Intent to File (ITF)

Instructor Lesson Plan

Time Required: 1.5 Hours

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| Lesson Description | |
| The information below provides the instructor with an overview of the lesson and the materials that are required to effectively present this instruction. | |
| TMS # | 4175929 |
| Prerequisites | N/A |
| target audience | The target audience for Intent to File is VSR, Entry Level.  **Please note if any of the students in the class are former Claims Assistants (CAs) they may have experience with this topic. You may want to identify these students and solicit their input at key points.**  Although this lesson is targeted to teach the VSR Entry Level employee, it may be taught to other VA personnel as mandatory or refresher type training. |
| Time Required | 1.5 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * Intent to File PowerPoint Presentation * Intent to File Trainee Handout |
| Training Area/Tools | The following are required to ensure the trainees are able to meet the lesson objectives:   * Classroom or private area suitable for participatory discussions * Seating, writing materials, and writing surfaces for trainee note taking and participation * Handouts, which include a practical exercise * Large writing surface (easel pad, chalkboard, dry erase board, overhead projector, etc.) with appropriate writing materials * Computer with PowerPoint software to present the lesson material   Trainees require access to the following tools:   * VA TMS to complete the assessment |
| Pre-Planning | * Become familiar with all training materials by reading the Instructor Lesson Plan while simultaneously reviewing the corresponding PowerPoint slides. This will provide you the opportunity to see the connection between the Lesson Plan and the slides, which will allow for a more structured presentation during the training session. * Become familiar with the content of the trainee handouts and their association to the Lesson Plan. * Practice is the best guarantee of providing a quality presentation. At a minimum, do a complete walkthrough of the presentation to practice coordination between this Lesson Plan, the trainee handouts, and the PowerPoint slides and ensure your timing is on track with the length of the lesson. * Ensure that there are copies of all handouts before the training session. * When required, reserve the training room. * Arrange for equipment such as flip charts, an overhead projector, and any other equipment (as needed). * Talk to people in your office who are most familiar with this topic to collect experiences that you can include as examples in the lesson. * This lesson plan belongs to you. Feel free to highlight headings, key phrases, or other information to help the instruction flow smoothly. Feel free to add any notes or information that you need in the margins. |
| Training Day | * Arrive as early as possible to ensure access to the facility and computers. * Become familiar with the location of restrooms and other facilities that the trainees will require. * Test the computer and projector to ensure they are working properly. * Before class begins, open the PowerPoint presentation to the first slide. This will help to ensure the presentation is functioning properly. * Make sure that a whiteboard or flip chart and the associated markers are available. * The instructor completes a roll call attendance sheet or provides a sign-in sheet to the students. The attendance records are forwarded to the Regional Office Training Managers. |

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| Introduction to Intent to File | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 10 minutes |
| Purpose of this Lesson  Explain the following:  *Slide 2* | | This lesson explains what an Intent to File (ITF) a claim is, why they’re important, how they can be communicated to VA, what to do if the ITF is incomplete, and how to determine the status of an ITF.  This lesson is important because ITFs may affect the amount of retroactive benefits a claimant receives. Therefore, we need to process them correctly and always check to see if an ITF was active when a claim was received. |
| Lesson Objectives  Discuss the following:  Slide 3  Handout 2 | In order to accomplish the purpose of this lesson, the VSR will be required to accomplish the following lesson objectives.  TheVSRwill be able to:   * Recall the history of informal claims and ITF * Identify what kinds of claims an ITF can be applied to * List required elements of an ITF * Recognize the different ways an ITF can be communicated * Describe development actions needed for an incomplete communication of an ITF * Locate list of ITFs in VBMS and determine their status * Demonstrate how an ITF can affect possible effective dates | |
| Explain the following: | Each learning objective is covered. At the conclusion of the lesson, the practical exercises will serve as a review of the objectives. | |
| Motivation | An understanding of this topic will help students undertake proper identification of ITFs and application of correct effective dates. Non-compliance of the rules for ITFs creates delays in claims processing, increased workload, and waste of resources which all negatively impact the service to Veterans. | |
| STAR Error code(s) | The Systematic Technical Accuracy Review (STAR) Program reviews cases and considers them either “accurate” or “in error” for the purpose of measuring technical accuracy.  Please discuss the common errors with the trainees. The most common errors are incorrect effective dates.  The task on the National Compensation Rating Quality Review Checklist is 7, “Are all effective dates affecting payment correct?”  the National Compensation Rating Quality Review Checklist can be located in [Appendix A](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000033436/Chapter%203.%20%20National%20Quality%20Reviews#AppA) of Chapter 3 in the M21-4 Manual. | |
| References  Slide 4  Handout 2 | Explain where these references are located in the workplace.   * §[38 CFR 3.155(b), Intent to File a Claim](http://www.ecfr.gov/cgi-bin/text-idx?SID=ad275643432556b9dda942343fb89296&mc=true&node=pt38.1.3&rgn=div58) * §[38 CFR 3.155(d), Claims](http://www.ecfr.gov/cgi-bin/text-idx?SID=ad275643432556b9dda942343fb89296&mc=true&node=pt38.1.3&rgn=div58) * [M21-1 III.ii.2.C. - Informal Claims Received Prior to March 24, 2015, Communication of an Intent to File (ITF), and Requests for Application](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014115/M21-1-Part-III-Subpart-ii-Chapter-2-Section-C-Informal-Claims-Received-Prior-to-March-24-2015-Communication-of-an-Intent-to-File-ITF-and-Requests-for-Application) * [M21-1 III.iv.5.C.2. - Impact of ITF on Effective Date](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000067390/M21-1,-Part-III,-Subpart-iv,-Chapter-5,-Section-C---Effective-Dates#2) | |

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| Topic 1: Informal Claims vs. Intent to File | |
| Introduction | This topic will allow the trainee to identify a valid communication of ITF. |
| Time Required | 15 minutes |
| OBJECTIVES/ Teaching Points  Slide 5 | Topic objectives:   * Recall the history of informal claims and ITF * Identify what kinds of claims an ITF can be applied to * List required elements of an ITF * Recognize the different ways an ITF can be communicated   The following topic teaching points support the topic objectives:   * Date ITF was instituted * Benefits ITF does and does not apply to * Required elements of an ITF * Ways to communicate an ITF |
| Informal Claims  Slide 6  Handout 3 | Explain the following:  It is important to understand what informal claims were because students will see them in the historical record.  Informal claims were important because VA could possibly grant entitlement to benefits as early as the date of receipt of an informal claim, as long as VA received a formal claim within one year of the date VA sent the claimant an application.  Explain what “effective date placeholder” means. This means that the date of receipt of the informal claim or ITF, not the date we receive the substantially complete application, may determine how far back in the past we can grant benefits.  **Emphasize the date March 24, 2015 as the dividing line between informal claims and ITF.** |
| **Intent to File (ITF)**  Slide 7  Handout 3 | As of March 24, 2015, claimants desiring an “effective date placeholder” must communicate to VA a formal “intent to file” a claim. |
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| **Benefits ITF Does and Does Not Apply to**  Slide 8-9  Handout 3-4 | Explain the four general benefit categories ITF applies to and that a subsequent claim must be for the same benefit that the ITF was for to use the ITF as an effective date placeholder.  An Intent to File only serves as a place holder for certain types of claims and must specify the type of claim the claimant is intending to file.  ITF applies to claims for:   * Compensation * Pension * Survivors Pension, and * DIC   **Emphasize: An ITF is specific to the benefit sought. When the claim received is not for the same type of benefit identified on the ITF, the ITF may not be applied to the claim for purposes of effective date assignment. For example, an ITF identifying pension as the benefit sought cannot be applied to a subsequent claim for compensation.**  Also, there are certain types of claims for which an Intent to File cannot serve as a placeholder for an earlier effective date. The following are examples of benefits or types of claims to which ITF does not apply:   * Dependency * Ancillary benefits * Requests for higher-level review * Supplemental claims * Duplicate claims * Requests for review based on a clear and unmistakable error.   These types of claims have their own sets of rules to be followed when determining effective date of entitlement. Therefore, an ITF does not affect the potential entitlement date. |
| **Required Elements of an ITF**  Slide 10  Handout 4 | A claimant’s communication of an ITF is adequate for VA purposes if, the claimant (or another authorized person):   * Provides VA with enough information to identify the Veteran (***and*** the claimant, if the claimant is *not* the Veteran), and * Specifies the general benefit he/she is seeking (compensation and/or pension, or Survivors Pension and/or Dependency and Indemnity Compensation (DIC)), and * Signs VA Form 21-0966 (if that’s how ITF is communicated) |
| **5 Ways to Communicate an ITF**  Slide 11-13  Handout 4 | 1. Emphasize an online claim only needs to be **initiated,** not completed, to qualify as an ITF. Online claims initiated and completed on the same day create **both** an ITF and a claim (which subsumes the ITF created by initiation – if an active ITF doesn’t already exist).   Discuss the VDC, SEP, and D2D systems.   1. Point out that, in addition to the claimant, other authorized persons may sign a [VA Form 21-0966](http://www.vba.va.gov/pubs/forms/VBA-21-0966-ARE.pdf). Open the link to VA Form 21-0966 and show where the required elements are located. 2. Contacting a National Call Center (NCC)   If the claimant doesn’t have a corporate record, the call center employee must complete, sign, and submit VA Form 21-0966 on the claimant's behalf.   1. Contacting a Veterans Service Center (VSC) or Pension Management Center (PMC) employee by telephone or in person. 2. Communicating an ITF to a Field Examiner as directed in the [Fiduciary Program Manual (FPM) 2.D.3.p](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000052756/FPM-2.D.3-Financial-Information-of-the-Beneficiary). |
| **Request for Application**  Slide 14 Handout 5 | Explain the difference between a Request for Application (RFA) and an Incomplete ITF.  During PowerPoint or after; demonstrate the process described in the Handout to create an RFA letter. **Use VBMS Demo so PII will not be an issue or pause any recording when PII is utilized.** |
| **VA Form 21-0966 Not in VBMS**  Slide 15  Handout 6 | Explain to trainees that not all ITFs will have a corresponding VA Form 21-0966 because the form is not the only means by which ITFs can be communicated to VA.  A VA Form 21-0966 will not appear in the documents list if the ITF was communicated by initiating an application online, by calling the NCC, or by speaking to a VSC or PMC employee who has immediate access to VBMS (to enter the ITF). These three acceptable means of communicating an ITF do not require the completion of VA Form 21-0966 as long as the required information is provided by the claimant. |
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| Topic 2: ITF Development and Status in VBMS | |
| Introduction | This topic will allow the trainee to locate ITFs in VBMS, determine their status and complete development for an incomplete ITF. |
| Time Required | 15 minutes |
| OBJECTIVES/ Teaching Points  Slide 17 | Topic objectives:   * Describe development actions needed for an incomplete communication of an ITF * Locate list of ITFs in VBMS and determine their status   The following topic teaching points support the topic objectives:   * Demonstration of locating ITFs and completing development in VBMS |
| ITFs in VBMS and Entering an ITF in VBMS  Slide 18-19  Handout 7 | During PowerPoint or after; demonstrate how to find the list of ITFs in VBMS and determine their status. **Make sure to select “ALL”.**  During PowerPoint or after; demonstrate how to enter ITF in VBMS. **Use VBMS Demo so PII will not be an issue or pause any recording when PII is utilized.**  Please make sure to address this with the trainees:  Note: This task is often completed by individuals other than VSRs (such as the National Call Center, Public Contact, and the Intake Processing Center) as they receive communications of an intent to file either in direct verbal communication with the veteran or through the receipt of VA Form 21-0966. However, there may be times when a VSR must input this information either as you receive it directly from a veteran or if it has been missed by other employees. |
| ITF Acknowledgement Letter  Slide 20  Handout 8 | Explain that an automatically generated ITF acknowledgement letter is sent to the claimant when an ITF is communicated online or entered in VBMS and a substantially complete claim is NOT submitted online the same day. Display a copy of this letter if one is available **(do not display PII if recording the presentation).**  Explain where the letter can be found and that sometimes it may be necessary to create one manually. |
| Incomplete VA Form 21-0966 and Incomplete ITF Letter in VBMS  Slide 22-23  *Handout 8-9* | If VA Form 21-0966 is missing a required element, **and VA has not received a subsequent claim**, telephone development should be attempted to obtain the missing information. If telephone development is unsuccessful, an “Incomplete ITF” letter must be sent to the claimant. This letter is automatically generated by entering an “Incomplete” ITF in VBMS (selecting the benefit as unidentified and/or the signature is missing).  During PowerPoint or after; demonstrate how to enter ITF in VBMS and make selections that will generate an “Incomplete ITF” letter. **Use VBMS Demo so PII will not be an issue or pause any recording when PII is utilized.**  **Emphasize: If a subsequent claim has been received** an “Incomplete ITF – Claim Received” letter should be sent using the Letter Creator program.  Again, this task is most often completed by individuals other than VSRs (such as the National Call Center, Public Contact, and the Intake Processing Center) as they receive incomplete communications of an intent to file through the receipt of an incomplete VA Form 21-0966. |
| Status of ITFs  Slide 24  *Handout 9* | Refer the trainees to the Handout or Manual for detailed descriptions.  Explain each status and what circumstances may lead to them. |
| Expiration of ITFs  Slide 25  Handout 10 | Discuss with the trainees how an ITF expires. Emphasize that no more than one communication of an intent to file a claim for the same type of benefit may be active. |
| Searching for the Status of ITFs  Slide 26  *Handout 10* | During PowerPoint or after; demonstrate how to find the list of ITFs in VBMS and determine their status. **Make sure to select “ALL”.** |
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| Topic 3: ITF and Effective Dates | |
| Introduction | This topic will allow the trainee to Identify the requirements and development actions as related to Intent to File. |
| Time Required | 25 minutes |
| OBJECTIVES/ Teaching Points  Slide 28 | Topic objectives:   * Demonstrate how an ITF can affect possible effective dates   The following topic teaching points support the topic objectives:   * Examples of the relationship between an ITF an effective dates |
| ITF and Effective Dates *Slide 29*  Handout 12 | Explain and discuss with trainees the importance of ITFs and their impact upon potential effective dates.  Refer to the table in M21-1 III.iv.5.C.2.c for exceptional situations impacting assignment of effective dates when an ITF is of record. |
| Multiple ITFs and/or Multiple Claims  Slide 30-32  Handout 12-13 | Per 38 CFR 3.155(d), Only one complete claim for a benefit (e.g., compensation, pension) may be associated with each intent to file a claim for that benefit, though multiple issues may be contained within a complete claim. In the event multiple complete claims for a benefit are filed within 1 year of an intent to file a claim for that benefit, only the first claim filed will be associated with the intent to file a claim.  Per M21-1, III.ii.2.C.2.d,   * Once VA associates a specific application for benefits with a communication of an ITF, that communication is no longer active for the purpose of assigning an earlier effective date of entitlement to the same specific benefit for which the claimant might subsequently apply. This limitation applies even if VA receives the subsequent application(s) within one year of the date it received the communication of an ITF. * Once VA associates a specific application for benefits with a claimant’s communication of an ITF, the claimant may submit another communication of an ITF that VA will then consider when assigning an effective date of entitlement to benefits for which the claimant might subsequently apply.   *Please summarize the following points from these references:*   * Each ITF can only be associated with one substantially complete claim, though it applies to all issues within that claim * Any subsequent claims submitted will not be associated with the ITF already connected to the original claim * After an ITF and claim have been associated, a claimant may submit a subsequent ITF to serve as a new placeholder for a supplemental claim   *Use the Potential Effective Dates Example 1 to reiterate the understanding of receipt of multiple ITFs and multiple claims. Drawing out a timeline on a whiteboard would be a good idea for this scenario.* |
| ITF Within One Year of Discharge  Slide 33-34  Handout 13-14 | According to M21-1 III.iv.5.C.2.b, the potential earliest effective date can be impacted based on:   * When the veteran was released from active duty * When the veteran submits the Intent to File, and * When the veteran submits the substantially complete claim   If VA receives communication of a Veteran’s ITF within one year of the date he/she separated from service, and VA subsequently receives a substantially complete application within one year of the date VA received the communication of an ITF, then the earliest potential effective date of entitlement to benefits is the day after the Veteran separated from service.  *Use the Potential Effective Dates Example 2 to reiterate the understanding of receipt of an ITF within one year of release from active duty.*  *Additional scenarios of ITFs and effective dates are available for discussion in Appendix 1 of the Student Handout. Drawing out a timeline on a whiteboard would be a good idea for these scenarios.* |

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| Practical Exercise | | | |
| Time Required | | 15 minutes | |
| EXERCISE  *Handout 17* | | Using the information in your Student handout and the Reference for this topic please complete the Exercise in the Trainee Handout. | |
| Lesson Review, Assessment, and Wrap-up | | |
| Introduction  Discuss the following: | The Intent to File lesson is complete.  Review each lesson objective and ask the trainees for any questions or comments. | |
| Time Required | 10 minutes | |
| Lesson Objectives | You have completed the Intent to File lesson.  The trainee should be able to:   * Recall the history of informal claims and ITF * Identify what kinds of claims an ITF can be applied to * List required elements of an ITF * Recognize the different ways an ITF can be communicated * Describe development actions needed for an incomplete communication of an ITF * Locate list of ITFs in VBMS and determine their status * Demonstrate how an ITF can affect possible effective dates | |
| evaluation | Remind the trainees to complete the on-line evaluation in TMS to receive credit for completion of the course. | |