Administrative Orders ("AOs") are one of the tools NHDES uses to enforce the laws assigned to it by the New Hampshire General Court (Legislature). In the period 1997-2008, NHDES issued an average of 58 AOs per year.

AOs are enforceable legal documents, and so must meet stringent standards. For this and other reasons, the process of drafting and issuing AOs had become burdensome. Staff who had other primary duties and who were untrained in legal writing were assigned to draft AOs, resulting in substantial delays in producing a draft which then still needed extensive revision by an attorney. In some cases, the time and effort spent drafting an AO was wasted because NHDES senior management decided that the AO should not be issued.

The Process & The Bumps

The task of reforming this process had been on the department’s radar screen for years. A training course in Lean Process Improvement in 2009 was the catalyst to start real progress.

With the participation of NHDES senior management, staff who generate AOs, and others attending the training, the (then) current process of issuing AOs was shown in a Value Stream Map. This made the problem areas obvious. A Value Stream Map describing a desired future state was then produced, and three areas that needed follow-up problem solving efforts ("kaizens") were identified.

The current state map revealed that AOs were routed up the full chain of command twice (in “draft” and “final” form); each AO was signed by two senior management officials even though dual signatures are not legally required; and despite the double routing, AOs seldom met standards upon arrival at the department’s Legal Unit, leading to a long editing period.

The new process uses a new “case summary” to summarize the key facts and issues of a case, enabling an early senior management sign-off. A team of people with the proper skills then write the AO. Once final, the AO is signed by one senior official and issued.

Implementing the new process took more time than expected. Scheduling the kaizens took time. Many NHDES programs issue AOs, and all had to be trained in the new process. Senior management had to get comfortable with the new process, in an area (legal enforcement) where one must be sure of one’s actions. Completing the Case Summaries was new to everyone.

The Results

While the time to issue an AO under the prior system was not tracked (an issue unto itself), the best estimate was that an AO ordinarily took 114 days to issue from the date the program decided that an AO was needed to actual issuance. The process is now being tracked in some detail. The first five AOs issued using the new process took an average of 48 days (program decision that an AO was needed to actual issuance), down from an estimated 114 days via the old process, a 56% reduction in time.

Project Name: Administrative Order Process Improvement

Idea & Process Owner
Gretchen Hamel x 3137

Benefits/Results
The first five AOs issued using the new process took an average of 48 days (program decision that an AO was needed to actual issuance), down from an estimated 114 days via the old process.

SLT decision in 1-2 days
Decision made at day 22 on the average
AO average completion time 43 days
Additional improvement of 7%.

Update