



COLORADO
Office of Administrative Courts
Department of Personnel
& Administration

Denver Office
1525 Sherman St.
Denver, CO 80203

January 26, 2026

Kerri L. Hunter, CPA, CFE
State Auditor
Colorado Office of the State Auditor
1375 Sherman St., 5th Floor
Denver, CO 80261

Dear Auditor Hunter:

In response to your request, we have prepared the attached status report on our implementation of the audit recommendations contained in the Office of Administrative Courts performance audit. The status report provides a brief explanation of the actions taken by the Office of Administrative Courts to implement each recommendation.

If you have any questions about this status report and our efforts to implement the recommendations, please contact Laura Broniak at 303-866-2452 or laura.broniak@state.co.us.

Sincerely,

Laura A. Broniak
Director and Chief Administrative Law Judge
Office of Administrative Courts

Audit Recommendation Status Report

Audit Name:	Office of Administrative Courts Performance Audit, November 2024
Audit Number:	2358P
Agency:	Office of Administrative Courts, Department of Personnel & Administration
Date of Status Report:	January 26, 2026

Section I: Summary

Rec. Number	Response from Audit Report	Original Implementation Date	Current Implementation Status	Current Implementation Date
1A	Agree	December 2025	Partially Implemented	March 2026
1B	Agree	June 2025	Implemented	June 2025
1C	Agree	June 2026	Partially Implemented	October 2026
2A	Agree	June 2025	Implemented	June 2025
2B	Agree	December 2025	Implemented	August 2025
2C	Agree	March 2025	Implemented	April 2025
2D	Agree	December 2025	Implemented	December 2025
2E	Agree	April 2025	Implemented	April 2025
3A	Agree	December 2025	Partially Implemented	March 2026
3B	Agree	September 2024	Implemented	September 2024
3C	Agree	June 2025	Implemented	August 2025
3D	Agree	December 2025	Implemented	December 2025

Section II: Narrative Detail

Recommendation 1A	
<p>The Office of Administrative Courts (OAC) should take steps to improve the timely resolution of workers' compensation and Medicaid cases by:</p> <p>A. Revising its procedures, guidance, and monitoring reports for OAC staff and Administrative Law Judges (ALJs) to help ensure timely and complete case management, accurate and consistent data entry, timely documentation of key case steps, and supervisory monitoring of timeliness. This should also include training relevant staff and ALJs on the revised procedures, guidance, and monitoring reports.</p>	
Current Implementation Status	Partially Implemented
Current Implementation Date	March 2026

Status Update Narrative	<p>The data entry procedures for Medicaid clerks have been documented and updated. The Medicaid Unit is fairly new and all clerks assigned to the Unit have received training as part of onboarding. An overview training also occurred on September 30, 2025.</p> <p>The data entry procedures for Workers’ Compensation clerks have not changed so no updates were created and no training occurred.</p> <p>The OAC has created updated written data entry procedures for ALJs but has not yet conducted training. [The training will be completed by March 2026.]</p> <p>The OAC created individualized monitoring reports for ALJs to access in the case management system that documents hearings held and whether a decision has been issued. Supervisors have access to similar reports for all ALJs on their team. The OAC held a training session for supervising ALJs on February 6, 2025, and after refinement, held another training for all ALJs on use of those reports on August 7, 2025.</p>
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Recommendation 1B	
<p>OAC should take steps to improve the timely resolution of workers’ compensation and Medicaid cases by:</p> <p>B. Working with the Department of Health Care Policy and Financing (HCPF) to identify feasible corrective actions to address the causes of Medicaid appeals cases that exceed statutory and regulatory timeframes due to HCPF-controlled factors. This could include working with HCPF to identify efficiencies by assessing:</p> <ul style="list-style-type: none"> i. HCPF’s practice of reviewing all OAC decisions and options for a risk-based HCPF review in order to reduce the backlog of cases needing such review. This could include assessing HCPF’s role as the agency that issues final decisions on appeals, in order to determine if OAC could have authority to issue some types of final decisions as long as there is a process for HCPF review if requested by the parties; ii. Communication practices to Medicaid recipients, and between OAC and HCPF, to improve accuracy and clarity, in order to help reduce unnecessary appeals that OAC must hear and HCPF must review; and iii. Applicable state statutes and/or regulations to identify ways to adopt more realistic timeline goals for completing Medicaid appeal hearings. 	
Current Implementation Status	Implemented
Current Implementation Date	June 2025
Status Update Narrative	<p>Since OSA issued its preliminary findings, HCPF and OAC considered several options to identify efficiencies including those specifically enumerated in the recommendation. Feasible corrective actions included HCPF automating the process of mailing decisions through the Division of Central Services, a statutory/regulatory change (if appropriate under federal</p>

	<p>regulations) to allow transmission of a decision through methods other than U.S. Mail, and HCPF is pursuing approval by the Centers for Medicaid and Medicare to allow certain initial decisions to automatically become final without the need to issue a separate final agency decision.</p> <p>OAC and HCPF discussed the feasible corrective actions on the following dates:</p> <p>October 24, 2024 - discussed OAC mailing initial decisions and cost shift/resources.</p> <p>December 30, 2024 - discussed legislative change to permit initial decision issuance by email; options for OAC to mail initial decisions, OAC's lack of resources to absorb additional mailing costs and lack of staff to process outgoing mail; discussed use of Division of Central Services as an option for HCPF to mail initial decisions.</p> <p>July 14, 2025 - revisited legislative changes to the Administrative Procedures Act, and regulatory changes that would allow initial decisions to become final in the absence of exceptions.</p> <p>[See the update for Recommendation 1C for actions being taken as a result of these meetings. Currently, HCPF is pursuing rule changes.]</p>
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Recommendation 1C	
<p>OAC should take steps to improve the timely resolution of workers' compensation and Medicaid cases by:</p> <p>C. Based on the results of OAC's coordination with HCPF in subpart B, OAC should work with the General Assembly and HCPF, as appropriate, to implement any necessary changes to state statute and regulations, and subsequently update internal procedures and goals, and appeal guidance and notifications for parties.</p>	
Current Implementation Status	Partially Implemented
Current Implementation Date	October 2026
Status Update Narrative	<p>DPA intended to pursue legislation to modify the Administrative Procedures Act during the Session in order to permit transmission of initial decisions and notices of hearing through methods other than U.S. Mail, primarily by electronic mail, if the parties opt in to receive documents electronically. However, the Governor's Office declined to approve DPA's request to pursue this legislation due to other legislative priorities.</p> <p>Currently, HCPF is pursuing rule changes to modify the exceptions process in order to expedite the issuance of a final agency decision, which includes permitting initial decisions to automatically become final when no exceptions are filed. If HCPF successfully modifies its rules to permit initial decisions to become</p>

	final in the absence of exceptions, the OAC will update its procedures script for ALJs, website language, and the advisement on its initial decision templates.
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Recommendation 2A	
OAC should improve its customer service and communications to parties by:	
A. Developing and implementing expectations, guidance, and training materials for clerks, and other OAC staff as needed, on how to respond to inquiries from the public and parties, without providing legal advice.	
Current Implementation Status	Implemented
Current Implementation Date	June 2025
Status Update Narrative	The OAC developed written training materials and guidance for distribution to current and new staff on best practices for delivering good customer service/answering inquiries from the public without providing legal advice. The staff underwent training on June 13, 2025, which was recorded for future access by new staff. The written materials and training covered topics including how to recognize a request for legal information versus legal advice and how to respond to each type of inquiry. All new staff are required to view the training and materials as part of their new employee training.

Recommendation 2B	
OAC should improve its customer service and communications to parties by:	
B. Considering establishing a staff position that is responsible for assisting parties with their questions, such as a litigant coordinator position.	
Current Implementation Status	Implemented
Current Implementation Date	August 2025
Status Update Narrative	In May and June, 2025, the OAC's Director considered whether a litigation coordinator could be appointed with existing resources by assessing Payroll Projections and the OAC's personal services budget. There is no specific documentation of this effort. Around that same time period, the OAC learned of Medicaid program changes that were expected to increase caseload beginning in October 2025 and extend into FY27. As a result of the anticipated and actual caseload growth and loss of budget for temporary staff, the OAC shifted existing resources to the Medicaid team (reassigned 1.0 staff FTE and repurposed other vacant FTE into 1.0 ALJ FTE dedicated to Medicaid cases) in August 2025. Due to redirection of resources, the OAC's personal services budget became insufficient to hire new staff; and workloads for current staff necessarily increased. Accordingly, the Director determined

	that adding additional responsibility to a current staff member was not feasible. Depending on future caseloads and resources, the Director may reassess whether a litigation coordinator could be appointed.
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Recommendation 2C	
OAC should improve its customer service and communications to parties by:	
C. Considering implementing a process to communicate the status of a case, next steps in the process, and/or the responsible agencies, to Medicaid appellants after the hearing. OAC may also want to consider this type of communication to parties involved in other General Services cases.	
Current Implementation Status	Implemented
Current Implementation Date	April 2025
Status Update Narrative	<p>The OAC developed a script for ALJs to use at the conclusion of Medicaid hearings regarding the post-hearing procedures. The script describes the post-hearing process including the case status (e.g., if the evidence is closed and the matter is ready for a decision), the regulatory deadline for issuance of a decision, the agency responsible for mailing the decision to the parties, an explanation about possible delays in receipt of the decision, and which agency or agencies to contact to inquire about the status of the written decision.</p> <p>A meeting was held with the ALJs on April 9, 2025 to review expectations for using the script. The script is distributed to all new ALJs as part of new employee training.</p> <p>In addition, on or about October 1, 2025, the OAC published FAQs on its website applicable to all Public Benefits cases (which includes Medicaid cases). The FAQs applicable to the post-hearing process contains language similar to the script language described above and includes contact information for the respective agencies.</p>

Recommendation 2D	
OAC should improve its customer service and communications to parties by:	
D. Implementing a process to review and update website information to ensure that it includes clear, complete, accurate, and accessible information. This should include providing information on OAC's role in the different types of cases that it adjudicates, and how to generally navigate the appeal hearing process, in plain language for a lay audience.	
Current Implementation Status	Implemented
Current Implementation Date	December 2025
Status Update Narrative	The OAC formed a work group to identify areas for website improvement which will meet at least annually.

	<p>The OAC has updated several website pages and sections to clarify processes and procedures with a focus on self-represented litigants. In addition to clarification, sections and pages were reorganized to improve users' ability to find information.</p> <p>Updated content includes, but it is not limited to, the following: the main Workers' Compensation page, the Workers' Compensation forms and the forms page, the available hearing dates page, the Self-Represented page, which now includes a self-represented party advisement, and the FAQs. The FAQs, updated on May 30, 2025, are now organized by category of information (e.g. General, Getting a Hearing, Getting Ready for a Hearing, the Hearing, Appealing the ALJ's decision).</p> <p>The OAC updated the Public Benefits main page and added more robust FAQs also broken down based on the category of information typically sought by self-represented parties in public benefits cases. The General Services FAQs were also updated and reorganized.</p>
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Recommendation 2E	
<p>OAC should improve its customer service and communications to parties by:</p> <p>E. Reinstating a process to gather feedback from parties, such as through a survey sent to parties after their hearings are completed.</p>	
Current Implementation Status	Implemented
Current Implementation Date	April 2025
Status Update Narrative	<p>In February 2025, the OAC launched a customer service feedback survey on its website. The survey invites customers to offer feedback on the following areas: hearing timeliness; ALJ preparedness; judicial demeanor including fairness/bias, control over the hearing, and professionalism; knowledge of the law; the quality of the written decision; staff interaction experiences; and website feedback. The survey permits respondents to request a response from the OAC.</p> <p>Positive feedback is conveyed to the identified employee or team to reinforce the good work. Negative survey responses are used for quality control and coaching purposes. If a response is requested to negative feedback, the Director treats it like a complaint, opens a complaint file, investigates the complaint and provides a formal written response.</p>

Recommendation 3A

OAC should improve its administrative processes for case management, virtual hearing administration, and conflict mitigation, by developing and implementing processes, and updating procedural rules as needed, in the following areas:

A. Data management, including developing a strategy that identifies key case data and information needed to inform OAC’s performance and management decisions, and updating written guidance and training for ALJs and staff on data entry practices as well as roles and responsibilities for data entry. This could also include making improvements to Salesforce to strengthen data management and functionality.

Current Implementation Status	Partially Implemented
Current Implementation Date	March 2026
Status Update Narrative	<p>The OAC identified key case data necessary to inform performance and management decisions by creating a list of the most important data entry fields in the case management system and then analyzing where gaps existed. For example, the Salesforce case management system lacked the ability to document when an ALJ’s final decision is due. The OAC created a new field that automatically populates the “at issue” date based on the hearing date. The addition of this field allowed development of a report that can assist managers with monitoring cases in which decisions are due. The OAC also refined picklists within Salesforce to ensure staff and judges capture accurate data.</p> <p>The OAC has not yet completed comprehensive updated written guidance. Instructions and guidance were distributed through emails when Salesforce features were updated. The OAC also discussed these changes at all office meetings which are held quarterly. No formal training session has occurred yet.</p>

Recommendation 3B

OAC should improve its administrative processes for case management, virtual hearing administration, and conflict mitigation, by developing and implementing processes, and updating procedural rules as needed, in the following areas:

B. Maintaining complete information on relevant complaints received, the investigations, and resolutions.

Current Implementation Status	Implemented
Current Implementation Date	September 2024
Status Update Narrative	<p>The OAC has been maintaining complete documentation on relevant complaints, investigations, and resolutions through an organized electronic storage system based on the complainant’s name and dates of the complaint. If the complainant files multiple complaints, the OAC is maintaining only one file pertinent to the complainant.</p>

Recommendation 3C	
<p>OAC should improve its administrative processes for case management, virtual hearing administration, and conflict mitigation, by developing and implementing processes, and updating procedural rules as needed, in the following areas:</p> <p>C. Virtual hearing administration, including clarifying expectations and establishing guidance for ALJs, parties, and interpretation services, and providing related training to relevant ALJs and staff.</p>	
Current Implementation Status	Implemented
Current Implementation Date	August 2025
Status Update Narrative	<p>The OAC developed a written standard work process for ALJs to follow during virtual hearings. The OAC also revised its Technical Guidance to add more detail and is now including it with virtual hearing invitations to the parties. Guidelines for interpreters were also developed and are being distributed to the parties and interpreters with the virtual hearing invitations.</p> <p>All ALJs and the staff members responsible for managing hearings attended a training on these procedures on August 7, 2025.</p>

Recommendation 3D	
<p>OAC should improve its administrative processes for case management, virtual hearing administration, and conflict mitigation, by developing and implementing processes, and updating procedural rules as needed, in the following areas:</p> <p>D. Conflict of interest mitigation, to provide greater assurance that ALJs consistently consider their independence and recuse themselves from cases when appropriate. This should include OAC documenting a standard process for identifying and addressing conflicts; providing ALJs updated training on what constitutes a conflict; and considering the use of a standard form for ALJs to attest to their independence or disclose potential conflicts.</p>	
Current Implementation Status	Implemented
Current Implementation Date	December 2025
Status Update Narrative	<p>The OAC developed a written standard work process for ALJs to follow in order to assess whether a conflict of interest exists. The written guidance follows the Colorado Code of Judicial Conduct's (CJC) rules on disqualification based on conflicts of interest.</p> <p>In July 2025, the Director considered use of a form for disclosing potential conflicts of interest, and conducted research into requirements for ALJs in other states and at the federal level. Based on the results of that research, in addition to the requirement that ALJs adhere to the CJC, the Director determined that written disclosure of potential conflicts of interest was unnecessary. The CJC adequately covers an ALJs obligations to address conflicts of interest without the need for a disclosure form.</p>

	<p>DPA also has an Ethics Policy that addresses conflicts of interest, which all DPA employees, including ALJs, are required to follow.</p> <p>The Director declined to consider a written attestation of independence because the CJC adequately addresses judicial independence.</p> <p>A training session on conflicts of interest was held on December 12, 2025 and was presented by the Colorado Presiding Disciplinary Judge.</p>
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