



Agency Priority Goal Action Plan

# Appeals Improvement and Modernization Act Implementation

**Goal Leaders:**

Cheryl Mason, Chairman, Board of Veterans' Appeals

David McLenachen, Director, Appeals Management Office

# 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 appeals process is slow, complex, contains multiple processing steps, and splits jurisdiction 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 established a detailed project management plan to implement the new system. VA continues to work towards effective monitoring of overall implementation and has improved VA's enterprise-wide Master Project Schedule by supplementing it with individual project plans from VBA and the Board. This action provides oversight, clarifies risks and allows VA to make plans for mitigation.

Additionally VA has taken the following steps to ensure implementation is on track:

- Weekly meetings of the project management leads from all three VA administrative branches (VBA, VHA, NCA) and the Board, to synchronize their Master Schedules and discuss risk management strategies.
- Bi-weekly meeting with VBA's Under Secretary for Benefits and the Chairman of the Board to discuss risks, challenges, and to foster consistent and purposeful collaborative implementation efforts.
- Monthly meetings with the leadership of individual VBA lines of business to discuss the progress towards implementing Appeals Modernization.

# 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; the initiative 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.

# Summary of Progress – FY18 Q3

---

VA continues to make notable progress in implementing the Appeals Modernization Act. The Proposed Rule was published in the Federal Register on August 10th and VA continues to provide training and outreach to stakeholders, create and disseminate standard operating procedures for staff, and draft requirements for IT system updates. Moreover, VA continues to collaborate with Veterans Service Organizations (VSOs) and other stakeholders and collect feedback on VA's pre-implementation process for Appeals Modernization. Collaborative efforts with VSOs have helped to improve the RAMP opt-in rate from 3%, when RAMP started in November, to the current overall opt-in rate of over 14%. While RAMP is ongoing, VSOs and other stakeholders provide regular feedback to VBA.

In addition, VA made substantial progress in its RAMP program and as of June 30<sup>th</sup>, over 30,129 appellants with more than 36,729 unique appeals opted into RAMP. VBA is providing decisions on RAMP cases within an average of 66 days. While RAMP is currently limited to providing decisions in VBA's Higher-Level Review or Supplemental Claim Lanes, the Board will begin adjudicating appeals of RAMP decisions in October 2018 in a phased process to test processes and technology. This will allow Veterans, following a RAMP decision, access to all three appeal lanes at the Board.

Also, on May 1, 2018, the Board began a small-scale research program, the Board's Early Applicability of Appeals Modernization (BEAAM). The Board and U.S. Digital Service have partnered with select Veterans' representatives to identify 34 Veterans who are dissatisfied with a recent claim decision. These 34 Veterans were able to make elections under the new framework and will receive decisions consistent with their choices between July 2018 and September 2018. This program will allow the Board to collect preliminary data about Veteran preferences, choices, and experiences.

# 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.

Milestone Summary					
Key Milestones	Milestone Due Date	Milestone Status	Change from Last Quarter	Owner	Anticipated Barriers or Other Issues Related to Milestone Completion
Train Board Staff	April 2018	In Progress	Training Initiated	BVA	Delay in development of resources necessary to train Board staff.
Publication of the Proposed Rule in the Federal Register	Aug 2018	Delayed	Change from May to Aug	BVA/VBA	Delays have slowed the publication of the Proposed Rule. However, OMB has now cleared the Proposed Rule. The Proposed Rule is currently in the Federal Register for public comment. VA will work with internal stakeholders to ensure that publication of the final rule is timely.
Train VSOs	Jun-Aug 2018	On Track	None	BVA	Possible complications in training coordination and development due to competing schedules of participants.
Publish newly revised forms	November-December 2018	On Track	None	BVA/VBA	Possible delay in obtaining required approval.
Begin phased rollout of IT infrastructure necessary to support new system	November-December 2018	On Track	None	BVA/VBA	Potential IT development delays may impact deployment of necessary IT infrastructure.
Publication of the Final Rule in the Federal Register	January 2019	On Track	None	BVA/VBA	Large volume of comments from the public on the submitted regulations that have to be addressed by VA.

# 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 and BEAAM 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.