U.S. Department of Veterans Affairs

Washington State Department of Veterans Affairs
2018 Veteran Service Officer Information Session

Briefed by:
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“To care for him who shall have borne the battle and for his widow, and his orphan.”

A. Lincoln

VBA Business Lines

VBA FOOTPRINT: FY19 PROJECTIONS

- Compensation: $95B to 5.27M beneficiaries
- Pension: $5.6B to 468.7K beneficiaries
- Education: $13.7B to 951.4K beneficiaries
- VR&E: $1.8B to 149.7K beneficiaries
- Housing: +3million active loans worth over $646B
- Insurance: $1.9B to 5.97M beneficiaries
Paul R. Lawrence, Ph.D.
Under Secretary for Benefits

- Army Veteran, raised in an Army family
- Economist by training
- 30 years of relevant experience for the job, working closely with federal leaders as a senior management consultant
- Focus areas:
  - Efficiency and effectiveness
  - Financial management
  - Improving performance
  - Management challenges
  - Leveraging technology to drive efficiencies
  - Driving change
  - Research & thought leadership on government management
USB Three Areas of Focus

- Customer Service
- Financial Stewardship
- Culture of Collaboration
DIGITIZATION and AUTOMATION

• Centralized Intake of Claims Material
• Paper Extraction & Digitization of Inactive Claim Files
• Decision Ready Claims
• Exam Management System
• Quality Management System

EFFICIENCY and SERVICE

• Update Performance Standards
• Expand Access to VA Systems
• Modernize the Appeals Process
• Continue to improve customer service at National Call Centers
• Improve Dependency Claims Processing
• Update the VA Schedule for Rating Disabilities (VASRD)

STRATEGIC PARTNERSHIPS

• Warrior Training Advancement Course (WARTAC)
The VA Appeals Process

This chart represents the path any one single appealed issue can follow towards resolution. An appeal may have several issues, each within a different stage of the process, and a Veteran may have multiple contemporaneous appeals. Any Veteran can enter and reenter the process, even when no further compensation is possible. While this chart represents the typical path for most compensation-related issues, other types of VA appeals have different processes.

**Traditional Review Option Selected**

**VBA**

Rating Decision

Notice of Disagreement

Decision

**Award Action**

Yes

Satisfied?

No

INFORMAL CONFERENCE with Veteran and/or VSO selected

Decision Review Officer/De Novo Option selected

FORMAL HEARING if requested

**Satisfied?**

Yes

Award Action

No

STATEMENT OF CASE (SOC) An SOC is a readjudication of the appeal by VBA.

Supplemental Statement of the Case (SSOC) (i.e., readjudication). Whenever the Veteran indicates that additional evidence is available, additional development and readjudication is warranted.

**Appeal Closed**

No

Formal Appeal (VA Form 9)

**Yes**

**AAGENCY OF ORIGINAL JURISDICTION (VBA)**

Appeals in which Veterans are represented by a VSO return to the Appeals Management Office (AMO) for development of evidence identified by the Board’s remand, and remain with this VBA entity until all development is complete, at which time the AMO will complete an SSOC.

If the Veteran is unrepresented, or represented by an attorney, the appeal is returned to the RO to complete the development.

**Contact with VSO or Veteran for resolution**

Award Action

**Yes**

Satisfied?

No

**BORDER OF APPEALS FOR VETERANS CLAIMS**

The Court remanded 83.7% of appeals to the Board in FY16. Most remands are for additional development and readjudication.

**Case Requires Development**

Remand to Appeals Management Office (62% of FY16 Board decisions included a remand for at least one issue. Remands occur as often as development is required, including when evidence has been received since last SOC.)

**Denial of Benefits Sought**

**Partial Grant of Benefits Sought**

**Full Grant of Benefits Sought**

**Award Action**

Yes

Satisfied?

No

Board Hearing, if requested

The Board held 13,035 hearings in FY16. Over 75,000 hearing requests are pending.

**Prepare Case for BVA Review & Certify**

**New Evidence Received?**

(Can occur at any time in the process.)

Yes

**FORMAL HEARING if requested**

**Satisfied?**

Yes

Award Action

No

**VBA opinion or Outside Medical Opinion Required.** Board completes this development in certain appeals in which the medical record is insufficient, and no further examination is necessary.
Solution: Appeals Modernization Act

• On August 23, 2017, the **Veterans Appeals Improvement and Modernization Act of 2017** was signed into law. The new law takes effect in February 2019.

• It creates a new decision review process, which features three lanes:
  - **Higher-Level Review** – An entirely new review of the claim by an experienced adjudicator
  - **Supplemental Claim** – An opportunity to submit additional evidence
  - **Appeal** – Review by the Board of Veterans’ Appeals
### New Process: Three Lanes

<table>
<thead>
<tr>
<th>VBA</th>
<th>VBA</th>
<th>BVA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supplemental Claim Lane</strong></td>
<td><strong>Higher-Level Review Lane</strong></td>
<td><strong>Appeal Lane</strong></td>
</tr>
<tr>
<td>• VA will readjudicate a</td>
<td>• More experienced VA employee takes a</td>
<td>• Evidence only docket: Additional evidence submitted</td>
</tr>
<tr>
<td>claim if “new and relevant”</td>
<td>second look at the same evidence (closed</td>
<td>within 90 days following NOD</td>
</tr>
<tr>
<td>evidence is presented or</td>
<td>record and no duty to assist)</td>
<td></td>
</tr>
<tr>
<td>identified with a supplemental claim (open record)</td>
<td>• Option for a one-time telephonic informal conference with the higher-level reviewer to discuss the error in the prior decision</td>
<td></td>
</tr>
<tr>
<td>• VA will assist in gathering new and relevant evidence (duty to assist).</td>
<td>• <em>De novo</em> review with full difference of opinion authority</td>
<td></td>
</tr>
<tr>
<td>• Effective date for benefits always protected (submitted within 1 year of decision)</td>
<td>• Duty to assist errors returned to lower-level for correction (quality feedback)</td>
<td></td>
</tr>
<tr>
<td>• Replaces “reopening” claims with “new and material” evidence</td>
<td></td>
<td>• Direct docket: Closed record and 365 days timeliness goal</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Hearing docket: Board hearing and additional evidence submitted within 90 days following hearing</td>
</tr>
</tbody>
</table>

- **VBA**
  - Evidence only docket: Additional evidence submitted within 90 days following NOD
  - Direct docket: Closed record and 365 days timeliness goal
  - Hearing docket: Board hearing and additional evidence submitted within 90 days following hearing
New Decision Review Process

Veterans Benefits Administration

- The Claim (Establishes Effective Date)
- VBA Decision (Improved Notice)
  - Higher-Level Review
    - Same Evidence
    - 125-Day Avg. Goal
  - Supplemental Claim
    - New Evidence
    - 125-Day Avg. Goal

Board of Veterans’ Appeals

- Appeal (NOD)
  - 3 Options
  - 365-Day Avg. Direct Docket Goal

Except for appeals to the Court, all filing deadlines are one year.
The **Rapid Appeals Modernization Program (RAMP)** began on November 1, 2017 and allows eligible Veterans with pending appeals the option to have their decisions reviewed in the new **Higher-Level Review** or **Supplemental Claim** lanes.

**As of April 2, 2018 any Veteran that meets the eligibility criteria below may participate in RAMP (no invitation required)**

- Participation is voluntary and Veterans are encouraged to opt in.
- Veterans must have an active disability compensation appeal in one of the following appeal stages:
  - NOD
  - Form 9
  - Certified to the Board (not activated)
  - Remand
RAMP Opt-in Election

RAMP OPT-IN ELECTION
RETURN THIS PAGE ONLY IF YOU WANT TO PARTICIPATE IN RAMP
(DO NOT complete this form if you wish to remain in the current legacy appeals process)

Once you have read and understood the attached VA letter, please indicate your election by completing and returning this notice with the coversheet provided to the address noted below.

DEPARTMENT OF VETERANS AFFAIRS
EVIDENCE INTAKE CENTER
PO BOX 4444
JANEVILLE WI 53547-4444
OR
FAX TO: 844-831-7818

By completing this form, I elect to participate in RAMP. I am withdrawing all eligible pending compensation appeals in their entirety, and any associated hearing requests, to participate in VA’s RAMP initiative and have my eligible appeals proceed under the new process described in the Appeals Modernization Act. I understand that I cannot return to the current (legacy) appeals system for the issues withdrawn. I also acknowledge that, in the event I want the Board to review my claim, the Board will not consider my appeal under the new process until no earlier than October 2018.

I elect the following review option (select only one):

☐ Supplemental Claim

I elect to have all eligible issues currently on appeal processed as a supplemental claim. I would like to submit or have already submitted new and relevant evidence in support of my claim for benefits. I understand that I have 30 days from the date of my election to submit additional evidence or notify VA of evidence that VA can assist in gathering.

☐ Higher-Level Review

I elect to have all eligible issues currently on appeal reviewed in the higher-level review process. I understand that this review will be based upon the evidence submitted to VA as of the date of this election and VA will not seek additional evidence on my behalf as part of the higher-level review.

Place a check in the box below if you would like a one-time telephonic informal conference with the Higher-Level Reviewer. If you have an accredited representative (VBO, attorney, or agent) please include his or her contact information below. (This option may cause some delay in the processing of your higher-level review in scheduling.)

☐ Informal Conference

Representative/Org. ____________________________
Phone Number ____________________________

Claimant or Authorized Representative Signature ____________________________ Date ____________________________
Decision Review Operations Center (DROC)

DROC SeaTac

<table>
<thead>
<tr>
<th>Title</th>
<th>Grade</th>
<th>QTY</th>
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</thead>
<tbody>
<tr>
<td>Supv VSR (DROC Mgr)</td>
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</tr>
<tr>
<td>Supv VSR (Asst DROC Mgr)</td>
<td>GS14</td>
<td>2</td>
</tr>
<tr>
<td>Supv VSR (Coach)</td>
<td>GS13</td>
<td>12</td>
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<tr>
<td>Supv VSR (Asst Coach)</td>
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<td>8</td>
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<tr>
<td>DRO</td>
<td>GS13</td>
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<tr>
<td>DRO (RQRS)</td>
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<td>VSR (Rating)</td>
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<td>VSR (Authorizer)</td>
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<tr>
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<tr>
<td>Support Services Supervisor</td>
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<tr>
<td>Training Coordinator</td>
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<tr>
<td>Financial Admin Specialist</td>
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</tr>
<tr>
<td>Financial Accounts Tech</td>
<td>GS6/7</td>
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</tr>
<tr>
<td>HR Specialist</td>
<td>GS9/11</td>
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</tbody>
</table>

Total: 227

Onboard Appeals Team: 27
FTE FY19 Budget: 200
Total St Pete DROC: 227
Useful VA Links

• https://www.benefits.va.gov/BENEFITS/factsheets.asp (VBA Informational and factsheets)
• https://www.benefits.va.gov/BENEFITS/index.asp (VBAs website)
• https://www.ebenefits.va.gov/ebenefits/homepage (Ebenefits homepage)
• https://www.benefits.va.gov/seattle/ (Seattle Regional Office’s homepage)