

Rapid Appeals Modernization Program (RAMP)

ND CVSO Conference 2018

VA

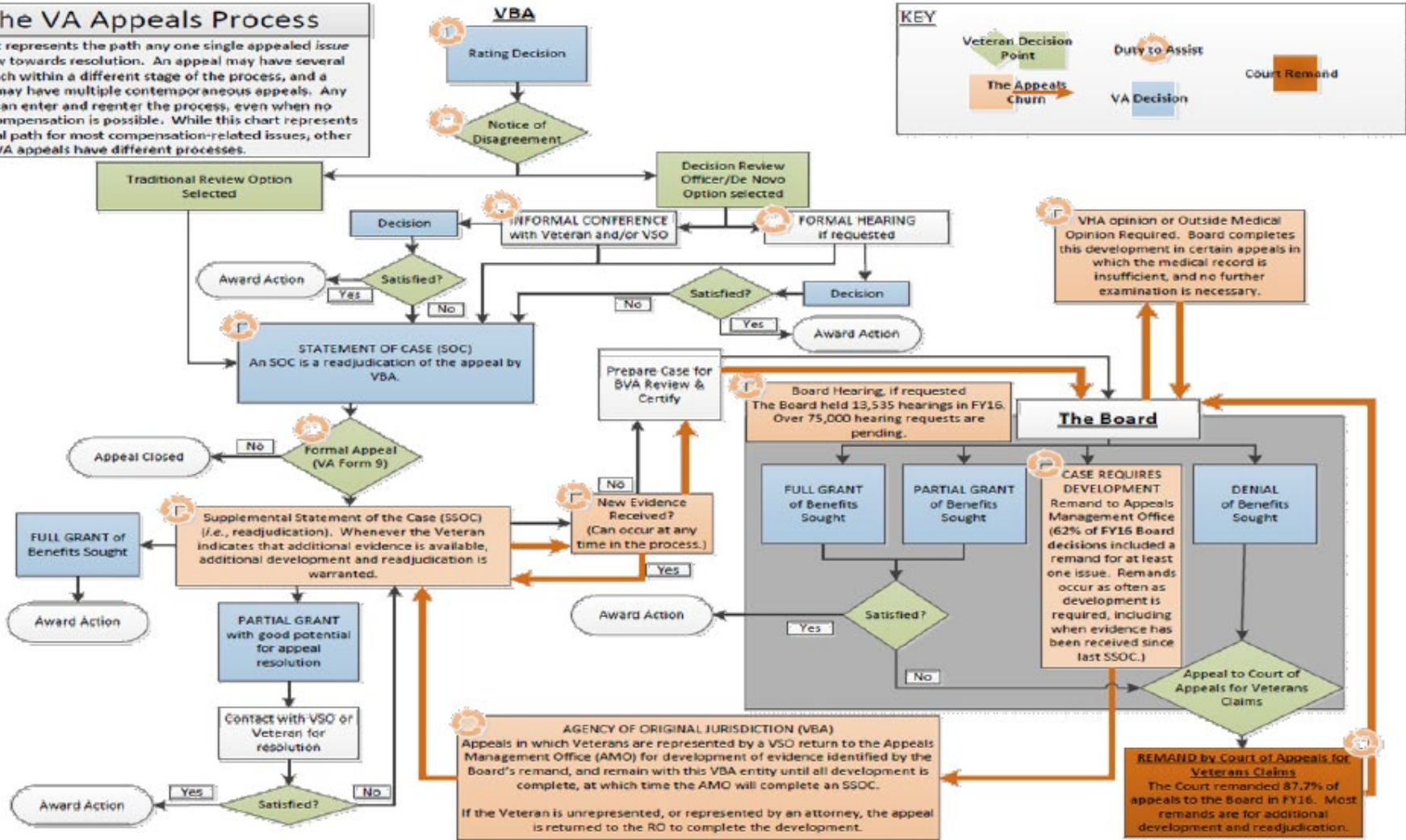


U.S. Department
of Veterans Affairs

VA Appeal Process Today

The VA Appeals Process

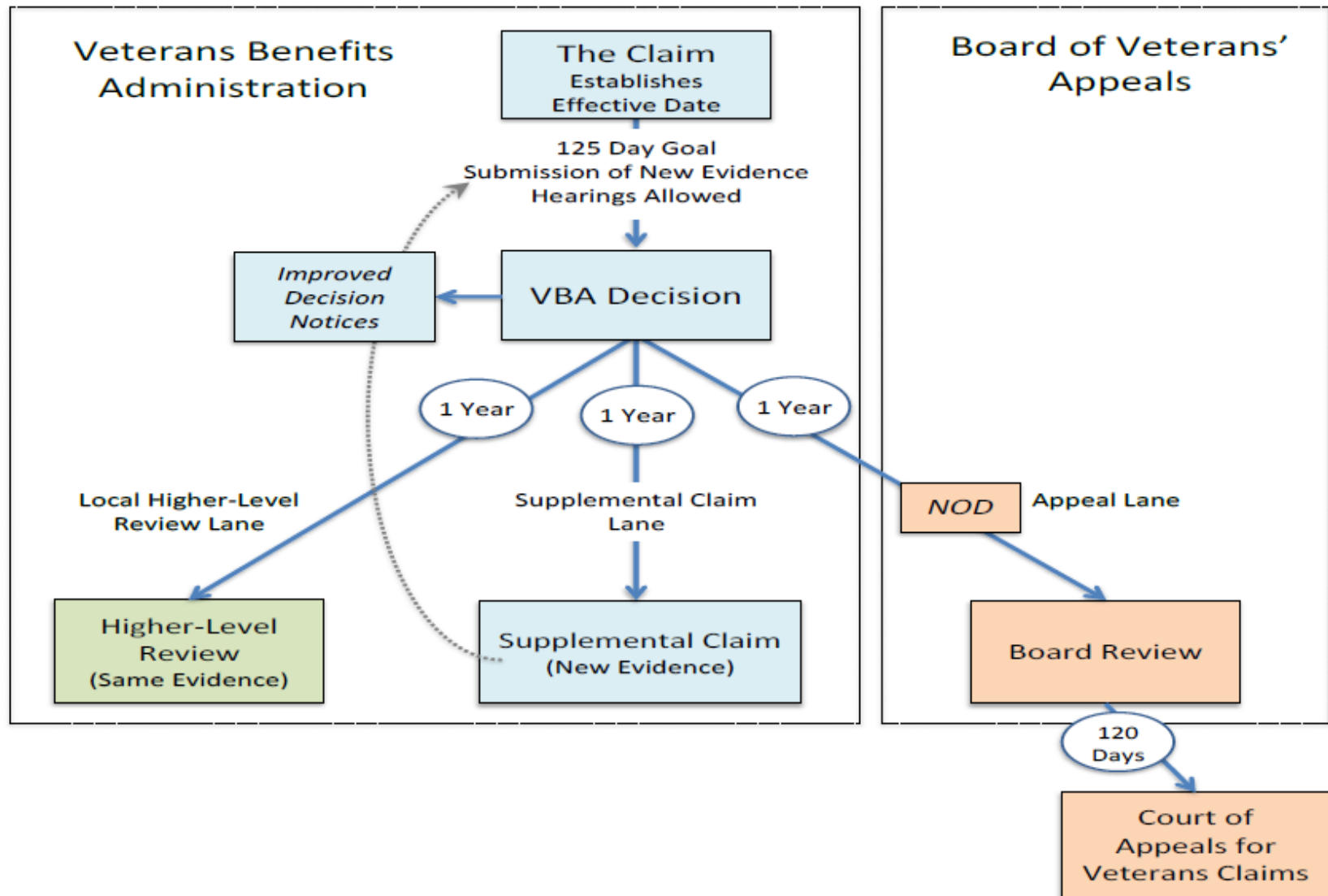
This chart represents the path any one single appealed issue can follow towards resolution. An appeal may have several issues, each within a different stage of the process, and a Veteran may have multiple contemporaneous appeals. Any Veteran can enter and reenter the process, even when no further compensation is possible. While this chart represents the typical path for most compensation-related issues, other types of VA appeals have different processes.



Appeals Modernization Act

- August 23, 2017, *Veterans Appeals Improvement and Modernization Act of 2017*
 - New law takes effect no earlier than February 2019
- The law creates a new appeals process, which features 3 lanes:
 - **Higher-Level Review**: review same evidence by a higher-level claims adjudicator
 - **Supplemental Claim**: for submission of new and relevant evidence
 - **Appeal**: Direct to Board of Veterans' Appeals (Board) for review by a Veterans Law Judge
- **RAMP initiative**: Temporary/Voluntary program starting 11/01/2017, will continue to accelerate resolution of legacy appeals.
 - Allows eligible Veterans who have a pending compensation appeal to "Opt-In" for the Supplemental Claim or Higher-Level Review Lanes offered in the new appeals process.
 - GOAL: 125 average days for completion

New Framework Process



RAMP Process

- Supplemental Claim Lane
 - VA will assist gathering new evidence to support supplemental claim (Duty to Assist)
 - As part of the review, VA will review any new and relevant evidence submitted since the last decision on the claim(s)
 - Favorable factual findings cannot be changed unless there is clear and convincing evidence to the contrary
- Higher Level Review Lane
 - (Closed Record) reviewers will consider evidence that was in the VA's possession at the time of "Opt-In"
 - DeNovo review of the claim decision (brand new decision)
 - Can return for development when there are Duty to Assist errors
 - Can request a 1-time informal conference with Higher-Level reviewer (to point out specific error in the case)
 - Favorable factual findings cannot be changed unless there is clear and convincing evidence to the contrary

RAMP Eligibility

- Have an active appeal pending for compensation in one of the stages:
 - NOD
 - 9Form
 - Certified to BVA (Board) not yet on a docket
 - Remand
- Submit the approved written RAMP Opt-In Election document
 - Once Opt-In is received this will withdraw the pending eligible disability compensation appeal(s) in the legacy program and substituting the review options set forth in the Appeals Modernization (PL 115-55)
 - RAMP Opt-In Election document are available to eligible Veterans: <https://benefits.va.gov/benefits/appeals.asp> or by calling the VA at 1-800-827-1000

RAMP Eligibility

- Appeals no eligible for RAMP and will remain in the legacy appeals process
 - Compensation appeals in the following stages:
 - Certified to BVA and place on the Board's docket
 - Remands returned to BVA
 - Other issues on appeal, such as:
 - Pension claims
 - Survivor claims
 - Insurance claims
 - Loan guaranty claims
- Notice:
 - Veteran who meet RAMP eligibility will receive notice letters

Unsatisfied with RAMP Decision?

- RAMP participants will not have the option to return to the current appeals process (legacy) at any time after “Opt-In” for participation in RAMP.
- RAMP participants who remain dissatisfied with VA’s decision may
 - Submit another supplemental claim
 - Request a higher-level review (only after a decision on a supplemental claim)
 - File an appeal to the Board under the new system. (The Board will not process Opt-Ins under the new Appeal Lane until October 2018 and the earliest.)
 - BVA is monitoring the legacy appeals separate from the Appeals Modernization appeals

VBA Operations Plan

- VBA expanded the RMAP from initial processing at Appeals Resource Center (ARC) to certain Regional Offices (ROs) across the Country

Denver	Phoenix	Seattle
San Diego	Waco	St Petersburg
Atlanta	St Paul	Winston Salem
Nashville	Oakland	Columbia

- ROs will complete supplemental claims and higher-level reviews established under RAMP
 - Monitor timeliness of processing (125 day average target)
- Special mission ROs will have RAMP teams

Milwaukee	RAAC	Philadelphia	RAAC
St Paul	RAAC	Manila	Philippine Case
Jackson	Radiation	Muskogee	Mustard gas
Louisville	Camp Lejeune	Pittsburgh	Foreign Case

VBA Operations Plan

- Brokering Legacy Appeals: Each participating RAMP processing site will broker the office's legacy appeals inventory, with the exception of Board and DRO hearing workload.
- ROs are required to work RAMP cases in date of claim order (oldest to youngest), with the exception of claims that require priority processing (ie. Homeless, hardship, terminally ill, more than 85 years old, FPOW, ALS) which should be expedite
- RAMP processing sites must continue to prepare legacy appeals for BVA and DRO hearings, within the ROs jurisdiction.
- RAMP processing sites are working out of a National Workqueue

RAMP Target/Goals

- ROs working RAMP Supplemental and Higher-Level Reviews have a goal to maintain an Average Days to Complete (ADC) below 125 days
 - Impacted by: working RAMP cases in date of claim order (oldest to youngest), with the exception of claims that require priority processing and must be expedited.
- Higher Level Review Targets
 - Establish Claim = 5 days (EP 682)
 - Informal Conference = 10 days
 - Rating Decision = 10 days
 - Award Processing = 10 days

RAMP Target/Goals

- Supplemental Claim Targets
 - Establish Claim = 5 days (EP 683)
 - Initiate Development = 10 days
 - Gathering Evidence = 90 days
 - Rating Decision = 10 days
 - Award Processing = 10 days

Why Participate in RAMP

- Program allows Veterans with current appeals to take advantage of the new appeal process before the new appeals modernization law is fully implemented.
- RAMP is the best opportunity for Veterans to jump into the new process and get a decision a lot earlier than they would if they stay in the current process.
- Veteran is able to try each new processing lane if a decision in one still does not satisfy the Veteran's disagreement; and can still appeal to the Board too.

Questions

