

Veterans Benefits Administration



*Compensation
Service Training
Staff*

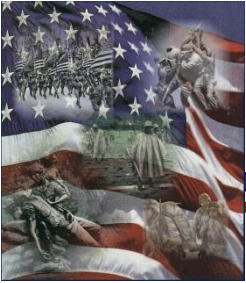
July 2012

FULLY DEVELOPED CLAIM



Lesson Objectives

- Distinguish the criteria for the Veterans' participation in or exclusion from the Fully Developed Claim (FDC) Program
- Differentiate the steps to process a fully developed claim under Additional Requirements
- Differentiate the processing requirements for a FDC informal claim
- Differentiate team responsibilities to prioritize, track, and develop fully developed claims (FDCs)



References

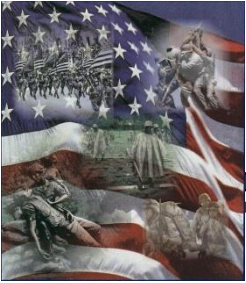
- VA Forms 21-526EZ
- VA Forms 21-527EZ
- FL10-22
- Public Law 110-389 Section 221 (a)
- M21-1MR, Part II, Chapter 4, 7
- M21-1MR, Part III, Subpart ii, 2, D



Fully Developed Claim (FDC) Program

The FDC Program:

- Is unique because the Veteran learns exactly what evidence is needed to substantiate an eligible claim when applying, without having to wait for further instructions.
- Sends the Veteran the required evidence with the claim and certifies that nothing more is required.
- Uses shortened application forms to reduce paperwork and establishes priority channels to process the Veteran's FDC claim.



Veteran's Participation in FDC Program

Participation in the FDC Program requires that a Veteran complete and submit the proper FDC Certification and either:

- VA Form 21-526EZ for a compensation claim
- VA Form 21-527EZ for a pension claim

The Veteran must also submit all relevant and pertinent evidence to fully develop the claim.

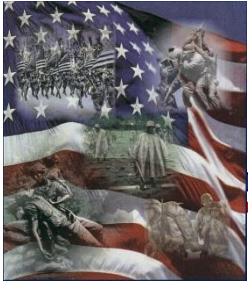


VA Forms 21-526EZ and 21-527EZ

Specifically designed for use in the FDC program,
VA Forms 21-526EZ and 21-527EZ:

- Provide VCAA notification requirements for eligible claims at the time in which a Veteran applies for the benefit rather than through the traditional process.

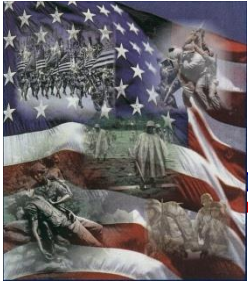
- Are divided into three bound parts:
 - FDC Notice
 - FDC Application
 - FDC Certification



FDC Notice

Both forms explain the general differences between the FDC and the standard claim process.

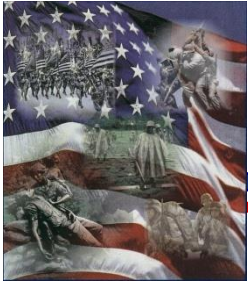
Form	FDC Notice Part
VA Form 21-526EZ	Provides VCAA notification requirements for a rating-related claim for live compensation (original, secondary, and increased disability service connection claims only).
VA Form 21-527EX	Provides VCAA notification requirements for a claim for live pension and special monthly pension.



FDC Application

The FDC Application part of VA Forms 21-526EZ and 21-527EZ is a benefit claims form that requests the Veteran provided specific information necessary for making a claim for:

- Compensation benefits (VA Form 21-526EZ)
- Pension benefits (VA Form 21-527EZ)

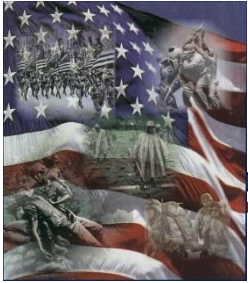


FDC Certification

The FDC Certification part of the VA Forms 21-526EZ and 21-527EZ allows the Veteran to certify that:

- All supporting information or evidence has been enclosed
- There is no information or evidence to give VA to support the claim.

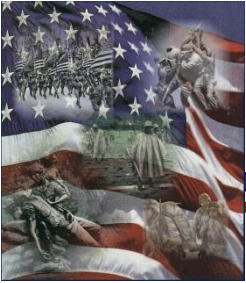
A completed certification also certifies the Veteran's intent to participate in the FDC Program.



FDC Criteria

An FDC must meet the following criteria:

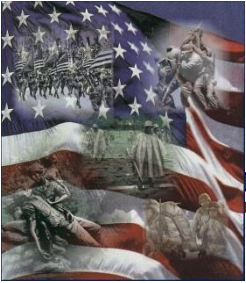
1. Must be a rating-related claim for live compensation or live pension submitted on VA Form 21-526EZ or VA Form 21-527EZ.
2. With the claim, the claimant must submit the proper FDC Certification signed and dated by the claimant or authorized representative.
3. With the FDC Certification, the claimant must submit applicable evidence depending on the claim's situation.
4. The claimant must be available to report for a VA examination, if required.



Additional Requirements Criteria

Consider received compensation or pension claims that fail to meet FDC criteria as eligible for Additional Requirements if all of the following apply:

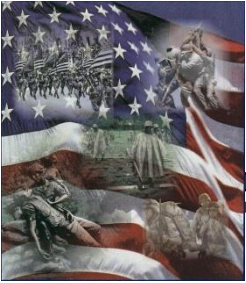
- The claim specifically identifies a desire to participate in the FDC Program.
- The claim does not require any additional development, other than scheduling a VA examination or obtaining records in the constructive custody of the Federal Government, and meets FDC criteria.



Additional Requirements – Claims Processing

For a claim found eligible under ~~the~~ Additional Requirements, use the following steps for processing:

1. Priority process and track the claim.
2. Send VCAA notification as applicable and append the proper FDC Certification.
3. Allow claimant 30 days to sign/date/return the certification.
4. If the proper FDC Certification is completed/returned within 30 days with no additional evidence or subsequent claim, continue to priority process and track the claim as a FDC.
5. If proper FDC Certification is not returned within 30 days or is completed/returned within 30 days but with more evidence or a subsequent claim, treat the claim as no longer meeting FDC criteria and exclude the claim from the FDC Program.

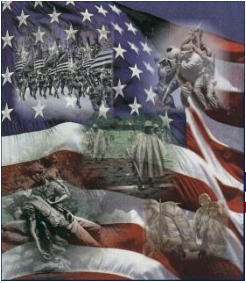


Claims Not Eligible Under Additional Requirements

When a claim is submitted with the intent to participate in the FDC Program but does not meet either FDC or Additional Requirements criteria then:

- Treat the claim as no longer meeting FDC criteria
- Exclude the claim from the FDC Program

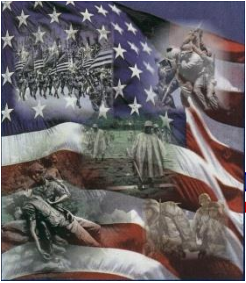
Do not exclude a claim from this program due to normal delays in obtaining evidence in Federal custody.



Disqualified Claim

A claim is disqualified from the FDC Program if the:

- Claim requires additional development
- Claimant has a claim or appeal pending at the time of receipt of the FDC
- Claimant submits a supplemental claim or additional evidence after receipt of the FDC
- Claimant fails to report for an examination
- Claim requires a character of discharge determination

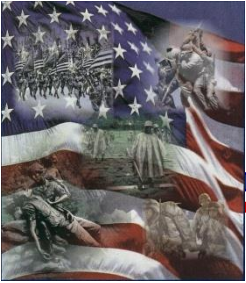


Informal Claims

Consider any communication or action that shows intent to apply for benefits under the FDC Program as an informal FDC.

Upon receipt of an informal FDC:

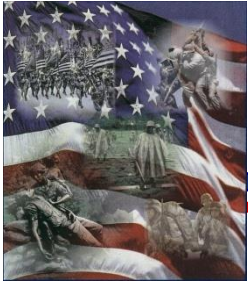
- Advise the claimant to complete and return a formal claim within one year to receive benefits from the date of receipt of the informal claim.
- Do not place the issue under pending-issue control. Control the claim from the date VA receives the formal claim.



Documentation

For record purposes, employees must properly document any claimant contact that may represent an informal claim for benefits. Failure to do so may result in:

- Claimant not receiving the full amount of retroactive benefits
- The contact date will serve as the effective date of entitlement to benefits if the claim is ultimately approved.

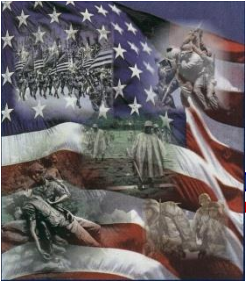


Informal Claims Statement

VSOs have been instructed to advise Veterans to submit informal FDCs identified by the Veteran's name and claim number and a statement of intention to apply.

In this event:

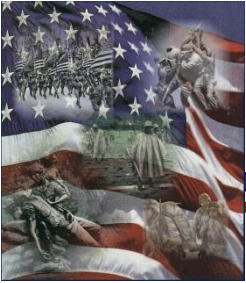
- Follow the informal claims procedures when such a statement is received.
- However, if the informal claims statement is accompanied by a formal claim, place the claim under pending-issue control and initiate claim processing.



Regional Office (RO) Duty

ROs will designate personnel within the full spectrum of claims processing to participate in the FDC Program. This tasking will include the following teams:

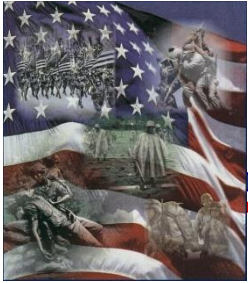
- Triage
- Pre-Determination
- Post-Determination
- Rating



Triage Team Responsibilities

Triage Team responsibilities include:

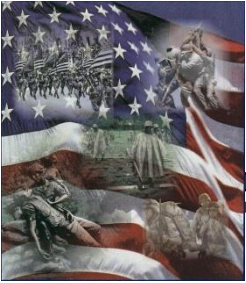
- Establish a specified sorting bin for FDCs.
- Complete the following within one (1) day of receipt:
 - Establish end product control
 - Complete and attach the paper FDC Folder Flash
 - Deliver the FDC to a designated drop-off point for processing



Pre-Determination Team Responsibilities

Pre-Determination Team responsibilities include:

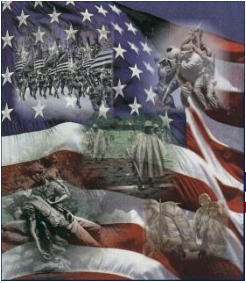
- Initiate development within three (3) days
- Enter contentions in MAP-D and use the MAP-D special issue Fully Developed Claim
- Clearly indicate the claim is a Fully Developed Claim+ on any FDC examination or records request
- Do not send VCAA notification for a claim meeting FDC criteria
- Consider the notification requirements under 38 U.S.C 5103 satisfied for a claim meeting FDC criteria



FDC Developed

FDCs may still require development, when applicable, for:

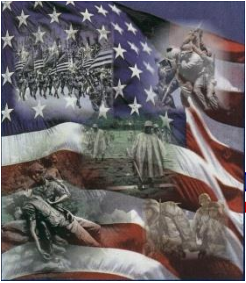
- Federal records in the custody of the federal government identified as federal treatment records such as VA medical center treatment records
- VA examination
- Not to include Guard and Reserve records in the custody of the Veterans unit(s)



Requesting Records from the Claimant

For claims meeting FDC criteria:

- Do not request from the claimant any information or evidence
- Notify as usual when a VA examination is requested

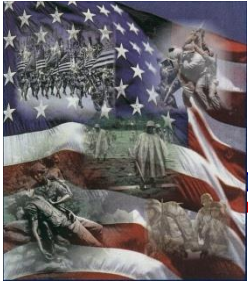


Exception

For claims meeting FDC criteria:

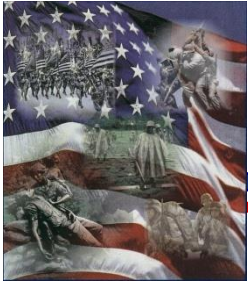
- Take action as normal when Federal records are unavailable.
- However when giving notice, provide an explanation:

~~We~~ We received your completed Fully Developed Claim (FDC) Certification stating that you have no other information or evidence to give VA to support the claim; however, your claim requires that we send you this notice. We are continuing to process your claim under the FDC Program. Be advised, any information or evidence you submit at this time may serve to remove your claim from the FDC Program. If removed, your claim will be processed through our standard claim process.+



Rating Activity Team Responsibilities

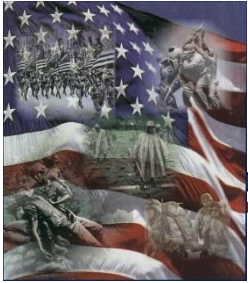
The Rating Activity Team must complete the rating decision on an expedited basis within ten (10) days from the date of receipt of the FDC in the rating board.



Post-Determination Team Responsibilities

Post-determination Team responsibilities include:

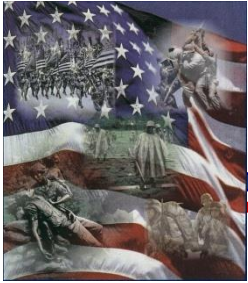
- Promulgate the decision within five (5) days from the date of receipt of the FDC in the Post-Determination Team
- Review and authorize the claim or return it for correction on an expedited basis
- Include the text explaining that the claim was processed under the FDC program
- Remove the paper FDC Folder Flash upon authorization of the claim



Excluded FDCs

If during review or processing, a claim is discovered to not meet, or no longer meet, FDC criteria, take the following actions:

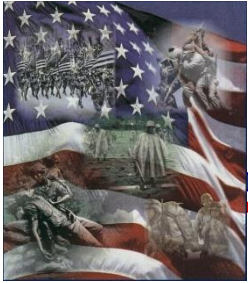
1. Remove the paper FDC Folder Flash
2. Replace the MAP-D special issue Fully Developed Claim with an appropriate special issue
3. Process the claim routinely
4. Send subsequent notification to the claimant



VCAA Notification

For claims that do not meet FDC criteria or Additional Requirements, send VCAA notification as normal.

Conduct notification to the claimant as usual for any subsequent development performed.



Lesson Review and Wrap Up

Review