Services (now the Department for Children and Families) pursuant to K.S.A. 75-37,121. Six years later in 2004, K.S.A. 77-561 and 77-562 authorized an independent OAH, phased in over time as the statute mandated, and took full effect on July 1, 2009.

AGENCY MISSION:

The Office of Administrative Hearings will conduct efficient, fair and impartial hearings for constituents and other affected parties when they dispute the actions of state agencies that impact them and in resolving other types of disputes lawfully referred to OAH by government entities.

AGENCY VISION:

OAH will act in accordance with all applicable statutes, regulations, policies, and general principles of law. The Vision of OAH is that all parties can rely on a system that respects their dignity and Due Process rights.

Message From the Director

2024 was a year of change and progress for the Office of Administrative Hearings (OAH). This past year saw the start of some significant changes at OAH that are intended to increase transparency and accountability, as well as make it easier to access and understand the administrative hearing process.

This annual report is a step towards providing more information about our efforts and accomplishments, as well as the operating standards we at OAH strive to uphold on a daily basis. This will be the first of many annual reports to be distributed by OAH in an effort to better communicate what we do and how well our staff does in accomplishing our vision and mission.

We have developed a Code of Conduct for Administrative Law Judges and Hearing Officers at OAH. While our judges and hearing officers have always maintained the highest of standards of judicial and personal conduct, this puts those standards into writing and allows everyone else to see how we expect to conduct ourselves.

We at OAH are excited about the changes that have taken place already, those that are currently in the works, and those that are yet to come, as we work out those details. While we look forward to the opportunities these changes present for our Agency and those that we serve, improved communication and transparency about the operations of OAH, we are also happy to announce that not much has changed as we strive to deliver on the OAH mission. OAH staff will continue to provide quality hearings and sound legal decisions in all of the cases that come before us.

Agency Case Mix by Year

OAH has entered into Interagency Agreements with more than 30 different agencies or entities to provide administrative hearings. Many agencies have multiple types of cases or areas of the law that require OAH hearing services. While not each agency has regular hearings, OAH has judges and hearing officers who are trained to be able to handle the needs of any of those agencies or entities when they require our services.

Agency	CY 2021	CY 2022	CY 2023	CY 2024
Department of Administration - Debt Setoff	207	284	258	204
Department of Administration - CSB	17	14	8	13
Department for Aging and Disability Services	154	259	144	201
Department of Agriculture	3	5	19	10
Attorney General	2	1		3
Office of State Bank Commissioner		1		3
Behavioral Sciences Regulatory Board		1	7	2
Department of Commerce			2	
Board of Cosmetology		3	7	4
Department of Credit Unions			1	
Dental Board	1	1	2	
Department of Education	12	16	19	12
Board of Emergency Medical Services	10	5	1	2
Kansas Governmental Ethics Commission				
Board of Healing Arts		1		
Department of Labor - Wage Claims	95	88	120	149
Kansas State University (Title IX)	1		2	2
Board of Nursing	14	15	12	3
Board of Optometry Examiners	1			
Board of Pharmacy	1	5	3	1
Real Estate Commission		6	3	11
Board of Regents		16		
KS Public Employees Retirement System	1	4	2	5
Department of Revenue			4	2
Department for Children and Families	501	583	757	792
Department of Transportation	1		3	1
Board of Veterinary Examiners		3		2
KDHE - Division of Health Care Finance	591	620	917	1007
KDHE - Division of Public Health	33	33	46	45
KDHE - Division of Environment	5	2	4	3
Total Cases	1650	1966	2341	2478

2024 Agency Case Mix

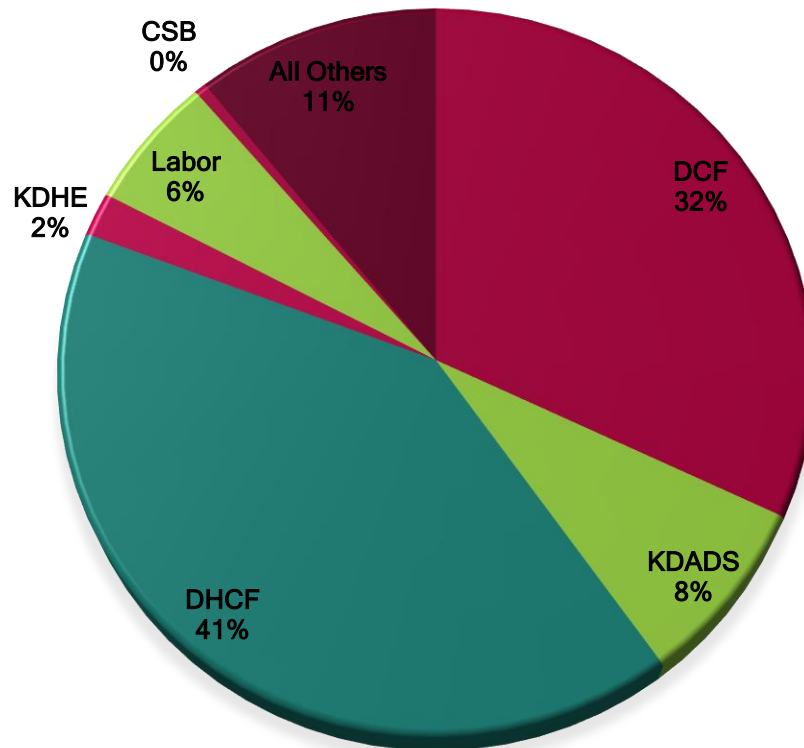
In 2024, OAH received 2,478 cases from 24 different agencies or entities. Consistent with years prior, the two (2) primary sources of OAH cases were the Kansas Department for Children and Families and the Kansas Department for Health and Environment - Division of Health Care Finance. Since the low point of 2020-21, OAH has seen a steady increase in the numbers of cases filed and are returning to the pre Covid-19 pandemic levels.

Agency	Number of Cases	Percent of Total Cases
Department of Administration - Debt Setoff	204	8.23%
Department of Administration - CSB	13	.52%
Department for Aging and Disability Services	201	8.11%
Department of Agriculture	10	.40%
Attorney General	3	.12%
Office of State Bank Commissioner	3	.12%
Behavioral Sciences Regulatory Board	2	.08%
Board of Cosmetology	4	.16%
Department of Education	12	.48%
Board of Emergency Medical Services	2	.08%
Office of State Fire Marshal	1	.04%
Department of Labor - Wage Claims	149	6.01%
Kansas State University (Title IX)	2	.08%
Board of Nursing	3	.12%
Board of Pharmacy	1	.04%
Real Estate Commission	11	.44%
KS Public Employees Retirement System	5	.20%
Department of Revenue	2	.08%
Department for Children and Families	792	31.96%
Department of Transportation	1	.04%
Board of Veterinary Examiners	2	.08%
KDHE - Division of Health Care Finance	1007	40.64%
KDHE - Division of Public Health	45	1.82%
KDHE - Division of Environment	3	.12%
Total Cases	2478	

2024 Agency Case Mix - Graphs

OAH has 6 Agencies that make up most of the case mix. They are the Department for Children and Families (DCF), Kansas Department of Health and Environment (KDHE), KDHE - Division of Health Care Finance (DHCF), Department of Labor (Wage Claims), Department for Aging and Disability Services (KDADS), and the Civil Service Board (CSB).

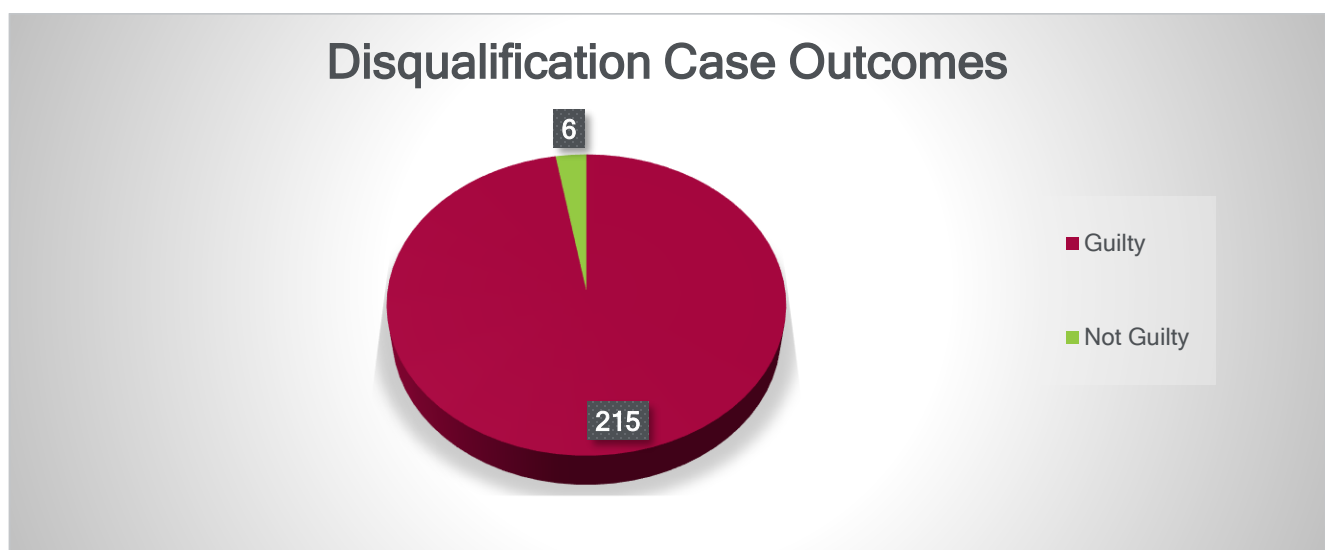
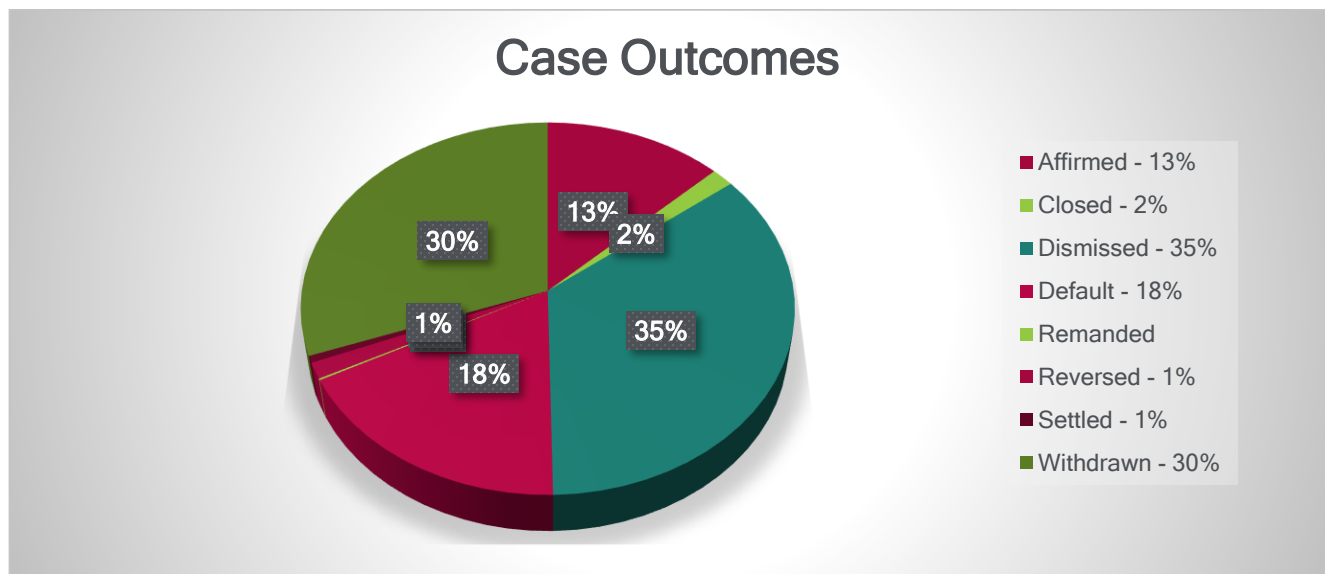
CASE MIX OF THE BIG 6 VS. ALL OTHERS



Case Outcomes

In 2024 OAH staff completed 2,448 cases. There were an additional 77 cases that were handled by the State Appeals Committee, which OAH staff monitors these matters, bringing the total number of cases handled by OAH to 2,525. Of the 2,448 cases completed by OAH staff, 221 were disqualification cases related to the government benefit program.

The following outcomes were achieved in the non-SAC cases:

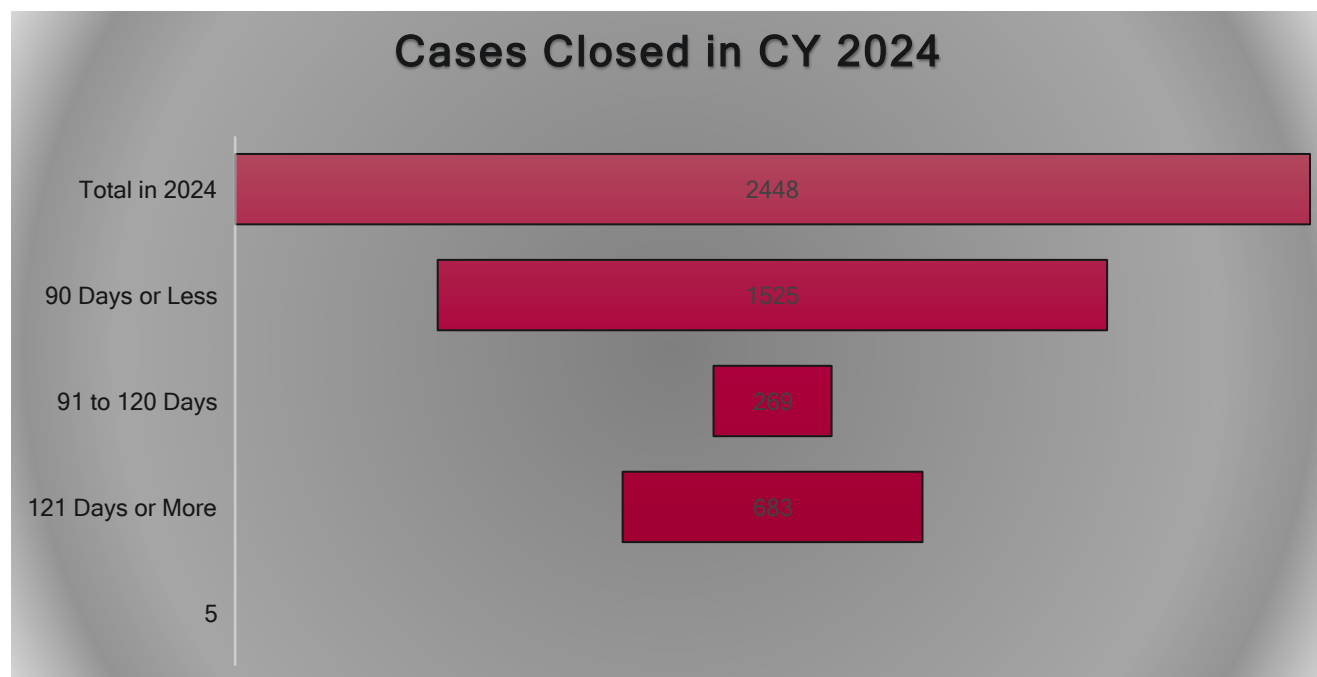


Timeliness – From Filing to Disposition

The goal for OAH has always been to have cases resolved within 90 days of filing. As cases become more involved, this is a much more difficult goal to achieve because many cases involve complicated issues and require more time for preparation and rendering the decision. Some of these factors are outside of the control of OAH. Nonetheless, OAH strives to have all decisions rendered in a timely fashion. The new goal of OAH is to have 95% of all cases completed within 120 days of filing.

For 2024, 1,525 or 62.3% of the cases filed with OAH were completed in 90 days or less, 269 or 11% of the cases filed with OAH were completed in 90 to 120 days, and 653 or 26.7% of cases were completed in more than 120 days. The average time-to-order for all cases was 110 days.

These figures do not include the cases decided by OAH that were appealed to the State Appeals Committee.



Staff Trainings

OAH believes that all ALJs have an ongoing duty to continually engage in training to educate themselves and remain informed on the various matters that may come before them. OAH ALJs were involved in the following trainings:

- National Association of Administrative Law Judges Annual Conference
- Tri-State Regional Special Education Law Conference
- Continuing Legal Education (CLE) programs sponsored by the Kansas Attorney General's Office and the Kansas Department of Administration

OAH was also involved in providing the following trainings to others:

- Acting Director, Loren Snell, made two (2) presentations of a program on presenting fraud disqualification cases at the 2024 United Conference on Welfare Fraud (UCOWF) Annual Conference in Las Vegas, Nevada.



Upcoming

Calendar year 2025 promises to be an outstanding year as OAH prepares to uphold its mission and works to improve the type and quality of information that will be available for public consumption, beginning with this 2024 Annual Report.

In addition to developing the annual report, OAH has also been working to revise and revitalize its website, found at <https://oah.ks.gov/>. The goal is to improve not only the appearance and presentation, but also the information being provided to the public and how that information is accessed. It will also serve to improve the transparency of OAH, a longstanding goal of OAH. Watch for the new OAH website to be launched in 2025. This will be the first of many changes, with additional changes to the OAH E-file Portal soon to follow.

The Administrative Law Judges and Hearing Officers at OAH have also acted with the utmost professionalism in completing their extremely important work. To ensure this will continue to be the case, OAH has developed and enacted a Code of Conduct for its Administrative Law Judges and Hearing Officers. As OAH works to ensure the Due Process rights of those participating in the administrative hearing process, it is important that the judges and hearing officers maintain a certain level of decorum. The Office of Administrative Hearings Code of Conduct has been carefully crafted to establish basic ethical standards for the judges and hearing officers to adhere to. The Code of Conduct will also serve to assist judges and hearing officers in establishing and maintaining high standards of judicial and personal conduct.

Questions

If you have any questions regarding this report or the activities of the Office of Administrative Hearings, they may be directed to:

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