

# Office of Administrative Hearings

---

## Mission and philosophy

The mission of the Wyoming Office of Administrative Hearings (OAH) is to serve as a statewide, professional, independent and impartial hearing authority in administrative contested cases involving disputes between Wyoming residents and state agencies. The OAH is statutorily authorized to provide hearing services to all state agencies. The OAH is uniquely situated to act as an impartial hearing authority because it is a separate operating agency with no agency interest in the substantive issues presented in any of the cases it hears. The parties are therefore assured a neutral process that will favor neither side. The OAH encourages and facilitates all efforts made by the parties in timely resolving contested issues through less formal proceedings such as mediations, settlements and other resolutions, while always providing a full contested case hearing when necessary.

## Results of outcomes

The OAH is statutorily required to conduct hearings on disputes between Wyoming employees, employers, health care providers and the Department of Employment in most workers' compensation benefits cases and in most small claims workers' compensation cases (where the amount in controversy is less than \$2,000 and compensability is not at issue). The OAH is also required to conduct hearings on disputes between Wyoming drivers and the Department of Transportation in all actions involving restriction, suspension or cancellation of Wyoming driving privileges. For these hearing services the OAH is funded from workers' compensation funds and from highway funds. Budget expense organization 0201 (administration) represents the traditional program that is responsible for these cases. The FY 03 - FY 04 biennial appropriation for 0201 was initially \$1,594,138. In November 2003, that amount was increased through the B-11 process to \$1,632,736 due to increases in health insurance, deferred compensation and longevity pay and due to a shortfall in the space rental category.

Wyo. Stat. Ann. § 9-2-2202 provides that the OAH may furnish hearing services to other state agencies, designated as the "all other" category. The OAH is also statutorily required to hear personnel disputes between state employees and state agencies when the parties are unable to agree on a presiding officer. The OAH bills costs of hearing services in "all other" and personnel cases directly to the state agency referring the case. Budget expense organization 0202 (all other) was created in 1998 as a clearing account that is responsible for "all other" and personnel

### General information

Deborah A. Baumer, Director

### Agency contact

Lynne M. Kranz, Office Manager  
307/777-6660  
2020 Carey Ave., 5th Floor  
Cheyenne WY  
lkranz@state.wy.us

**Mail:** State of Wyoming,  
Office of Administrative Hearings  
Cheyenne WY 82002-0270

### Other locations

Casper, Evanston, Pinedale, Powell and Rock Springs

### Year established and reorganized

1987, 1992

### Statutory references

Wyo. Stat. Ann. § 9-2-1019(a)  
Wyo. Stat. Ann. §§ 9-2-2201 through 9-2-2203  
Wyo. Stat. Ann. § 27-14-602  
Wyo. Stat. Ann. § 31-7-105

### Authorized personnel

7 full-time, 5 part-time (under service contracts)

### Organizational structure

Separate operating agency with no divisions or sections

### Clients served

Wyoming residents who have disputes with state agencies and all state agencies required by law to provide formal hearings, primarily the Department of Employment and the Department of Transportation, along with other hearing participants and legal counsel

### Budget information

\$ 819,521

cases referred by other state agencies. The FY 03 - FY 04 biennial appropriation for 0202 was \$74,477.

Statistically, when compared with the previous year, the OAH's largest caseload — driver's license — showed an increase of 8 percent in cases referred and an 8 percent increase in cases closed during FY 04. The workers' compensation case referrals increased by 20 percent over last year and the workers' compensation cases closed increased by 48 percent from FY 03. The small claims workers' compensation case referrals decreased 22 percent compared to the previous year. The "all other" case referrals increased 47 percent while the "all other" closed cases increased 81 percent from FY 03. The personnel caseload remained about the same as the following charts illustrate:

<b>FY 04</b>	<b>Referred</b>	<b>Closed</b>
"All Other" . . . . .	85	87
Driver's License . . . . .	1,060	1,007
Personnel . . . . .	8	7
Small Claims . . . . .	61	63
Workers' Compensation . . . . .	924	853
<b>Totals . . . . .</b>	<b>2,138</b>	<b>2,017</b>

<b>FY 03</b>	<b>Referred</b>	<b>Closed</b>
"All Other" . . . . .	58	48
Driver's License . . . . .	979	929
Personnel . . . . .	7	7
Small Claims . . . . .	78	75
Workers' Compensation . . . . .	770	577
<b>Totals . . . . .</b>	<b>1,892</b>	<b>1,636</b>

<b>FY 02</b>	<b>Referred</b>	<b>Closed</b>
"All Other" . . . . .	25	26
Driver's License . . . . .	872	897
Personnel . . . . .	6	5
Small Claims . . . . .	40	42
Workers' Compensation . . . . .	534	661
<b>Totals . . . . .</b>	<b>1,477</b>	<b>1,631</b>

**Goal 1, Outcome 1.01:** The OAH determined the percentage of attorneys surveyed who perceive the dispute resolution process in the OAH to be fair, impartial, expeditious and efficient. Surveys were distributed to attorneys who participated in "all other," driver's license, personnel and workers' compensation hearings in FY 04. No surveys were distributed in the small claims workers' compensation category since attorneys are not usually involved in these types of cases. The strategic plan projects an 80 percent approval rating.

The OAH received an overall approval rating of 95 percent in the area of being fair and impartial. This 95 percent approval rating exceeds the projected 80 percent by 15 percent.

The same surveys were used to obtain data regarding the OAH's expediency and efficiency. A 90 percent overall approval rating was received in this area and the projected 80 percent has been exceeded by 10 percent.

**Goal 1, Outcome 2.01:** The OAH calculated the percentage of decisions that are not appealed or that are sustained on appeal. Again the strategic plan projects an 80 percent approval rating.

Exceeding the projected 80 percent by 18 percent, 98 percent of the OAH's decisions were not appealed during FY 04.

The percentage of decisions that were sustained on appeal during FY 04 was 81 percent, 1 percent greater than the projected 80 percent. These statistics contain district court decisions and supreme court decisions rendered during FY 04, regardless of the fiscal year when the OAH decided the cases.

**Goal 1, Outcome 3.01:** The OAH's strategic plan projects that 100 percent of workers' compensation cases should be closed within 30 days after close of the record. For small claims workers' compensation cases, the OAH should close 100 percent within 75 days of referral.

Of the 853 workers' compensation cases closed in FY 04, 805 or 94 percent were closed within 30 days after close of the record. A shortfall of only 6 percent results in this category from the strategic plan projection of 100 percent.

Of the 63 small claims workers' compensation cases closed during FY 04, 40 cases or 63 percent were closed within 75 days of referral. A shortfall of 37 percent results in this category from the strategic plan projection of 100 percent. However, these statistics do not give an accurate picture of the speedy handling of small claims workers' compensation cases. The statutory limit of 75 days does not take into account continuances granted at the request of the parties and also fails to take into account the delay in receiving cases from the workers' compensation division that averaged eight days per case during FY 04.

**Goal 1, Outcome 4.01:** The OAH determined the percentages of "all other," personnel and driver's license cases where a final order or recommended decision, as appropriate, was issued: first within 60 days after close of the record; and second within 120 days after close of the record.

Of the 87 "all other" cases closed in FY 04, 100 percent were closed within the projected 60 days after close of the record. The first strategic plan projection of 80 percent closed within 60 days after close of the record has been exceeded by 20 percent. The second projection of 100 percent closed within 120 days after close of the record has been met.

Of the seven personnel cases that closed in FY 04, 100 percent were closed within the projected 60 days after close of the record. The first projection of 80 percent closed within 60 days after close of the record has been exceeded by 20 percent. The second projection of 100 percent closed within 120 days after close of the record has been met.

Of the 1,007 driver's license cases closed in FY 04, 96 percent or 966 cases were closed within 60 days after close of the record, exceeding the projected 80 percent by 16 percent. All but one, or 99.9 percent, of the driver's license cases closed in FY 04 were closed within 120 days after close of the record, falling just .1 percent short of the 100 percent projection.

**Goal 2, Outcome 1.01:** Pursuant to the November 26, 2002 Performance Measures Audit, the Department of Audit determined that the management services and internal operation functions referred to in this goal could not be measured because the tasks were not properly defined in the current strategic plan. Consequently, the strategic plan was updated in August 2003 to eliminate this goal from future annual reports starting in FY 05. Even though it has been determined that this goal cannot be measured, the OAH can state with certainty that essential management services and internal operating functions have been timely and properly completed during FY 04.

## Strategic plan changes

No changes were made to the strategic plan for next year.

# Office of Administrative Hearings organization chart

