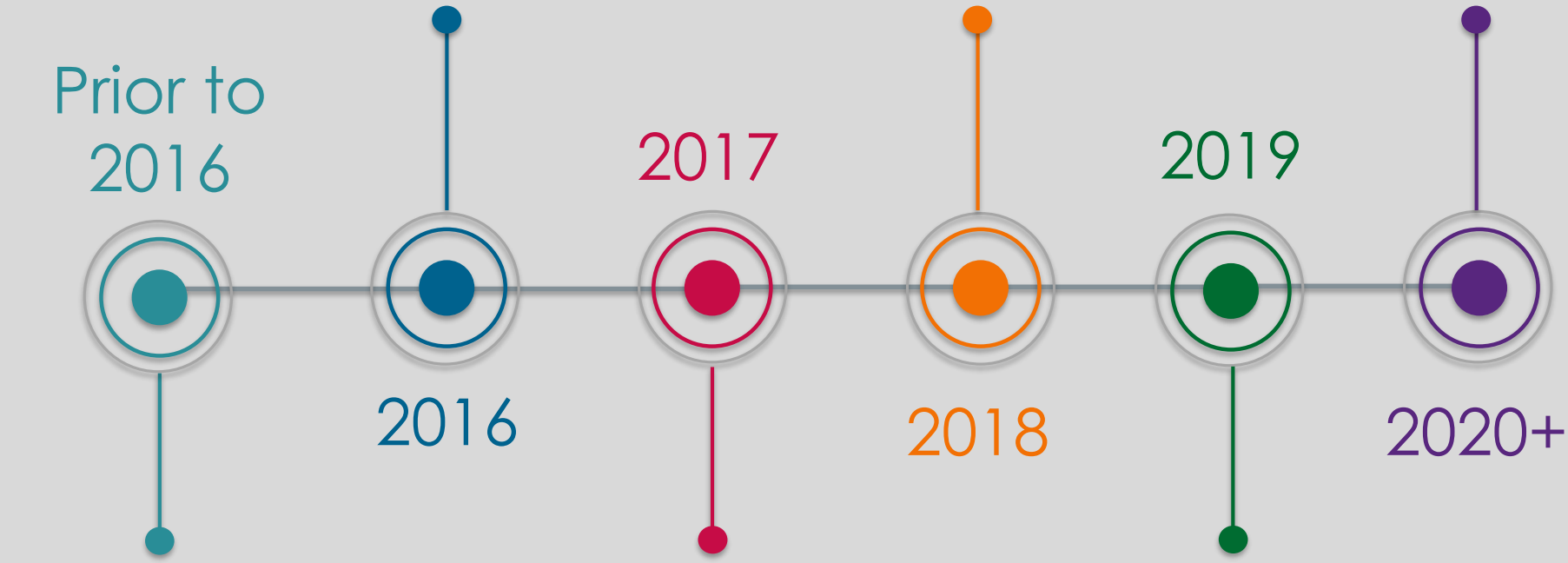
VA | Appeals Management Office

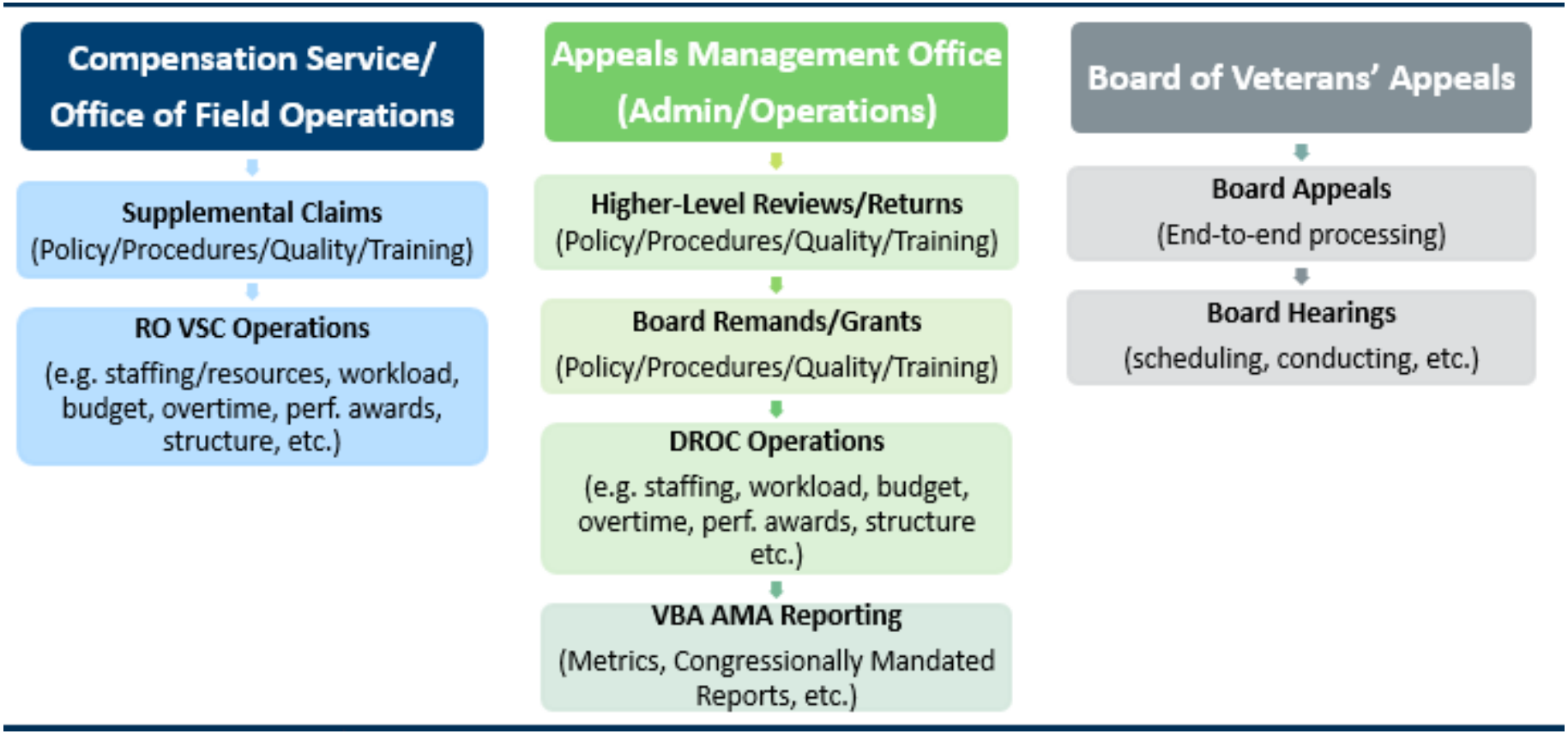
VA Appeals Modernization Act Status Update

October 2019

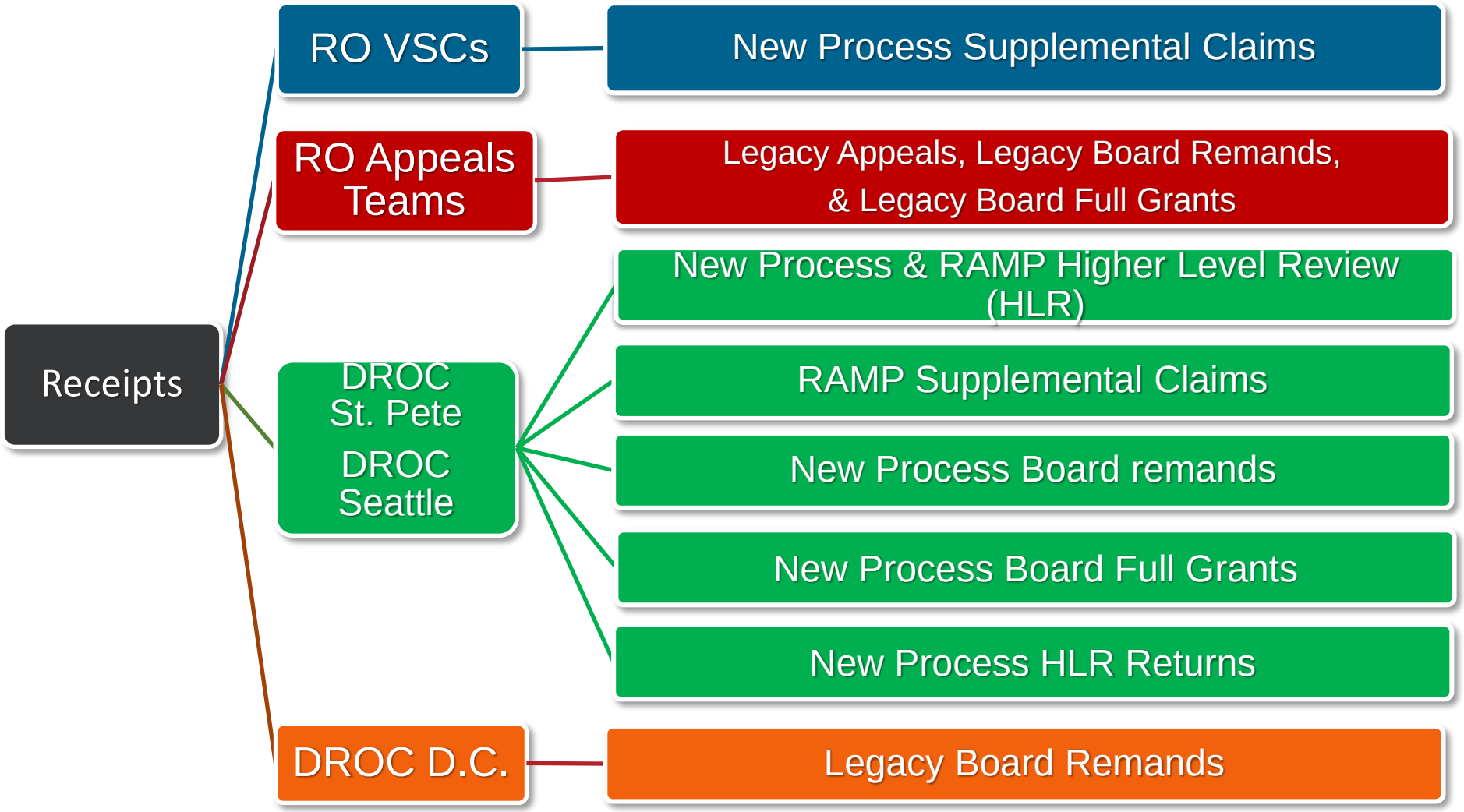

Prior to 2016
• APPEALS MANAGEMENT CENTER
• APPEALS MODERNIZATION ACT (AMA) CONCEPT CREATED
2016
• AMO CREATED
• APPEALS OPERATIONS, POLICY, AND OVERSIGHT CONSOLIDATED UNDER AMO
• 1,495 APPEALS EMPLOYEES
2017
• LEGACY INVENTORY HITS HIGH OF 468K
• AMA SIGNED INTO LAW
• 18-MONTH IMPLEMENTATION PERIOD
• RAMP BEGINS
2018
• ONGOING AMA IMPLEMENTATION
• 605 FTE AUTHORIZED
• NEW DECISION REVIEW OPERATIONS CENTERS
• RAMP OPT-INS INCREASE
2019
• ON-TIME AMA IMPLEMENTATION
• RAMP ENDS
• 605 FTE HIRED
• 2,100 APPEALS EMPLOYEES
• FOCUS ON LEGACY REDUCTION
2020+
• NON-REMAND LEGACY ELIMINATION
• REMAND INVENTORY REDUCTION
• EXCESS APPEALS RESOURCES SHIFTED

AMO Structure and Workflow

AMA Program Oversight



VBA Workload Distribution



DROC Employees

Position	Grade Levels	Duties (AMA)	Workload (AMA)
Veterans Service Representative (VSR)	GS-7 through 11	• Evidence collection • Examination ordering • Authorizing payments (higher-graded VSRs)	• Board remands • Board grants • Higher-level review returns • Higher-level review grants (authorizing payments)
Rating VSR (RVSR)	GS-11 through 12	• Issuing decisions	• Board grants • Board remands • Higher-level review returns
Decision Review Officer (DRO)	GS-13	• Holding informal conferences (if requested) • Issuing decisions	• Higher-level reviews

AMO's Goals and Accomplishments

AMO FY2019 Accomplishments

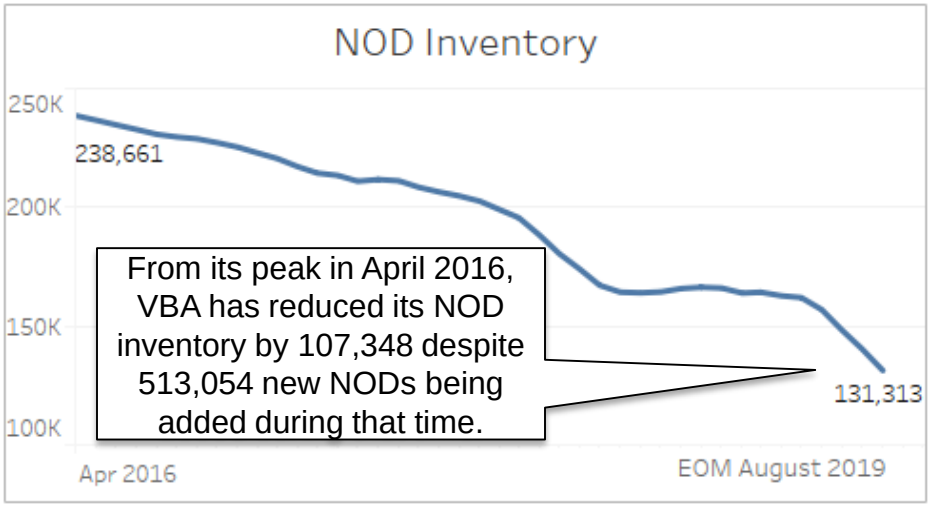
- On-time implementation of the Veterans Appeals Improvement and Modernization Act of 2017 (AMA) on February 19, 2019
- Establishment of two new DROCs at St. Petersburg and Seattle
- Hiring of 605 additional employees
- RAMP closed on February 15, 2019 – test program resulted in more timely resolutions for Veterans and the withdrawal of over 88K legacy appeals
- Transfer of hearing scheduling duties from VBA to the Board

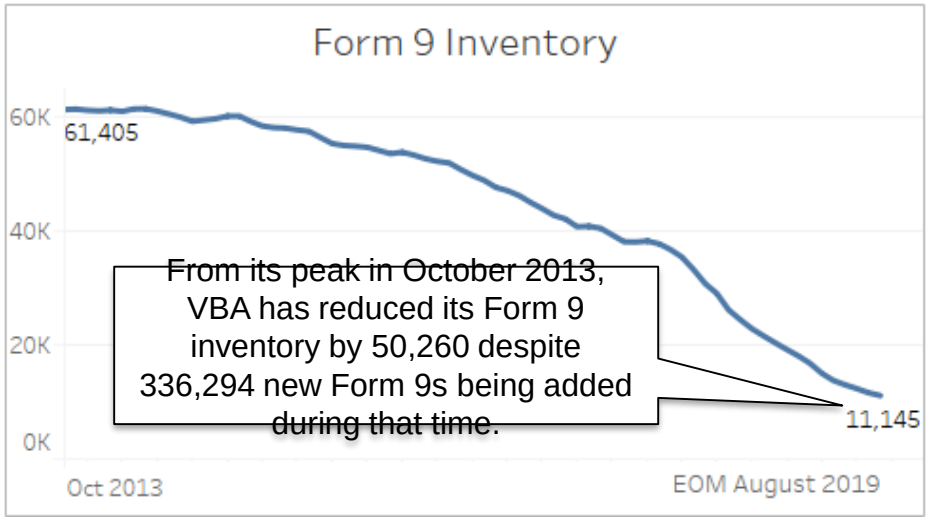
FY2020 and Beyond

- AMO utilizing strict workload oversight, monitored daily, to ensure that AMO remains on track to eliminate non-remand legacy appeals in FY2020
- Reduced remand inventory
- Targeting SOC/SSOC opt-in opportunities through marketing to encourage as many legacy appeals as possible into AMA
- Develop a quality assurance program for higher-level reviews and remands
- Evaluating trends from AMA Feedback Loop
- End state for AMO – business line + DROCs – St. Pete, Seattle, D.C., and possible 4th location (depending on expected future legacy remand/grant output from the Board)

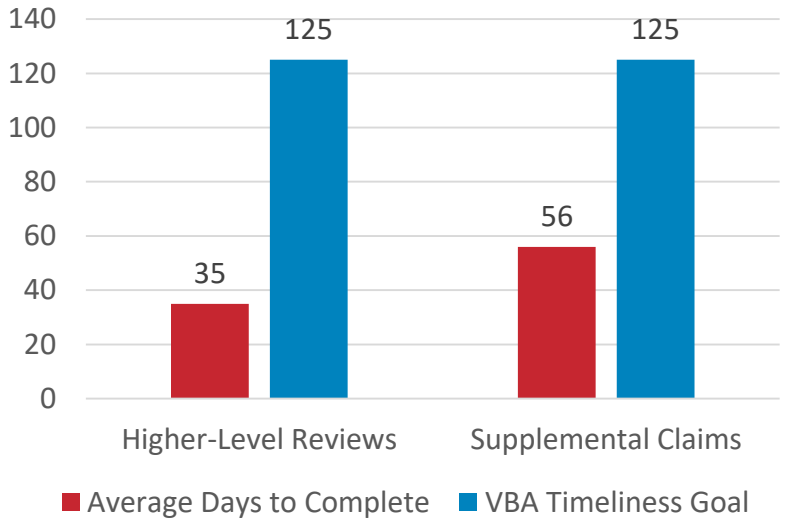
VBA's Goals: Legacy Appeals and AMA Decision Reviews

Legacy Inventory Reduction – NOD and Form 9





AMA Supplemental Claim and Higher-Level Review Timeliness



VBA AMA Workload (FY through EOM August)

Receipts

- 88,453 Supplemental Claims
- 18,423 Higher-Level Reviews
- 1,224 Statement of the Case (SOC)/ Supplemental Statement of the Case (SSOC) Opt-ins (VBA + Board lanes)

Completed

- 50,200 Supplemental Claims
- 13,854 Higher-Level Reviews

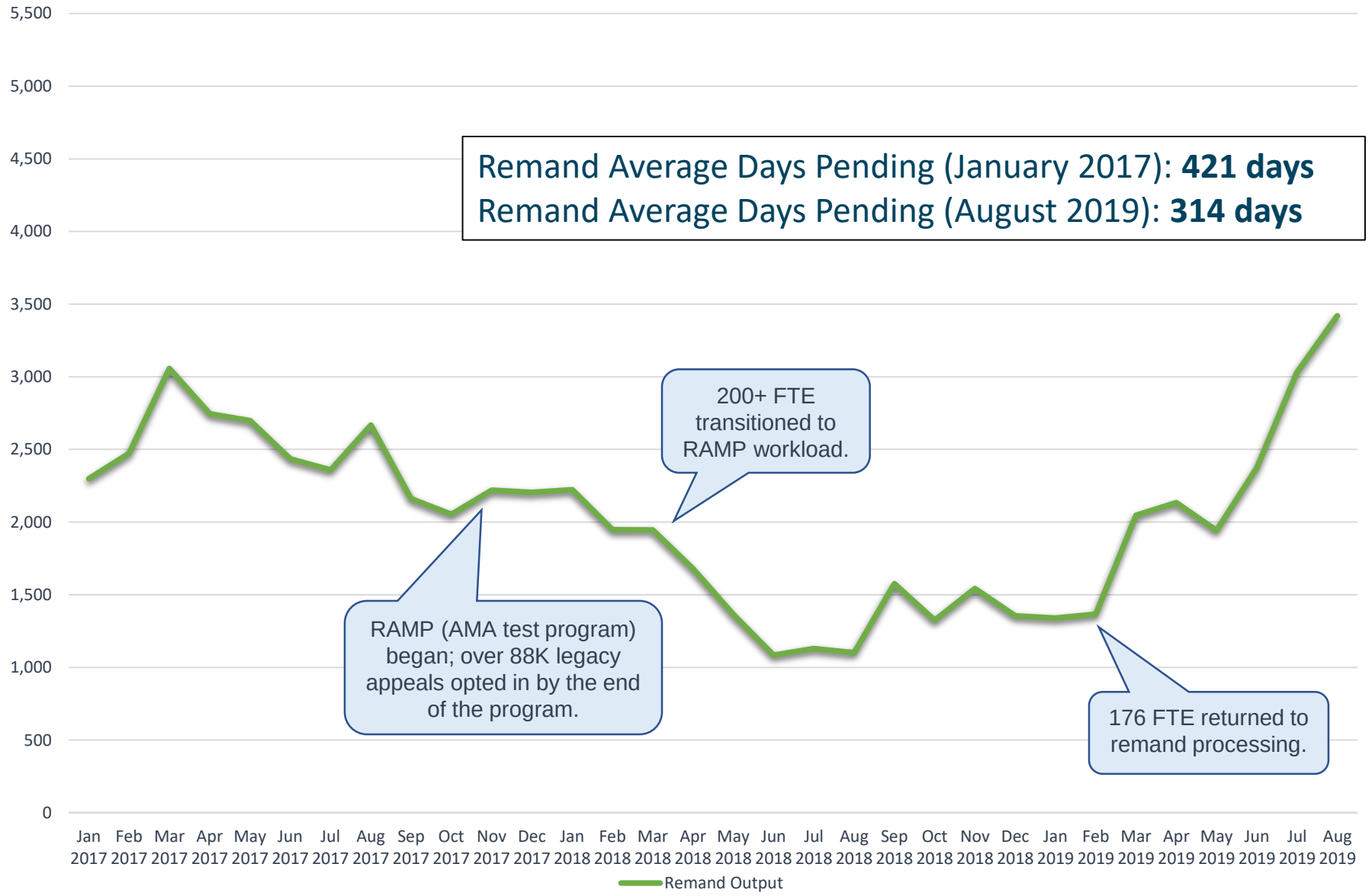
Legacy Appeals Elimination and Workload Movement

NOD (Veteran → VBA) → Form 9 (Veteran → VBA) → Appeal at Board (VBA → Board) → Remand (Board ↔ VBA)

Date	NOD Inventory	Form 9 Inventory	Remand Inventory	Form 9s and Remands Completed
August 2019 (end of month)	131,313 **Resolution rate = 65.0%**	11,145 **Resolution rate = 4.5%**	74,274 **Resolution rate = 17.8%**	7,741 (4,320 Form 9s; 3,421 Remands; of these, 6,596 appeals moved to the Board)
May 2020	**Eliminated**			
July 2020		**Eliminated**		
December 2020			To a working inventory (~50K)	

4,249 appeals moved to the next VBA stage

Remand Production Over Last 30 Months



“Opt-in” Opportunities for Legacy Appeals

Opt-in from a SOC/SSOC

- SOC/SSOC will include notice of opt-in opportunity through the following enclosures:
  - VA Modernized Decision Review System SOC/SSOC Opt-In Fact Sheet
  - VA Form 20-0998, Your Rights to Seek Further Review of Our Decision
- Claimants must opt-in within 60 days of receipt of SOC/SSOC

Opting into AMA – VBA Lanes

Supplemental Claim

- Submit a VA Form 20-0995, *Decision Review Request: Supplemental Claim*.
- Check "OPT-IN from SOC/SSOC" box under Part II, 13 (see below).

PART II - ISSUE(S) FOR SUPPLEMENTAL CLAIM

13. YOU MUST LIST EACH ISSUE DECIDED BY VA THAT YOU WOULD LIKE VA TO REVIEW AS PART OF YOUR **SUPPLEMENTAL CLAIM.** *Please refer to your decision notice(s) for a list of adjudicated issues. For each issue, please identify the date of VA's decision. (You may attach additional sheets of paper, if necessary. Include your name and file number on each additional sheet.*

Check this box if any issue listed below is being withdrawn from the legacy appeals process. ☐ **OPT-IN from SOC/SSOC**

Higher-Level Review

- Submit a VA Form 20-0996, *Decision Review Request: Higher-Level Review*.
- Check "OPT-IN from SOC/SSOC" box under Part III, 15 (see below).

PART III - ISSUES FOR HIGHER-LEVEL REVIEW

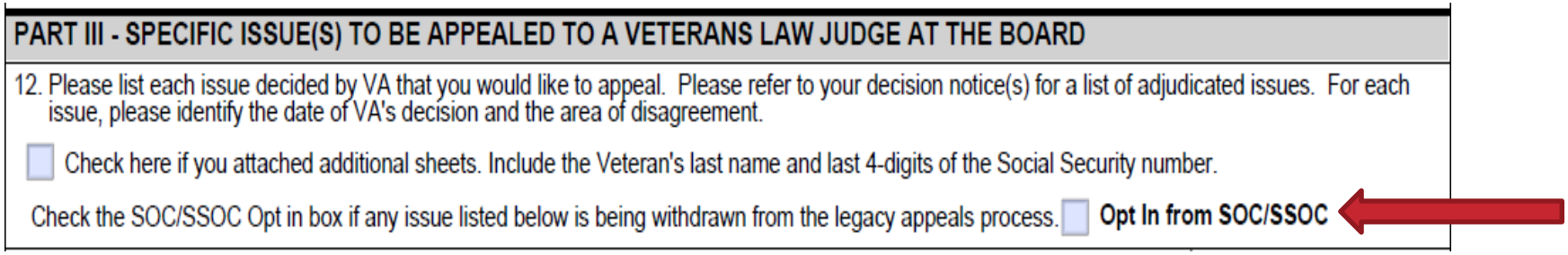
15. YOU MUST INDICATE BELOW EACH ISSUE DECIDED BY VA FOR WHICH YOU ARE REQUESTING A HIGHER-LEVEL REVIEW. *Please refer to your decision notice(s) for a list of adjudicated issues. for each issue, please identify the date of VA's decision. You may attach additional sheets, if necessary. Please include your name and file number on each additional sheet.*

Check this box if any issue listed below is being withdrawn from the legacy appeals process. ☐ **OPT-IN from SOC/SSOC**

Opting into AMA – BVA Lane

Board Appeal

- Submit a VA Form 10182, *Decision Review Request: Board Appeal (Notice of Disagreement)*.
- Check “Opt In from SOC/SSOC” box under Part III, 12 (see below).



PART III - SPECIFIC ISSUE(S) TO BE APPEALED TO A VETERANS LAW JUDGE AT THE BOARD

12. Please list each issue decided by VA that you would like to appeal. Please refer to your decision notice(s) for a list of adjudicated issues. For each issue, please identify the date of VA's decision and the area of disagreement.

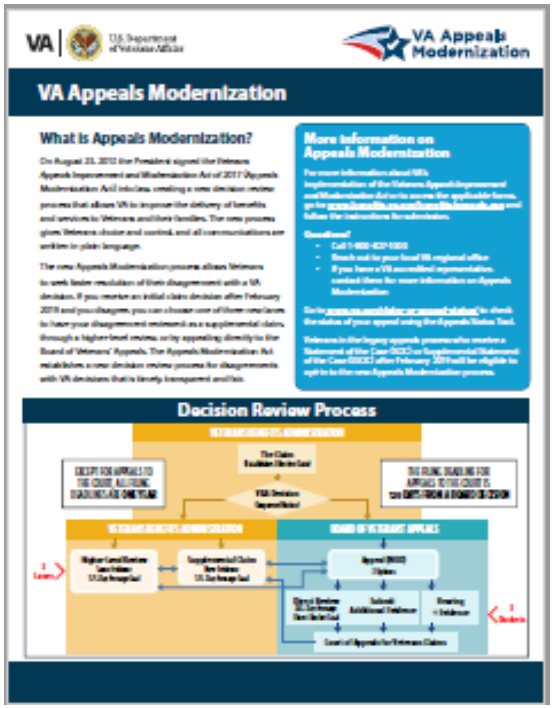
☐ Check here if you attached additional sheets. Include the Veteran's last name and last 4-digits of the Social Security number.

Check the SOC/SSOC Opt in box if any issue listed below is being withdrawn from the legacy appeals process. ☐ **Opt In from SOC/SSOC**

AMA Resources & Materials

The following AMA resources can be found on the VA.gov website at https://benefits.va.gov/benefits/appeals.asp

- Brochure
- FAQs
- Fact Sheet
- Infographic
- Video
- Poster



Claimants can find information on filing requirements and the forms to apply at https://www.va.gov/decision-reviews.

AMO Quality Assurance Program

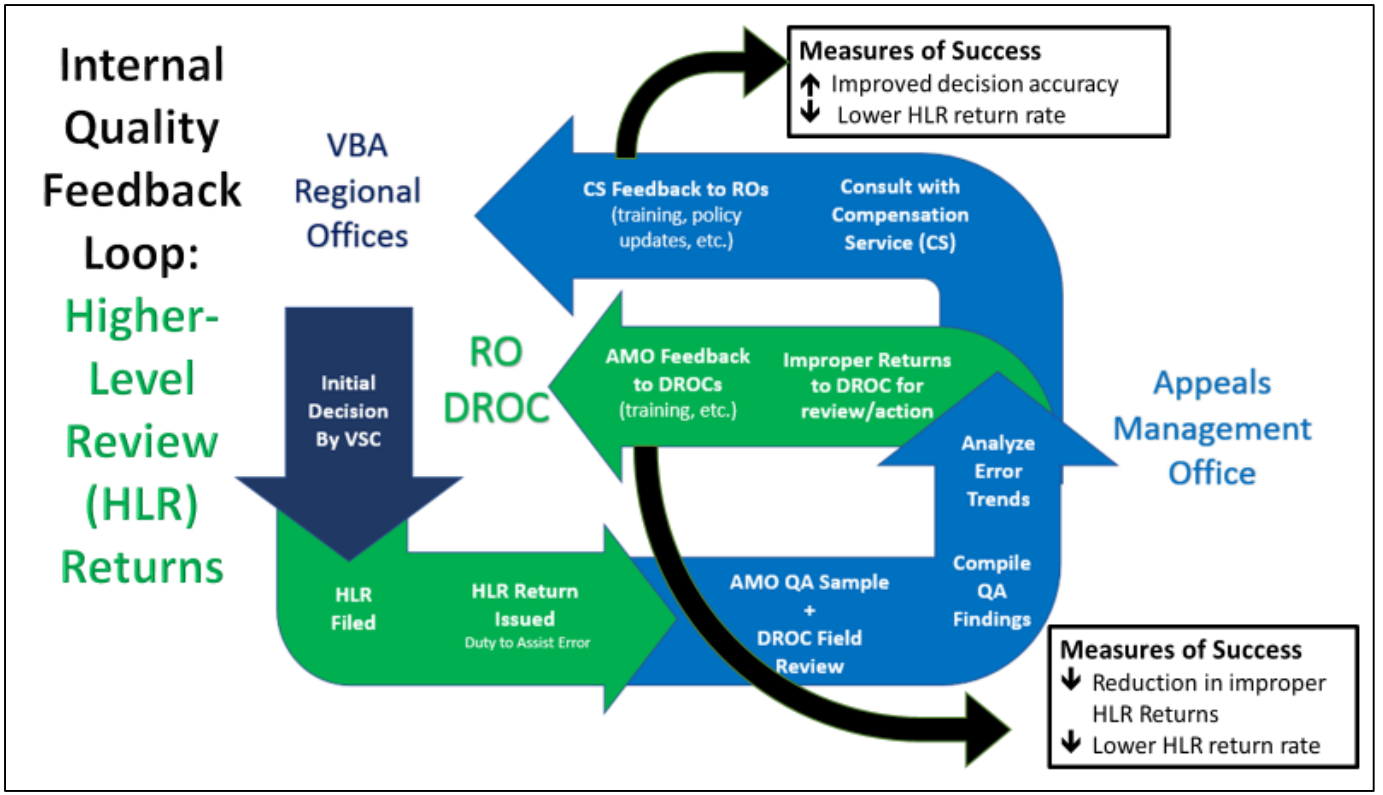
AMO Quality Accuracy - August 31, 2019			
Rating Reviews	June-19	July-19	June - July 2019
	Issue Based(IB) Accuracy	IB Accuracy	IB Accuracy
Total	100.0%	94.6%	97.2%

- In FY19, AMO is finalizing a quality review trial period to assess baseline quality of higher-level reviews
  - VBA's quality target for the higher-level review process is **96%**
  - Cumulative issue-based quality accuracy to date is **97.2%**
- In FY20, AMO will establish a statistically valid sample size for HLRs and begin monthly reporting of National accuracy rates
- AMO will conduct monthly calls with field offices to discuss identified error trends and policy/procedural guidance

AMA Quality Feedback Loop

AMA also provides a quality feedback loop for improved decision quality from:

- Returns from the Higher-Level Review Lane, and
- Board Remands



VBA is leveraging data gathered from the feedback loops to improve accuracy at the initial decision level through:

- quarterly collaboration sessions with the Board and other VBA stakeholders,
- development of training materials to address error trends, and
- updates to policy/procedural guidance to ensure field personnel apply the laws and regulations appropriately the first time.

Questions?