



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 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 AMA):
 - 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 the Veterans Benefits Administration (VBA) and the Board of Veterans' Appeals (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, the Veterans Health Administration (VHA) and the National Cemetery Administration (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 and 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 AMA.

Goal Structure & Strategies (2 of 3)

- **Strategy 1 - Rapid Appeals Modernization Program 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 supported the goal of providing Veterans early resolution of their pending appeals. RAMP provided participants the option to have their decisions reviewed in the Higher-Level Review or Supplemental Claim Lanes established by the Act. It provided eligible Veterans the opportunity to enter the new, more efficient appeals process outlined in the Act instead of entering the burdensome legacy process. Under RAMP, Veterans received decisions much faster than remaining in the legacy appeals process. VBA stopped accepting RAMP opt-in elections postmarked after February 15, 2019, but allowed non-postmarked or improperly-filed forms until April 26, 2019 to opt in. As of May 1, 2019, the RAMP program concluded as the new decision review process under the Act superseded the RAMP initiative. Therefore, additional RAMP claims cannot 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 AMA, VA will report implementation status to the appropriate Congressional committees and the Comptroller General.

Summary of Progress – FY19 Q4

VA is making notable progress in implementing the AMA.

- VA is simultaneously processing AMA and legacy appeals to ensure that Veterans who have been waiting the longest for a decision have their appeal adjudicated in a timely manner.
 - VBA is on track to eliminate non-remand legacy appeals inventory in FY20.
 - In FY19, VBA decreased its non-remand legacy appeals inventory by 29.3 percent. By the end of the fiscal year, 132,474 non-remand legacy appeals remained in inventory. VBA is 5.2 percent above projection.
- By the end of FY19, the Appeals Management Office's (AMO) Decision Review Operations Centers (DROCs) processed the intake of over 130,367 AMA claims.
 - Higher-Level Reviews are processed in an average of 37.0 days.
 - Supplemental claims are processed in an average of 57.8 days.
- In FY19, the Board dispatched 95,089 appeals (legacy and AMA)—a record breaking number that is 11 percent greater than the 85,288 appeals dispatched in FY18.
- In FY19, the Board held 22,743 appellate hearings (legacy and AMA)—another record breaking number that is 38 percent more than the 16,423 hearings held in FY18.
- The Board dispatched 93,571 legacy appeals in FY19.
- In FY19, the Board received 23,607 AMA receipts and dispatched 1,518 AMA appeals. The average processing time was 95 days from case intake and 157 days from notice of disagreement.
- The Board prioritizes legacy appeals as well as AMA appeals in the direct review lane to meet a 365-day goal.

Summary of Progress – FY19 Q4

- The Board participated in 8 visits to VSOs in FY19 Q4 that included speaking engagements, trainings, and periodic update meetings.
- VA continues to work with the Office of Information and Technology (OIT) to deliver and test functionality in response to the requirements of the AMA, to include tracking and reporting certain metrics.
 - The first phase of Virtual Hearing testing concluded on September 30, 2019. This technology allows appeals hearings to be conducted from personal devices such as laptop computers and mobile devices, which improves scheduling, increases the availability of Board hearings, and makes hearings more convenient to Veterans. The Board held 64 successful Virtual Hearings in FY19 Q4.
 - The Board implemented enhanced functionality to its agile business intelligence application (Caseflow) that provides large-scale insights to aggregated AMA appeals inventory and production. Caseflow also allows the Board to view individual cases within the context of the appeals process as a whole (i.e., in the context of general data trends) and, subsequently, to identify specific details related to AMA production and improve small-scale as well as large-scale business processes.
 - The Board implemented data transformation, extract-transform-load requirements, process improvement techniques, and end-user information accessibility to better analyze case data and improve functionality in support of AMA.
 - The Board implemented VEText to enable the Board to notify Veterans via text of their scheduled hearing and, subsequently, reduce the no-show rate for hearings.
 - The Board began coordination with the Veterans Experience Office (VEO) to ensure that future Board improvements align with customer response data.
 - AMO oversaw the delivery of additional Caseflow functionality with the ability for users to intake additional end products (EP) for AMA claims as part of the quality reviews process and controlling evidence received for closed claims.

Overall Summary of Progress

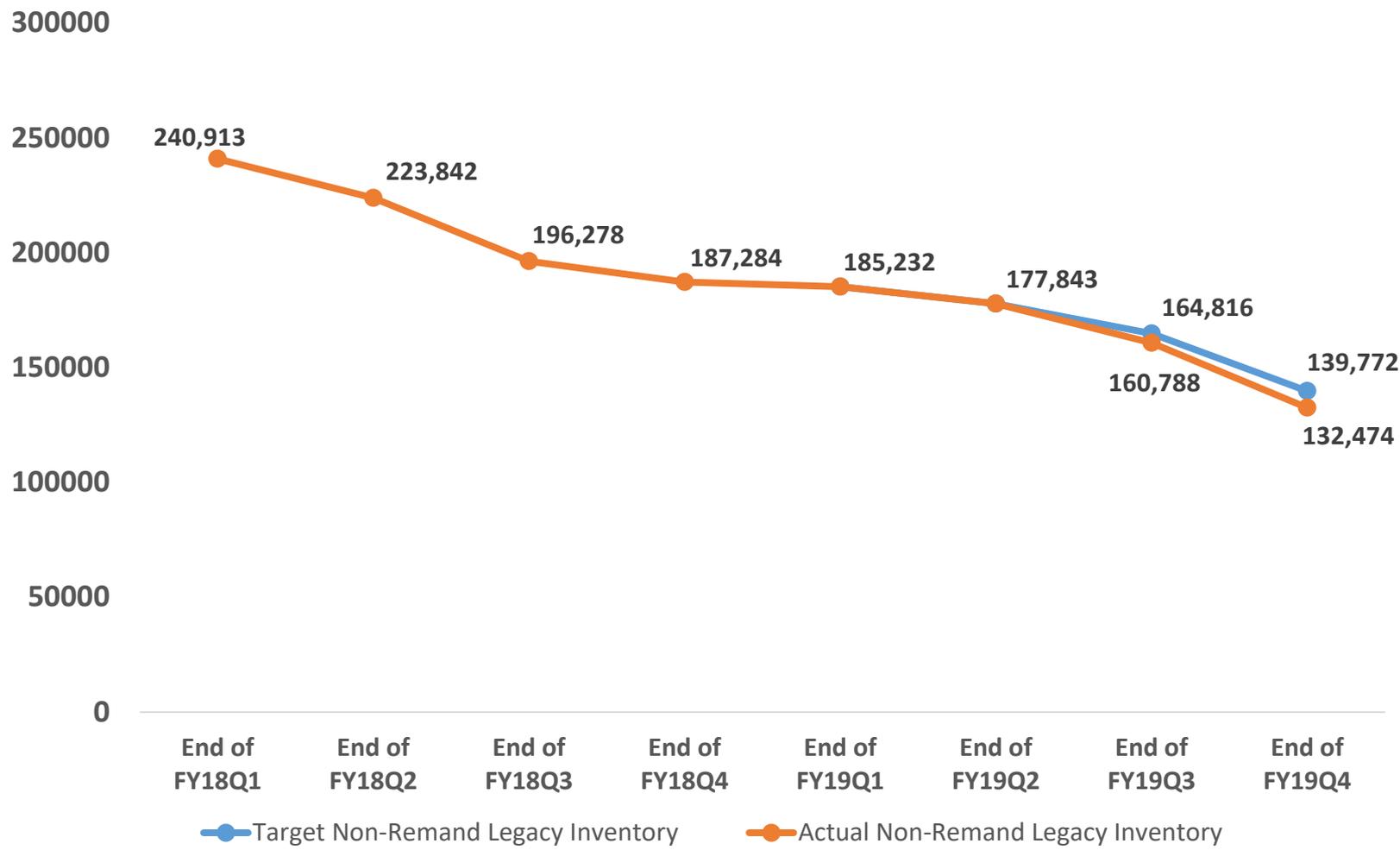
- After the passage of the AMA, VA initiated an 18-month implementation plan.
 - VA promulgated regulations, established procedures, created training materials, hired and trained personnel, implemented information technology system changes, and conducted outreach to timely implement the law on February 19, 2019.
- In FY17, VBA realigned its appeals policy and oversight of its national appeals operations under a single office. The realignment positioned VBA to focus oversight of program operational work, standardize policies and procedures, and increase the ability to make data-driven decisions.
 - In November 2017, VBA launched the Rapid Appeals Modernization Program (RAMP), a test program that provided early data and feedback to ensure smooth implementation of the new system. RAMP resulted in more timely resolutions for Veterans and the withdrawal of over 88,000 legacy appeals.
 - In October 2018, VBA timely established three Decision Review Operations Centers (DROCs) in St. Petersburg, FL, Seattle, WA, and Washington, DC to better create capacity and manage the legacy and new framework workloads.
 - These strategies resulted in a 14.5 percent reduction of legacy appeals inventory in FY18 and a 10.4 percent reduction in FY19. Aggressive workload management has also increased production, as VBA exceeded FY18 targets by 9.2 percent and FY19 targets by 10.6 percent.
- In addition to timeliness and production performance goals in FY20, VBA will implement a quality assurance measurement for both AMA and legacy decisions completed by the DROCs.

Overall Summary of Progress (con't)

- The Board streamlined its policies and procedures to prepare for AMA implementation.
- The Board realigned its organizational focus to hire over 400 new personnel (over a 2-year period) to fill mission-critical, Veteran-facing positions.
- The Board began to adjudicate appeals under the new system while simultaneously adjudicating legacy appeals. Implementation efforts included updating communications materials to reflect post-AMA implementation information.
- The Board provided training and outreach to internal and external stakeholders, to include participating in over 60 visits to VSOs in FY18 and FY19.
- The Board surpassed its production goal in both FY18 and FY19, dispatching 85,288 and 95,089 appeals, respectively. In FY20, the Board will maintain its appeals output and focus on reducing appeals hearing inventory. To this end, the Board will commit additional human and IT resources to hearings, to include hiring more staff and further developing technologies such as Virtual Hearings and VEText.
- Timeliness of completions of decision reviews and appeals are included as an APG in FY20-21. The following is VA's proposed APG goal statement:
 - **Decision Reviews and Appeals:** Provide claimants who disagree with VA's decisions on benefits claims with timely decision reviews under the new, streamlined process authorized by the Veterans Appeals Improvement and Modernization Act of 2017. By September 30, 2021, VA will process and adjudicate appeals for Supplemental claims and Higher-Level Reviews within 125 days on average, and Direct Docket appellate review at the Board within 365 days on average.

Summary of Progress at VBA - FYs 18 and 19

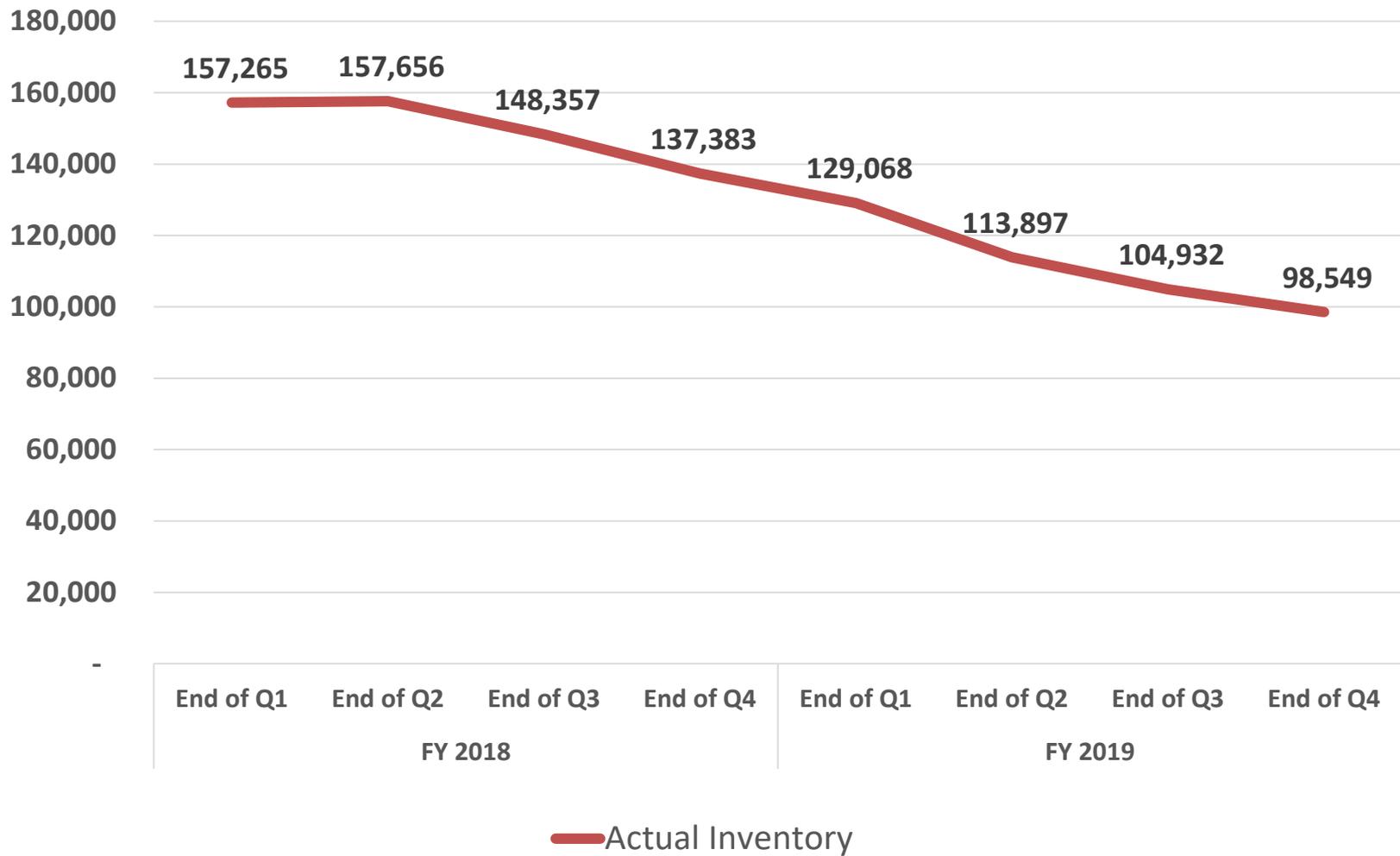
VBA Legacy Appeals Inventory Reduction – FY2019



VBA and the Board each carry a legacy appeals inventory. The legacy appeals process moves like a supply chain and generally involves two steps initiated by the Veteran – 1) the initial appeal within VBA; and if the Veteran remains dissatisfied with the decision, 2) a subsequent request to appeal to the Board. VBA’s legacy inventory includes the initial appeal within VBA and the request to appeal to the Board; both inventories must be completed before the Board can eliminate its own legacy inventory. After completed by VBA, the requests to appeal to the Board become part of the Board’s legacy inventory. VBA’s inventory also contains appeals returned from the Board for further action/development.

Summary of Progress at the Board – FYs 18 and 19

Board of Veterans' Appeals - Legacy Inventory Drawdown



The Board’s legacy inventory is comprised of original appeals (i.e., appeals that are at the Board for the first time), remands from the Court of Appeals for Veterans Claims, and remands returned to the Board from other VA entities such as the VBA, VHA and NCA.

Key Milestones (1 of 2)

On February 19, 2019, VA fully implemented the AMA and began adjudicating appeals under the new appeals system while continuing to adjudicate appeals under 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	Board	Not applicable.
Publication of the Proposed Rule in the Federal Register	August 2018	Completed	Completed	Board /VBA	Not applicable.
Train VSOs	Jun-Dec 2018	Completed	Ongoing as needed	Board	Not applicable.
Publish newly revised forms	November-December 2018	Completed	Completed	Board /VBA	Not applicable.
Begin phased rollout of IT infrastructure necessary to support new system	November-December 2018	Completed	Completed	Board /VBA	Not applicable.
Publication of the Final Rule in the Federal Register	January 2019	Completed	Completed	Board /VBA	Not applicable.

Key Milestones (2 of 2)

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	Completed	Completed	VBA	Not applicable
Creation of a Duty to Assist Feedback Loop review program	November 2019	On track	In Progress	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	Behind schedule	In Progress	VBA	Delivery of claims completion data to EQMS-A may be delayed due to system integration that requires OIT funding. Delivery/Milestone due date updated to February 2020.
V-Signals Surveys on Veterans experience with the appeals system	October 2018	Ongoing	In Progress	Board /VBA	In collaboration with VEO, the Board deployed surveys starting in October 2018 to track feedback on the appeals system. VBA survey will be submitted to the Office of Management and Budget (OMB) for approval in November 2019. VBA anticipates survey deployment in late Q2 FY20.

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