



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 decision reviews and 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 toward 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. VA also conducts regular meetings to ensure that Information Technology updates remain on track for full implementation.
- 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 supports the goal of providing Veterans an early resolution of their claim. The initiative provides participants the option to have their decisions reviewed in the Higher-Level Review or Supplemental Claim Lanes established by the Act. It provides 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 receive decisions much faster than if they were to remain in the legacy appeals process. VBA is not accepting opt-in elections postmarked after February 15, 2019 and allowed non-postmarked or improperly-filed forms until April 26 to opt in. As of May 1, the RAMP program was completed, and no additional RAMP claims can be established.

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 – FY19 Q1

VA continued to make notable progress in implementing the Appeals Modernization Act and was on track to fully implement the new system.

- VA responded to public comment to the Proposed Rule that was published in the Federal Register.
- On October 1, 2018, the Board began adjudicating the first Appeals Modernization Act appeals filed in the RAMP program in a phased-in test of Board process and technology. This approach allowed the Board to identify and address issues relating to implementation of the new appeal framework prior to implementation. At the end of FY 19 Q1 the Board had adjudicated 84 RAMP appeals.
- VA provided training and outreach to internal and external stakeholders based on lessons learned during this test.
- VA OIT continued the process of delivering and testing functionality in response to the requirements provided.
- Collaborative efforts with VSOs helped to improve the RAMP opt-in rate from 3%, when RAMP started in November, to the overall opt-in rate of over 17.57% at the end of Q1. VA made substantial progress in its RAMP program and as of December 31, over 66,628 appellants with more than 79,971 unique appeals opted into RAMP. At the end of FY 19 Q1, VBA was providing decisions on RAMP cases within an average of 124.4 days. Veterans who remain dissatisfied with their RAMP decisions are able to file a notice of disagreement to the Board and request any of the three Board appeal lanes. At the end of FY 19 Q1 the Board had adjudicated 84 RAMP appeals.

Summary of Progress – FY19 Q2

VA successfully implemented the Appeals Modernization Act (AMA) on February 19, 2019.

- As VA processes new AMA appeals, decision reviews, and remaining RAMP claims and appeals, VA will track and report metrics required under AMA and continue to improve Veteran-facing communications.

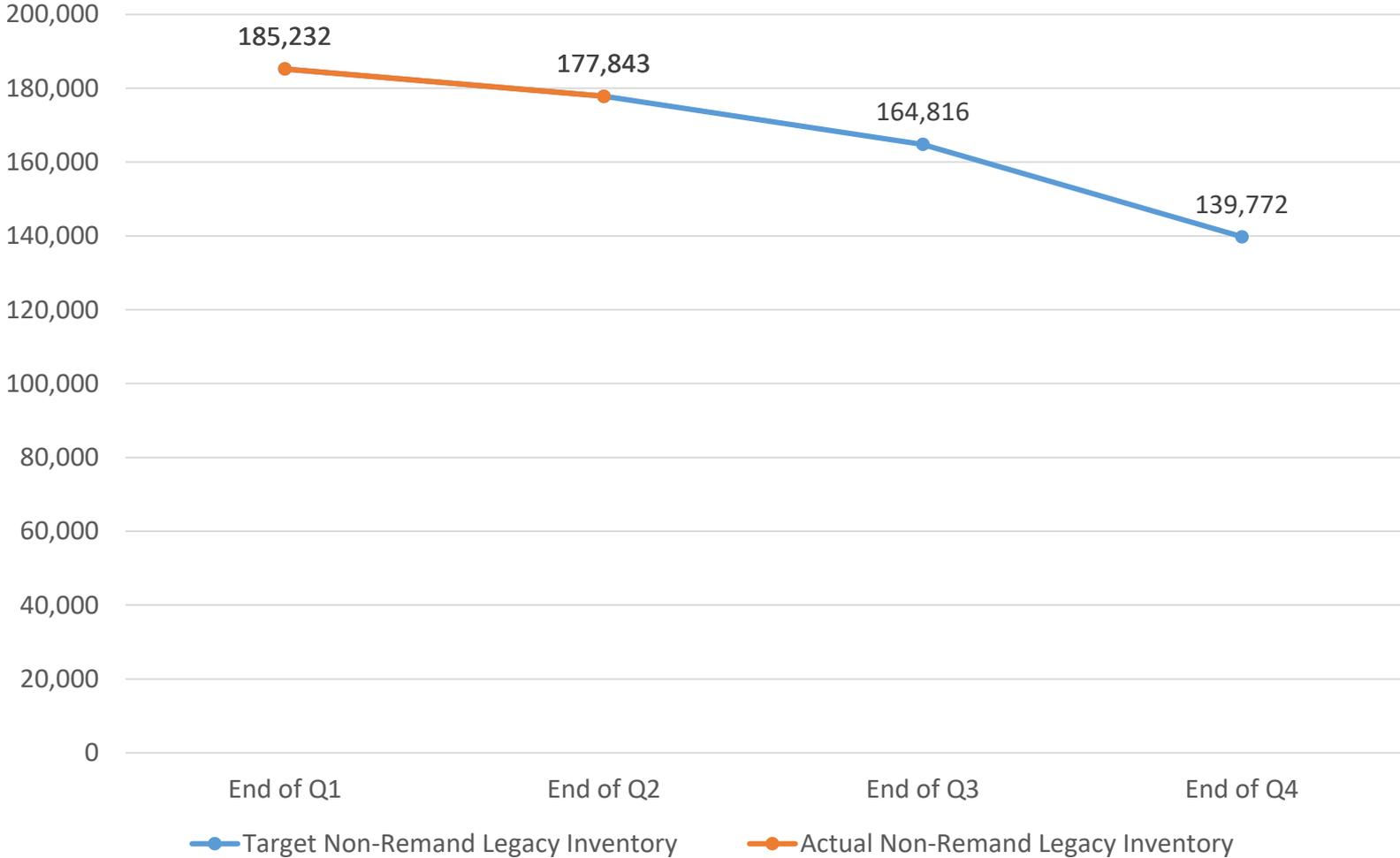
As of March 31, 2019, VBA has established 3,872 AMA receipts. Of these, 421 claims were completed within an average of 29.6 days.

As of March 31, 2019, the Board has dispatched 310 AMA appeals.

- RAMP ended on February 15, 2019, in advance of full AMA implementation, and had an overall opt-in rate of 19.2% at the end of FY 19 Q2. VBA applied multiple lessons learned from RAMP toward improvements for AMA. By the end of FY 19 Q2, over 72K appellants with over 87K unique appeals opted into RAMP, with \$331M in retroactive benefits paid. At the end of FY 19 Q2, VBA was providing decisions on RAMP cases within an average of 133 days (January – March 2019 completions).
- VA updated communications materials to reflect post AMA implementation information.
- VBA remains on track to eliminate non-remand legacy appeals inventory in FY 2020.
- At the end of FY 19 Q2, the Board had signed over 45,000 decisions and held more than 11,000 hearings. The Board is on track to complete a record number of appellate decisions in FY 2019.

Summary of Progress – FY19 Q2

VBA Legacy Appeals Inventory Reduction – FY2019



- Depicts VBA’s Compensation & Pension non-remand legacy appeals inventory
- Data baselined at end of month April 2019 (no targets prior to baseline)

Key Milestones (1 of 2)

By February 19, 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	Completed	Completed	BVA	Delay in development of resources necessary to train Board staff.
Publication of the Proposed Rule in the Federal Register	Aug 2018	Completed	Completed	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-Dec 2018	Completed	Training Ongoing	BVA	Possible complications in training coordination and development due to competing schedules of participants.
Publish newly revised forms	November-December 2018	Completed	Under review with OMB	BVA/VBA	Not applicable
Begin phased rollout of IT infrastructure necessary to support new system	November-December 2018	Completed	Rollout Ongoing	BVA/VBA	Potential IT development delays may impact deployment of necessary IT infrastructure.
Publication of the Final Rule in the Federal Register	January 2019	Completed	None	BVA/VBA	Large volume of comments from the public on the submitted regulations that have to be addressed by VA.

Key Milestones (2 of 2)

VA 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
RAMP Closeout	February 2019	Ongoing	New	VBA	Applied multiple lessons learned from RAMP towards improvements for AMA.
Creation of a Duty to Assist Feedback Loop review program	November 2019	On track	New	VBA	Delays in reporting if requested system functionality is not delivered or delayed
Development of an AMO-specific IT program for quality (Enterprise Quality Management System – AMO (EQMS-A))	July 2019	On track	New	VBA	Delivery of claims completion data to EQMS-A may be delayed
V-Signals Surveys on Veterans experience with the appeals system	October 2018	Ongoing	New	BVA/VBA	In collaboration with VEO, BVA deployed surveys starting in October 2018 to track feedback on the appeals system. VBA is currently working with VEO to develop surveys to measure satisfaction with AMA.

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 solicited 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