Pre-Discharge Benefits Delivery at Discharge (BDD) Development

Trainee Handout

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Objectives

* Identify a BDD claim and distinguish it from an excluded BDD claim
* Understand the development procedures for Pre-Discharge BDD claims
* Understand the process for determining a BDD claim is ready for a decision

References

* [M21-1, Part III, Subpart i, 2.A, General Information on Pre-Discharge Claims](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014099/M21-1-Part-III-Subpart-i-Chapter-2-Section-A-General-Information-on-Pre-Discharge-Claims)
* [M21-1, Part III, Subpart i, 2.B, Division of Responsibilities for Processing Benefits Delivery at Discharge (BDD) and BDD Excluded Claims](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014101/M21-1-Part-III-Subpart-i-Chapter-2-Section-B-Division-of-Responsibilities-for-Processing-Benefits-Delivery-at-Discharge-BDD-and-BDD-Excluded-Claims)

All M21-1 references are found in the [Live Manual Website](https://vaww.compensation.pension.km.va.gov/). Explain how to access these references.

Topic 1: Qualification for BDD Program

**Eligibility**

Any servicemember (SM) on active duty may file a pre-discharge claim. This includes:

* reservists serving on active duty in an Active Guard Reserve (AGR) role under [10 U.S.C.](https://www.law.cornell.edu/uscode/text/10)
* full-time National Guard members serving in an AGR role under [32 U.S.C.](https://www.law.cornell.edu/uscode/text/32), and
* SMs undergoing medical evaluation board (MEB) or physical evaluation board (PEB) proceedings who are not currently enrolled in the Integrated Disability Evaluation System (IDES) program.

**Prescribed Form Requirement**

To file a BDD claim, a SM must complete VA Form 21-526EZ*, Application for Disability Compensation and Related Compensation Benefits.*

***Note***: The claim must **not** be excluded from Veterans Benefits Management System (VBMS) processing.

**BDD v. BDD Excluded**

Pre-Discharge claims received within 180 days prior to discharge will be identified as Benefits Delivery at Discharge (BDD) claims and excluded BDD claims.

|  |  |  |
| --- | --- | --- |
| Days prior to separation claim is submitted | 90-180 days | 1-89 days |
| Claim identity | BDD | BDD Excluded |

**Qualifying Criteria under the BDD Program**

***Important:*** Please note that any individual who does not meet the other BDD program requirements will also be identified as a BDD excluded claimant even if they file their claim within the 90-180 day prior to discharge timeframe.

* The SM must
* have a known date of discharge
* be 180 days to 90 days from discharge at the time of filing
* be available to report for examinations between the 10th through the 45th day from the date the claim was received (***Example***: For a claim received on January 1, 2017, the SM must be available for examination from January 10, 2017 through February 15, 2017)
* provide a copy of the service treatment records (STRs) from their current period of service
* submit the claim on a VA Form 21-526EZ, and
* the claim must **not** be excluded from VBMS processing.

***Exceptions***:

* Additional contentions received with less than 90 days remaining on active duty will be processed as a BDD-excluded claim as indicated in M21-1, Part III, Subpart i, 2.A.1.e and M21-1, Part III, Subpart i, 2.A 2. i.
* SMs who file a BDD claim might not be able to complete certain types of examinations, such as sleep studies, before discharge. VA does ***not*** penalize these SMs (by removing them from the BDD program) under these rare circumstances.
* If the SM is unable to attend required examinations within the prescribed 45-day period due to a delay on VA’s part then
* do not remove the claim from the BDD program, and
* do everything possible to attempt to have the examination performed ***prior*** to the SMs discharge, including requesting the Separation Health Assessment (SHA) examination at their current location ***prior*** to performing the actions in M21-1, Part III, Subpart i, 2.B.2.c.

**Exclusions from BDD Program**

Claims of the types, or with the attributes, listed below are excluded from the BDD program, even if SMs submit them prior to discharge:

* claims received from SMs with 89 days to one day remaining on active duty
* additional contentions that were added by the SM with less than 90 days remaining on active duty
* claims from SMs who are unable to report for examinations as provided in M21-1, Part III, Subpart i, 2.A.1.d, subject to the exceptions in that block
* claims where the SM did not provide a copy of STRs for the current period of service with less than 90 days remaining on active duty.
* claims requiring case management for a SM who is
* very seriously injured/ill (VSI)
* seriously injured/ill (SI), or
* a “special category person” (SPC), who has suffered loss of a body part
* claims involving a terminally ill SM
* claims requiring a VA examination that must be completed in a foreign country, ***except*** when the examination can be completed by VA offices in Landstuhl, Germany, or Yongsan, Korea
* claims involving a SM who is awaiting discharge, while hospitalized in a VA or military treatment facility
* claims from pregnant service women, or
* claims requiring a character of discharge (COD) determination.

**NOTE:** Claims that are not eligible or qualify for the above programs will be considered claims excluded from Pre-Discharge and will be processed by the Regional Office of Jurisdiction.

**Processing Additional Contentions from BDD Claimants**

Additional contentions received subsequently from the initial BDD claim that meet the qualifications for the BDD program will be associated with the pending BDD diary 336 EP or proper rating EP (110, 010, or 020).

Explain that, as noted in M21-1, Part III, Subpart i, 2.A.2.i, BDD claimants with less than 90 days remaining on active duty who submit claims for additional contentions will have those additional contentions processed under a separate EP as a BDD-excluded claim. These claims will be established as indicated by the table below:

|  |  |
| --- | --- |
| **If the pending BDD EP is an…** | **Then establish…** |
| * 110 – BDD-Initial, or
* 010 – BDD-Initial 8+ issues
 | Establish an EP 020 with the appropriate claim label.  |
| 020 – BDD-Supplemental | Establish an EP 021 with the appropriate claim label. |

***Important:*** Concurrently pending BDD and BDD-excluded rating EPs **are** allowed and should not be combined unless as noted in M21-1, Part III, Subpart i, 2.B.3.d.

**Notification of BDD Exclusion**

If a claim is excluded from the BDD program, the following actions must be taken:

* Generate the BDD exclusion letter using the Letter Creator tool
* Select the appropriate reason for not meeting the BDD requirements, and
* Change the EP to the proper non-BDD EP and claim label.
* Change the “Pre-Discharge Type” to “Quick Start”

Add the *BDD-Excluded* special issue indicator under one contention requiring an examination. This is important to ensure the examination request is routed correctly in the Examination Management System (EMS).

This is the responsibility of whomever is processing the claim and identifies it as an excluded BDD claim. However, if a claim processor notices that the BDD exclusion letter has not been provided to the claimant, it is their responsibility to provide notification. If the SM is informed verbally in person of the reason why their claim is excluded from BDD and this verbal notification is documented in the VBMS notes, then a BDD exclusion letter does not need to be sent.

**Responsibility for Processing BDD Excluded Claims**

The Regional Office of Jurisdiction (ROJ) is responsible for processing BDD-excluded claims through the standard claims process, the FDC program, or any other applicable claims process unless otherwise stated. The ROJ is considered the RO where the claim is assigned/routed by National Work Queue (NWQ).

Topic 2: Pre-Discharge BDD Development

**Importance of Development**

To ensure a timely decision on the claim, any required development, (such as requests for records or a VA examination) should be initiated while the SM is still on active duty, when possible.

**Initial Actions**

Upon receipt of a BDD claim, the MSC or other BDD claim processor is responsible for following the initial action steps below:

|  |  |
| --- | --- |
| **Step** | **Action** |
| 1 | Review the application to ensure it is complete. |
| 2 | Ensure the correct diary EP 336 – BDD and appropriate claim label is tracking the claim and the date of claim (DOC) is set as the first day following the anticipated date of release form active duty (RAD), regardless of the date VA received the claim.  |
| 3 | Ensure that VBMS includes the correct power of attorney (POA) and corporate flashes for the claim. |
| 3 | Ensure a *VA Form 21-686c, Declaration of Status of Dependents*,is of record if dependents are indicated on the application. |
| 4 | Obtain the SM’s service treatment records (STRs) (including *DD Form 2807-1,* *Report of Medical History*) for the current period of service.The following are acceptable formats for the STRs:* photocopies
* compact disk – read only memory (CD-ROM), and
* digital media files transferred by a secure method.

***Notes***: * If the SM provides original STRs, make a copy of the records and return the originals to the SM the same day.
* If the original records cannot be returned to the SM, then return them to the Department of Defense (DoD) military treatment facility, or at one of the addresses below.

|  |  |
| --- | --- |
| **Branch of Service** | **Address to Return STRs** |
| Navy | Bureau of Medicine and Surgery7700 Arlington Blvd, Suite 5126Falls Church, VA 22042-5126 |
| Army | AMEDD Record Processing Center3370 Nacogdoches Road, Suite 116San Antonio, TX 78217 |
| Air Force | Air Force Record Processing Center3370 Nacogdoches Road, Suite 116San Antonio, TX 78217 |
| Coast Guard | Commanding OfficerHSWL Service CenterATTN: Central Cell300 E Main St, Suite 1000Norfolk, VA 23510-9109 |

 |

**Development Actions**

After completing the initial steps, the MSC or other BDD claims processor must undertake any necessary development actions, such as

* If any prior periods of service exist, these periods of service need to be verified and request the STRs for the earlier periods if not already of record. Further details on how to procure this evidence are provided in [M21-1, Part III, Subpart iii, 2.A and B](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/topic/554400000003086/Chapter-02-Developing-for-Service-Records).
* If private treatment records are indicated, follow the guidance provided in [M21-1 Part III, Subpart iii, 1.C.3, Requesting Evidence from Private Healthcare Providers](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000036530/M21-1-Part-III-Subpart-iii-Chapter-1-Section-D-Requesting-Evidence-From-Private-Healthcare-Providers-PHPs)
* For categories of conditions that require specialized development and details on how to develop for supporting evidence, refer to [M21-1, Part IV, Subpart ii, Chapter 1, Development](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/topic/554400000003124/Chapter-01-Development). For BDD claims without STRs, refer to [M21-1. Part III, Subpart i, 2.B.1.j](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014101/M21-1-Part-III-Subpart-i-Chapter-2-Section-B-Division-of-Responsibilities-for-Processing-Benefits-Delivery-at-Discharge-BDD-and-BDD-Excluded-Claims#1j).

***Important:*** The SMs current period of service cannot be verified until the day following discharge from active duty. As such, in-service rating decision action on the claim should **not** be delayed for verifying the current period of service.

**Examinations**

Once all evidence to support the claim and/or development is complete, the MSC or other BDD claims processor must determine if an exam is warranted.

If an exam is warranted, determine whether a contract examination or VHA examination is required by utilizing the [Examination Request Routing Assistant (ERRA)](http://vbacoweb02.vba.va.gov/bl/21/DEMO/ZIP/default.asp) as noted below.

Use the ERRA tool unless at the BDD intake site there is an existing agreement specifying the provider(s) responsible for local BDD examinations.

Within the ERRA tool, select *Yes* following the text *BDD/IDES Claim?* as shown below:



***Important***:

* A SHA examination should be requested for all BDD claimants still on active duty at the time of the examination request, along with any necessary specialist examinations.
* Be sure to review box the *VA Form 21-526EZ* for effective dates of any forwarding addresses provided by the SM. This will ensure your request is routed to the SM’s current location. This is most critical if the exam request is a re-input of an original request that was rejected via VBMS EMS or CAPRI.
* When the examination request has been submitted, upload a copy of the examination request and ERRA results into the eFolder.

***References***: For more information on

* mandatory use of ERRA and the exception, see M21-1, Part III, Subpart iv, 3.A.1.d
* examinations that cannot be requested through contract examiners see M21-1, Part III, Subpart iv, 3.A.1.j, and
* examinations that must be performed by a specialist see M21-1, Part III, Subpart iv, 3.A.1.h.

**Contract Examination**

Enter requests for contract examinations using VBMS Exam Management System (EMS).

***Important***:

* Station selection should be the first entry made, and if you do not select the correct station number, you must delete the request and start over.
* The station number in EMS must correspond with the SM’s geographic jurisdiction. For example, use 318 from the station drop-down menu where the individual lives in North Carolina and the ERRA tool indicates QTC contract exam jurisdiction.
* The intake site location selected should be the intake site of the claims processor processing the claim.
* A request for an examination including the SHA DBQ and any other necessary specialist examinations ***must be entered within five calendar days*** of claim documents being uploaded into VBMS.

***References***: For more information on VBMS Exam Management System, see

* TMS Courses
	+ VA 4415934 Introduction to Exam Management in VBMS
	+ VA 4415942 Creating Exam Scheduling Request in VBMS
	+ VA 4415941 Exam Scheduling Request Submission Status and Exam Activity
	+ VA 4415947 Request for Clarification/Modification Request/Rework Request in Exam Management
	+ VA 4415952 Exam Scheduling Request in VBMS for Individual Unemployability Claims
* [VBMS Core User Guide](https://vbaw.vba.va.gov/VBMS/docs/VBMSCoreUserGuide-Release_14_1.pdf) (Ch18)
* [Reviewing the Contentions List Screen in VBMS](https://vbaw.vba.va.gov/bl/21/contractexams/docs/Reviewing%20the%20Contentions%20List%20Screen%20in%20VBMS.pdf) Job Aid
* [Mandatory Contract Exam Staff Homepage](https://vbaw.vba.va.gov/bl/21/contractexams/exam_home.htm)
* [Regional Office Exam Liaisons](http://vbaw.vba.va.gov/bl/21/contractexams/docs/Exam%20Liaison%20Directory.xlsx),

**VHA Examination**

Enter requests for VHA examinations using CAPRI.

***Important***:

* A request for an examination including the SHA DBQ and any other necessary specialist examinations ***must be entered within five calendar days*** of claim documents being uploaded into VBMS.
* select the *BDD – DOD SHA* claim type in CAPRI.

***References***: For more information on

* completing an CAPRI examination request, see M21-1, Part III, Subpart iv, 3.A.9.b
* steps to inputting examination requests, see M21-1, Part III, Subpart iv, 3.A.9.a
* instructions on uploading the examination request, see M21-1, Part III, Subpart iv, 3.A.9.a (step 10)
* the Exam Request Builder tool, see M21-1, Part III, Subpart iv, 3.A.2.e
* examinations (including language to be added to examination requests) in claims based on Southwest Asia Service, see M21-1, Part IV, Subpart ii, 1.E.2, and
* follow-up requirements for CAPRI examinations, see M21-1, Part III, Subpart i, 2. B.2. d.

**Follow-up Requirements for Contract and CAPRI Examinations**

In order to ensure timely processing of BDD claims, claims processors must ensure that requested examinations are not rejected/cancelled. If the examination is rejected or cancelled, the claims processor must review the rejection/cancellation reason and:

* Request the claim from NWQ
* Review the ERRA tool to determine where the examination should be re-requested (Contractor (EMS) or VHA (CAPRI)), and
* Take the steps necessary to re-input the examination request, if necessary.

|  |  |
| --- | --- |
| **If the examination cancellation is due to ...** | **Then ...** |
| the SM’s failure to adhere to BDD requirements (i.e. failure to report to exams without good cause) | * change the pending EP to a non BDD rating EP,
* enter a note in VBMS indicating why the SM was removed from the BDD Program, and
* continue processing the claim as a BDD excluded claim
 |
| a reason outside of the control of the SM | * take the necessary steps submit a new examination request, and
* continue processing the claim as a BDD claim
 |

***Notes:***

* Make every reasonable effort to contact the SM via telephone and/or email to verify why an examination was cancelled or rejected.

Topic 3: Completion of Pre-Discharge BDD Claims

**Action(s) to take once development is complete**

Once all development actions are complete, the MSC or other BDD claims processor must

* ensure all pending tracked items have the proper suspense dates
* update tracked items according to M21-1, Part III, Subpart iii, 1.D.3.c
* change the pending EP 336 to the proper rating EP, as noted in M21-1, Part III, Subpart i, 2.A.2.d., and
* ensure the claim is in open status unless the claim has already been determined to be RFD. (see M21-1 III.i.2.B.2.c for additional information).

***Notes***:

* Following expiration of the 30-day suspense for examinations, NWQ must route the claim within 48 hours for additional action.
* Once the above actions have been completed, the National Work Queue (NWQ) will route the claim to the proper location for further processing during its overnight cycle.
* It is not necessary to wait for evidence to be uploaded into the VBMS eFolder prior to performing the above actions if:
* examinations do not require an eFolder review, and
* all development actions have been completed.

**BDD Claim Label and EP**

Once all development actions are completed, the diary 336 EP for a BDD claim will be changed to the proper EP and claim label as shown in the table below:

|  |  |
| --- | --- |
| **Claim Type** | **BDD EP – Claim Label** |
| Original  | * 110 – BDD-Initial, or
* 010 – BDD-Initial 8+ issues
 |
| * New SC or
* Increased evaluation
 | 020 – BDD-Supplemental |

**NOTE:** Third digit modifiers for Pre-Discharge claims are terminated.

**National Work Queue**

Following the actions taken at the BDD intake site, the National Work Queue (NWQ) will route the BDD claim to regional offices nationally for review for ready for decision (RFD) status as soon as all examinations have been completed or all tracked items have expired.

NOTE: This will occur while the SM is still on active duty, therefore deferral for service verification should not occur. Service verification for BDD claims does not occur until **after** the completion of the in-service rating decision and the **SM’s discharge from active duty**.