AMO Monthly Quality Call

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| **Event Date:** | December 5, 2019 |
| **Event Time:** | 12:00 PM EST |
| **Location:** | [Adobe Connect](https://vbatraining.adobeconnect.com/amo-monthly-quality/); VANTS Line: 800-767-1750; Code: 13629# |
| **Event Facilitator:** | James Fogg, Program Analyst, Program Administration, AMO |

Attending Staff Members:

|  |  |  |  |  |  |  |  |
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| **X** | James Fogg, AMO | **X** | Jennifer Williams, AMO | **X** | Angela Woods, AMO | **X** | Kimberly Stewart, DC |
| **X** | Ernest Stillman, St. Petersburg | **X** | Terrance Kennedy, DC | **X** | Lydia Turpin, St. Petersburg | **X** | Rich Vigo, St. Petersburg |
| **X** | Chris Wade, St. Petersburg | **X** | Jasmina Zajimovic, St. Petersburg | **X** | Robert Johnson, CS |  |  |

***“X” indicates member in attendance.***

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| **1. Meeting Agenda** |

1. Introduction
2. Knowledge Check
3. Error Trends (June 2019 – October 2019)
4. AMO Quality SharePoint Site
5. Local Quality Review Special Issue/Correction of Local Quality Error Claim Label
6. CaseFlow: Claims Establishment & Editing of Claim Labels and Contentions
7. HLR: Closed Evidentiary Record
8. QMS: “Training Recommended” Checkbox
9. VSR Checklist: Task 9
10. Closing Remarks

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| **2. Notes** |

**Introduction**

Hello, thank you for joining us today. On behalf of the Appeals Management Office (AMO), I welcome you to our second AMO Monthly Quality Call. I am James Fogg, a Program Analyst with AMO’s Program Administration Quality and Training Staff. As stated last month, it is our intent to present monthly calls that discuss Decision Review Operations Center (DROC) quality error trends, information concerning recent and future AMO activities and other information that will be of interest to you, to include topics suggested by you.

We want to provide you with the most accurate answer possible to any questions you may have for any of today’s topics. To do that, we will not provide an answer to your questions at this time and your microphones will be muted both in the classroom and on the telephone (VANTS line). Instead, we will update the bulletin for this call with the answers to your questions on a later date. If you do have a question concerning any of today’s topics, we ask that you route the question through your management prior to posting the question in the chat box. We will collect the questions, research them and then communicate our answers to all DROCs in the bulletin.

Finally, we will not accept questions in this call that are unrelated to the topics presented today. If you do have a question unrelated to a topic presented today, please route the question through your management, who may then email the question to the AMO Quality mailbox (AMOQUALITY.VBAWAS@va.gov).

Let’s proceed to a knowledge check, to be followed by our first topic.

**Knowledge Check**

**Poll Question #1**

* AMO created a new manual to create a “one-stop shop” for AMO resources. What is this manual?
  + M21-1, Adjudication Procedures Manual
  + M21-4, Manual
  + M21-5, Appeals and Reviews
  + M21-5, AMO Resources

**Answer**

* + M21-5, Appeals and Reviews

**Explanation**

* AMO announced the creation of a new manual, [M21-5, Appeals and Reviews](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/topic/554400000017961/M21-5-Appeals-and-Reviews), that serves as consolidated procedural guidance for processing legacy appeals and higher-level reviews under the Appeals Modernization Act. The new M21-5 consolidates AMO-related information and guidance in one centralized location – creating a “one-stop shop” for AMO resources.
* The oversight, training and quality assurance chapters were published on October 1st. Existing legacy appeals and higher-level review content in M21-1, Adjudication Procedures Manual, will migrate to the new M21-5 and will also be published in FY20. AMO will provide additional communications and resources, such as a change matrix to navigate the M21-5. The content will have the same look and feel as the existing content in M21-1.

**Poll Question #2**

* AMO will begin reviewing deferrals occurring in the DROCs as part of the quarterly analysis conducted with Compensation Service.
  + True
  + False

**Answer**

* AMO will begin reviewing deferrals occurring in the DROCs as part of the quarterly analysis conducted with Compensation Service.
  + True

**Explanation**

AMO will begin reviewing deferrals occurring in the DROCs as part of the quarterly analysis conducted with Compensation Service to assess DTA error trends.

**Topic 1: Error Trends (June 2019 – October 2019)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Claim (BE) Accuracy) | Total Count | In Error |
| Authorization: | **97%** | **72** | **2** |
| St. Petersburg: | 98% | 43 | 1 |
| Seattle: | 97% | 29 | 1 |
|  |  |  |  |
| Rating | **93.3%** | **75** | **5** |
| St. Petersburg: | 93.6% | 47 | 3 |
| Seattle: | 92.6% | 27 | 2 |
| Special Mission: | 100.0% | 1 | 0 |
|  |  |  |  |

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| --- | --- | --- | --- |
|  | Issue (BE) Accuracy | Total Issues | Issue Errors |
| Rating | **96.35%** | **192** | **7** |
| St. Petersburg: | 96.80% | 125 | 4 |
| Seattle: | 95.45% | 66 | 3 |
| Special Mission: | 100.0% | 1 | 0 |
|  |  |  |  |

**Top BE Error Question:**

**Authorization:**

Question 7 (Was necessary administrative decision or award generated/completed and correct?):

* Administrative decision was not procedurally complete (e.g., missing signatures, all decision(s) not provided, relevant evidence not discussed): 3
* Decisionmaker considered and listed evidence received after the record closed for a higher-level review: 2
* Administrative decision provided incorrect entitlement outcome: 1
* Necessary payment change not effectuated: 1

**Rating:**

Question 4 (B2): Does the record show VCAA compliant development to obtain all indicated evidence (including a VA exam, if required) prior to deciding the claim?

* B2cc: VA Medical Opinion was needed: 3 of 5
* B2dd: VA treatment records not obtained: 1 of 5
* B2f: Insufficient VA examination/medical opinion: 1 of 5

**Top AMA Error Questions**

**Authorization:**

Question 10 (Was the claimant properly notified?)

* A summary of the applicable laws and regulations: 8
* Non-rating higher-level review decision failed to provide notice that there was evidence received after the record closed that was not considered: 2
* Non-rating decision failed to list favorable findings when required for denials: 2
* Non-rating decision failed to explain elements met and/or not met: 1

Question 1 (Was proper pre-decisional notification provided and/or was proper development to the Veteran/claimant completed as required by regulations and/or the manual?): 4

* Higher Level Review Informal Conference not held when requested or attempts to schedule not documented properly: 4

Question 7 (Was necessary administrative decision or award generated/completed and correct?): 2

* Decisionmaker considered and listed evidence received after the record closed for a higher-level review: 2

**Rating:**

Question 9 (E): Was Decision Documentation correct?

* E4b: An explanation of the laws and regulations applicable to the claim was not provided (AMA): 2
* E4h: Decisionmaker considered and/or listed evidence received after the record closed for a higher-level review: 2
* E2: The basis for each decision not identified and/or each denial not explained: 1
* E4c: A summary of favorable findings made by the decision maker was not provided (AMA): 1
* E4f: An explanation of how to obtain or access the evidence used in the decision was not provided (AMA): 1
* E4k: Higher-level Review informal conference not held when requested or attempts to scheduled not documented properly: 1

**Topic 2: AMO Quality SharePoint Site**

AMO Quality is pleased to announce the activation of the [Program Administration Quality SharePoint site](https://dvagov.sharepoint.com/sites/VBAAMOSharePoint/APA/external/QualityAssurance).

This SharePoint site will enable AMO to provide quick updates specific to quality that will be accessible to the members of the Decision Review Operations Center (DROC) Quality Review Team (QRT).  The site includes sections that will allow you to review Error Trend Analyses, minutes from AMO’s Monthly Quality Calls as well as submit suggested topics for upcoming AMO Monthly Quality Calls.  The site also includes quick links to other sites that may be of importance or interest to the DROC QRT members, such as the Compensation Pension Knowledge Management (CPKM) portal, the VBA Learning Catalog, and the Quality Management System (QMS).

Additionally, the site will provide automatic notifications to DROC QRT members when a file or link on the site has been updated or when AMO has added a file or link to the site.

AMO sent an email with the link to this SharePoint site this morning. Access to this site is restricted to DROC QRT members only. We are currently working on ensuring that all who should have access will have access. If you are unable to access the site, or you are a DROC QRT member and did not receive the email, please send an email to the AMO Quality mailbox.

Any questions concerning the site should be routed through local management to the AMO Quality mailbox ([AMOQUALITY.VBAWAS@va.gov](mailto:AMOQUALITY.VBAWAS@va.gov)).

**Topic 3: Local Quality Review Special Issue/Correction of Local Quality Error Claim Label**

We were notified that some personnel are removing the “Local Quality Review” special issue or “Correction of Local Quality error” EP 930 claim label. We want to remind all personnel that these special issues/claim labels must remain within an RO’s work queue until completion of the review and/or corrective action and either removal of the special issue, authorization activity clears the EP 930, or the QRT supervisor cancels an erroneously established EP 930. Please remember that these special issues/claim labels should only be removed by designated personnel. The QRS will remove the special issue after the review if no corrective action is required. If corrective action is required, then the QRT supervisor will review the claim to ensure the error was corrected and remove the special issue. (M21-4 6.8.a&b)

**Topic 4: Caseflow Intake: Claims Establishment & Editing of Claim Labels and Contentions**

Caseflow Intake is the only system used to establish AMA EPs.  If users erroneously clear or establish AMA claims using Share or VBMS, or edit an EP claim label, it negatively impacts the ability for Caseflow Intake to track the contentions and provide accurate data for mandated reporting requirements.  If AMA EPs, to include claim labels, are changed and/or cleared through Share or VBMS (without going through awards processing), Caseflow Intake interprets that the contentions are still open and continues to track the contentions under the originally established AMA EP.  Therefore, any subsequent AMA claims cannot be established.  By cancelling the EP, Caseflow Intake stops tracking the contention.

For erroneously established AMA claims under EP 030 or EP 040, follow the below guidance.

* If a higher-level review (HLR) (EP 030) or supplemental claim (EP 040) is erroneously established, the EP must be **cancelled**.  **The EP should NOT be cleared or changed to another EP.**
* If a HLR has Duty to Assist Errors, the EP 030 is cleared through VBMS-Awards, and Caseflow Intake will automatically establish the EP 040 within 48 hours.  **The EPs should NOT be manually cleared or established in VBMS or a legacy system.**
* If a supplemental claim (EP 040) is pending, and VBA determines it is an incomplete claim as no new and relevant evidence was identified or provided, **cancel** the EP 040 and establish an EP 400 in Share to send the appropriate letter.  **Do NOT change the existing EP 040 to an EP 400.**

As a claim that is established in Caseflow Intake may take up to 48 hours for it to be visible in VBMS, employees who establish claims in Caseflow Intake are instructed to upload a screen shot of the “Intake completed” screen to the VBMS eFolder.

In the event that Caseflow Intake establishes an incorrect claim label or contention that is unable to be changed, employees are directed to submit a trouble ticket via [YourIT](https://yourit.va.gov/va) and add a note in VBMS annotating the trouble ticket number and the inability to change the claim label or contention due to Caseflow Intake limitations.  QRT personnel should not cite an error for an incorrect claim label or contention when there is a VBMS note of record containing this information.

Any questions concerning this guidance should be routed through local management to the AMO Program Administration mailbox ([AMO-Appeals.Admin@va.gov](mailto:AMO-Appeals.Admin@va.gov)).

**Topic 5: HLR Closed Evidentiary Record**

Alternate theories of entitlement:

If the claimant brings up a new or alternative theory of entitlement either on their VA Form 20-0996, Decision Review Request: Higher-Level Review, or during the informal conference, then that theory of entitlement should not be considered new evidence and the higher-level reviewer may consider it.

This is supported by M21-1 III.ii.2.B.1.m, which states, in part:

A claim for SC encompasses all potential theories of SC, whether claimed or unclaimed…All claims must be liberally read to consider other potential theories of SC…A denial of SC is a denial for all potential theories, whether specifically addressed in the rating or not.

When VA denied SC for the issue under review, the decision maker considered all possible theories of entitlement, even if not explicitly outlining why SC under that theory was not supported. But if the theory of entitlement was reasonably raised by the record and the claimant now specifies that SC should be considered under that theory of entitlement, then this should not be considered new evidence and the higher-level reviewer may consider this theory of entitlement.

Late Flowing Evidence:

Late flowing evidence can be considered on an HLR if the evidence is date stamped prior to the notification letter of the decision being reviewed. The justification for this is that, although an HLR may only review evidence that was reviewed by the decision makers in the decision under review, if the evidence was received prior to the date that VA notified the claimant of the decision, it should have been reviewed. Failure to associate this evidence with the file so that it could have been reviewed will not be held against the claimant.

We have submitted a request to change M21-1 I.6.1.c to reflect this.

**Topic 6: QMS: “Training Recommended” Checkbox**

We have been asked when should the “Training Recommended” checkbox be used in QMS. This checkbox is one of the options presented when the quality reviewer determines that an error should be called.

Checking this box is not a discretionary selection based on the quality reviewer’s opinion of whether the employee needs training. Instead, it is used for those limited circumstances when corrective action cannot be taken.

Example: A DRO erroneously establishes a higher evaluation at an earlier effective date, but the combined evaluation did not change. If that date is now 20 or more years in the past, it cannot be fixed due to the evaluation now being protected. No correction can be made, but the DRO should be instructed on avoiding this error in the future. As the Veteran was not entitled to that higher evaluation, Question #6 (Was the percentage evaluation assigned correct (including combined evaluation)?) should be marked as incorrect, with the appropriate subcategory error and the affected diagnostic code identified. **Select** the “critical error” box, **do not** select the “correction required box,” **select** the “Training Required” box; **do not** select the “Payment adjustment required box.”

**Topic 7: VSR Checklist: Task 9**

A discrepancy has been noted. The QMS version of Task 9 (Were all required withholdings/reductions correctly implemented?) of the VSR Checklist includes an error descriptor, “Attorney fee not withheld or withheld/calculated incorrectly.” This error descriptor is also contained on the National Compensation Non-Rating Quality Review Checklist in M21-4 3.B.a.

However, this error descriptor is not reflected on the VSR Task Based Quality Review Checklist in M21-4 6A.a or M21-5 6.A.a

“VSR Review Elements,” contained in M21-4 6.A.c and M21-5 6.A.c, states that Task 9 “encompasses all such payment adjustments requiring VSR input/decision. This would include retired pay withholdings, severance pay withholdings, drill pay waivers, hospitalization adjustments, incarcerated Veterans, return to active duty, etc.”

We are in consultation with Compensation Service to update M21-4 to include this error descriptor. For consistency sake, once we’ve consulted with Compensation Service, we will take the appropriate action with M21-5.

**Topic 8: QRT: Duty to Determine Areas for Training and Mentoring**

This is a reminder that among the primary duties performed by QRTs is the duty to mentor, provide feedback and train on quality trends. QRT is responsible for providing training as it relates to the identification of error trends. These duties require the QRT to analyze the appropriate quality data to determine appropriate areas for training and mentoring.

We request that QRT perform error trend analysis to identify areas of improvement with quality at the DROC. We further request that QRT identify and provide training based on local error trends. (M21-5 3.2.a&b)

**Closing Remarks:**

If you would like to suggest a topic for a future Quality Call, please route suggestions through your local management to the AMO Quality Mailbox at: [AMOQUALITY.VBAWAS@va.gov](mailto:AMOQUALITY.VBAWAS@va.gov).

We will post the AMO Quality Call Bulletins in the future. We will notify you once we have established a location where we will post the bulletins.

The Quality Call audio recordings and PowerPoint slides will be located in both TMS and the VBA Learning Catalog. We will send out email notification once these files are available for review.

As I stated earlier, we will post the answer to any questions submitted regarding any of the topics presented during today’s Quality Call on a later date. We will send an email notifying of when we have added Questions and Answers to this Quality Call Bulletin.

We will present our next AMO Quality Call on January 2, 2020 at 12:00 EST.

**DROC Questions:**

* None
  + **Response:** Not applicable

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| 3. Next Meeting | | |
| **Date:** January 2, 2020 | **Time:** 12:00 EST | **Location:** Adobe Connect Online Meeting |