



RAMP SOP Updates – Board “Found” RAMP Elections/Selections

Appeals Management Office
August 2019



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Training Audio Transcript / Instructor Notes:

Hello, my name is Gina Spilker, and I am a Program Analyst with the Appeals Management Office.

This course discusses the August 2019 updates to the Rapid Appeals Modernization Program Standard Operating Procedure which address the RAMP elections and selections found by the Board of Veterans' Appeals.

Lesson Objectives

- Identify the changes to the RAMP SOP regarding unprocessed Board “found” RAMP elections or selections
- Detail the Board’s procedures for handling unprocessed elections
- Explain the information VBA will consider in the higher-level review evidentiary record for Board “found” elections



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At the end of this training, you will be able to:

- Identify the changes to the RAMP SOP regarding unprocessed Board “found” elections or selections,
- Detail the Board’s procedures for handling unprocessed elections, and
- Explain the information VBA will consider in the higher-level review evidentiary record for Board “found” elections.

Reference

Rapid Appeals Modernization Program (RAMP) Phase 3
Standard Operating Procedure (SOP):

https://vbaw.vba.va.gov/APPEALS/RAMP_Resources.asp



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The reference for today's training is the RAMP Phase 3 SOP, which is located on the RAMP Resources web-site at the link displayed on your screen.

https://vbaw.vba.va.gov/APPEALS/RAMP_Resources.asp

Unprocessed RAMP Applications

- Appeals Modernization Act implemented February 19, 2019
- RAMP established prior to AMA implementation
- RAMP solicitation discontinued February 15, 2019
- Board identified unprocessed RAMP applications
- AMO Operations reviewed and concurred validity



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VA implemented the Appeals Modernization Act (AMA) on February 19, 2019. Prior to this date, some individuals with legacy appeals pending opted for an earlier opportunity to participate in the modernized review system under the pilot initiative called the Rapid Appeals Modernization Program (RAMP). VA concluded soliciting for RAMP opt-ins on February 15, 2019.

Since AMA implementation, the Board of Veterans' Appeals has identified some unprocessed – or “found” – RAMP applications. Although VA discontinued RAMP solicitation, RAMP stations may see an increase in newly-established RAMP claims, as these

found elections have been returned administratively to VBA by the Board of Veterans' Appeals.

The Appeals Management Office has reviewed these cases and concurred their validity as timely-received RAMP elections that must be processed.

Unprocessed Election Procedures

- AMO updated RAMP SOP with unprocessed procedures
- Board identifies an unprocessed election
- Board sends letter confirming continued participation
- Board administratively returns affirmed cases to VBA
- VBA should
 - Not cancel these cases
 - Consider the RAMP election valid
 - Process according to RAMP SOP
- AMO established RAMP end products in Caseflow



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In response to these Board “found” RAMP elections after AMA implementation, the Appeals Management Office has updated the RAMP SOP to provide procedures for handling unprocessed applications.

Starting in July 2019, if the Board finds an unprocessed RAMP election, the Board will send a confirmation letter to the Veteran requesting if they wish to continue to participate in RAMP. If the Board receives an affirmative reply from the Veteran, the Board will administratively return the case to VBA.

Once returned, stations should not cancel these end products,

but should consider the election valid and continue to process the RAMP election as normal, according to the RAMP SOP. The Appeals Management Office has established the RAMP end products in the Caseflow intake system, which has withdrawn the legacy appeal from VACOLS with a “P” Disposition.

Higher-Level Review Evidentiary Record

- Higher-level review (HLR) is a closed record review
- For unadjudicated RAMP elections for HLR
 - If the Board confirms the Veteran’s desired participation,
 - Then the evidentiary record includes all information up to date of confirmation
- Example:
 - RAMP opt-in request October 1, 2018
 - Activated by the Board on December 1, 2018
 - Board found unprocessed election and sent letter July 16, 2019
 - Received confirmed continued participation on July 31, 2019
 - Evidentiary record includes all information up to July 31, 2019



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Let’s discuss how Board “found” elections affect the evidentiary record when processing higher-level reviews.

In a higher-level review, the reviewer must only consider evidence that was before VBA at the time the appellant elected to opt-in to RAMP. It becomes a closed record and VBA will not consider any evidence submitted after the election of the higher-level review lane.

However, if the Board found an unprocessed RAMP election for a higher-level review, and confirmed by letter the Veteran’s wish to opt-in to RAMP, the evidentiary record will encompass all

information received up to the date the VA received the Veteran's RAMP opt-in confirmation.

For example, the Veteran initially requested to opt-in to RAMP on October 1, 2018, but VA did not take action on this election and it was activated by the Board on December 1, 2018. When the Board reviewed the appeal, it noted the unprocessed October opt-in request and sent a letter on July 16, 2019, asking the Veteran whether he wished to be in RAMP or remain at the Board. VA received the Veteran's response on July 31, 2019, that he wished to enter into RAMP and the Board subsequently administratively returned the case to VBA for processing. The evidentiary record will include all information up until July 31, 2019, the date the confirmation was received.

Lesson Recap

- Starting July 2019, increase in RAMP elections “found” by the Board and administratively returned to VBA
- The Board confirmed desire for continued RAMP participation
- AMO concurred validity and updated procedures in RAMP SOP
- Evidentiary record encompasses all information up to date of RAMP confirmation



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In review and conclusion of this lesson, let's recap what you have learned today:

- Starting in July 2019, RAMP stations may see an increase in newly-established RAMP elections that have been administratively returned to VBA by the Board.
- These elections were “found” by the Board and confirmed after the conclusion of RAMP solicitation on February 15, 2019.
- The Appeals Management Office concurred the validity of these elections, and therefore, updated the RAMP SOP to create procedures for processing “found” elections.
- Finally, when processing Board “found” elections under the

higher-level review process, the evidentiary record encompasses all information received up to the date VA receives confirmation of the Veteran's wish to participate in RAMP.

Questions



Route questions through your station's leadership to AMO Program Administration mailbox at:

VAVBAWAS/AMO/Appeals Admin
(AMO-Appeals.Admin@va.gov)



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Training Audio Transcript / Instructor Notes:

Should you have any questions on today's training or the August 2019 updates to the RAMP SOP for Board "found" elections, please route those questions through your station's leadership to the Appeals Management Office Program Administration mailbox.

VAVBAWAS/AMO/Appeals Admin (AMO-Appeals.Admin@va.gov)

Next Steps and TMS Credit

- Review updated RAMP SOP
- Review example Board RAMP participation letter
- A satisfaction survey has been assigned to you in TMS under VA 4525390, *RAMP SOP Updates – Board Found RAMP Elections/Selections*



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Instructor Notes:

To complete today's training, please review the updated RAMP SOP and an example of a Board RAMP participation letter which are both available to you within TMS.

Finally, please ensure you complete the satisfaction survey that has been assigned to you in TMS under the TMS item VA 4525390 to receive credit for this training.

Thank you.