

Appeals Improvement and Modernization Act Implementation

Goal Leaders: Cheryl Mason, Chairman, Board of Veterans' Appeals
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Theme: Veterans Benefits and Services

Overview

Goal Statement

- Improve VA's claims and appeals process by implementing the new, streamlined framework authorized by the Veterans Appeals Improvement and Modernization Act of 2017. By September 30, 2019, VA has fully implemented the Veterans Appeals Improvement and Modernization Act of 2017 and is adjudicating appeals under the new appeals system while resolving the remaining legacy appeals, i.e. the appeals filed under the pre-Veterans Appeals Improvement and Modernization Act of 2017 legal framework.

Challenge

- VA's legacy appeals process is slow, complex, contains multiple processing steps, and splits jurisdictions among VA's three Administrations.
- The process entails continuous evidence gathering and re-adjudication that causes delays in reaching a final decision.

Opportunity

- The Veterans Appeals Improvement and Modernization Act of 2017 (the Act):
 - Overhauls VA's current appeals process and provides Veterans, their families, and survivors with a choice in resolving disagreements with VA decisions.
 - Includes safeguards to ensure claimants receive the earliest effective date possible for their claims.
 - Facilitates more timely final decisions.

Goal Structure & Strategies (1 of 3)

Due to the magnitude and scope of the statutory change, VA has established a detailed project management plan to implement the new system. VA's plan establishes a governance structure with a main workgroup and sub-workgroups comprised of subject matter experts responsible for coordinating full implementation of all elements.

| Main Governance Structure | | | | | | | | | | | |
|---------------------------|--------------------|-------------------|---------------------|----------|--------------|----------------|------------------------------|-------------|-----------|--------------|----------|
| 90 Day Plan | Forms/Publications | Quality Assurance | Internal Procedures | Training | IT Solutions | Communications | Metrics/Performance Tracking | Regulations | HR Issues | Hiring/Space | Outreach |

Goal Structure & Strategies (2 of 3)

- **Strategy 1 - Rapid Appeals Modernization Program (RAMP) Launch**
 - In addition to fully implementing the Act the Veterans Benefits Administration (VBA) launched the Rapid Appeals Modernization Program (RAMP) November 1, 2017; both initiatives support the goal of providing Veterans an early resolution of their claim. The initiative will provide participants the option to have their decisions reviewed in the Higher-Level Review or Supplemental Claim Lanes established by the Act. It will provide eligible Veterans the opportunity to enter the new, more efficient appeals process outlined in the Act instead of entering the burdensome current legacy process. Under RAMP, Veterans can expect to receive a decision on a claim much faster than if they were to remain in the legacy appeals process.

Goal Structure & Strategies (3 of 3)

- **Strategy 2 – Project Management Professional Implementation Support**
 - VA has also engaged dedicated Project Management Professional (PMP) support experts who will apply strategies and provide deliverables (i.e., stakeholder engagement, scope management, integrated master schedule and risk management) to document the tasks and activities required to implement the new appeals system. To track the progress of implementation, the plan includes timelines, interim goals and milestones, reporting requirements, and established deadlines. Dedicated PMP support will ensure the Secretary meets all reporting requirements of the statute and is able to fully implement the new appeals system.
- **Strategy 3 – Stakeholder Collaboration**
 - VA will continue to collaborate with Veterans Service Organizations (VSOs) and other stakeholders to obtain buy-in and feedback regarding implementation to better serve Veterans, survivors and dependents. Further, in accordance with the Act, VA will report implementation status to the appropriate Congressional committees and the Comptroller General.

Key Milestones

By September 30, 2019, VA has fully implemented the Appeals Improvement and Modernization Act of 2017 and is adjudicating appeals under the new appeals system and the legacy system. FY18Q1 status: Finalizing the APG goal statement and action plan.

| Milestone Summary | | | | | |
|---|------------------------|------------------|---------------------|---------|---|
| Key Milestones | Milestone Due Date | Milestone Status | Change Last Quarter | Owner | Anticipated Barriers or Other Issues Related to Milestone Completion |
| Train Board Staff | April 2018 | | | BVA | Possible delay in development of resources necessary to train Board staff. |
| Publication of the Proposed Rule in the Federal Register | May 2018 | | | BVA/VBA | Package must go through both internal and OMB concurrence prior to submission to Federal Register therefore, any delay would impact this process. |
| Train VSOs | Jun-Aug 2018 | | | BVA | Possible complications in training coordination and development due to competing schedules of participants. |
| Publish newly revised forms | November-December 2018 | | | BVA/VBA | Possible delay in obtaining required approval. |
| Begin phased rollout of IT infrastructure necessary to support new system | November-December 2018 | | | BVA/VBA | Potential IT development delays may impact deployment of necessary IT infrastructure. |
| Publication of the Final Rule in the Federal Register | January 2019 | | | BVA/VBA | Large volume of comments from the public on the submitted regulations that have to be addressed by VA. |
| Implement revised position descriptions and standards | February 2019 | | | VBA | Negotiations with labor partners. |

Stakeholders

VA has made every effort to engage internal and external partners throughout the appeals modernization process. VA has conducted a stakeholder analysis to ensure a wide variety of interests are taken into account. Additionally, VA intends to solicit feedback during the RAMP process, to ensure any necessary changes can be made prior to full implementation.

| Stakeholder | Communication Channel |
|---|---|
| Veterans | Direct contact, surveys |
| Veterans Service Organizations (VSO) | Close partnership maintained through meetings, surveys and requested feedback |
| Private Attorney Veteran Representatives | Direct communication to ensure they are receiving required information |
| Government Accountability Office (GAO) | Responses are provided to engagements, inquiries and other requests for information |
| Office of the Inspector General (OIG) | Responses are provided to reviews, inquiries and other requests for information |
| Senate Veterans' Affairs Committee (Congress) | Collaborative meetings, hearings and responses to member inquiries |
| House Veterans' Affairs Committee (Congress) | Collaborative meetings, hearings and responses to member inquiries |

Contributing Programs

VA Internal Organizations:

- **Board of Veterans Appeals**
 - Legislation implementation primary
 - Responsible for fully implementing Public Law 115-55 within their organization
- **Veterans Benefits Administration**
 - Legislation implementation primary
 - Responsible for fully implementing Public Law 115-55 within their organization
- **Office of General Counsel**
 - Instrumental in regulatory support and publication
 - Responsible for fully implementing Public Law 115-55 within their organization
- **Veterans Health Administration**
 - Responsible for fully implementing Public Law 115-55 within their organization
- **National Cemetery Administration**
 - Responsible for fully implementing Public Law 115-55 within their organization

External Communications Plan

VA's outreach includes coordination of messaging activities across VA. This enterprise-wide approach provides Veterans and other external stakeholders with a consistent message and understanding of how the new system works.

In order to ensure wide dissemination of information on the new system, VA will conduct outreach through the following avenues:

- Web communication on internet sites such as VA.gov, Vets.gov, and other VA social media sites
- Communications through regular mail, email, print, and traditional media outlets
- In-person events such as VA town halls and other community-based occasions.