**RVSR Challenge Instructor Guide**

**Records Management for RVSRs**

Instructor Lesson Plan

Time Required: 2 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 # | 4450624 |
| Prerequisites | N/A |
| target audience | The target audience for Records Management for RVSRsis RVSR, Entry Level.  Although this lesson is targeted to teach the RVSR Level employee, it may be taught to other VA personnel as mandatory or refresher type training. |
| Time Required | 2 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * Records Management for RVSRsPowerPoint Presentation * Records Management for RVSRs Trainee Handouts |
| 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 * Computer with Microsoft Office software to present the lesson material   Trainees require access to the following tools:   * VA TMS to complete the assessment * Records Management for RVSRs |
| 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 trainees. The attendance records are forwarded to the Regional Office Training Managers. |

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| Introduction to Records Management for RVSRs | | |
| 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 Lesson  Explain the following: | | The purpose of this lesson is to give the trainees background information on types of federal and non-federal records, and to introduce the applications and procedures utilized in connection with their development and retrieval. The class is intended to provide a general conceptual framework for subsequent curricular components, including classes on Special Issue Claims, and 5103/DTA, all of which reference VA’s duty to assist in the pursuit of federal and non-federal evidence. This lesson will contain discussions and exercises that will allow the trainee to gain a better understanding of:   * Record Types: Federal vs. Non-Federal * Requesting Federal Records * Requesting Non-Federal Records |
| Lesson Objectives  Discuss the following:  Slide 2  Handout page 2 | Upon completion of this instructor-led lesson and review of handout, trainees will be able to:   * Identify a record as Federal or non-Federal and understand the different development procedures for each category * Distinguish where a Veteran’s service records are stored based on branch and period of service and how such records are requested * Demonstrate proper documentation within the rating decision of evidence requested by VA but not received. | |
| Explain the following: | Each learning objective is covered in the associated topic. At the conclusion of the lesson, the learning objectives will be reviewed. | |
| Motivation | It is the VA’s duty to assist claimants in obtaining all the required evidence in support of his/her claim. It is of critical importance for the RVSR to recognize whether we have fulfilled our duty to assist with records requests before issuing a decision. A thorough and complete review of claimants’ records will result in timely and efficient processing of claims and also in the proper benefits being awarded to Veterans and their dependents. | |
| STAR Error code(s) | B2 | |
| References  Slide 3  Handout page 2 | Explain where these references are located in the workplace.  All M21-1 references are found in the [Live Manual Website](https://vaww.compensation.pension.km.va.gov/).   * [38 CFR 3.159(c), VA's duty to assist claimants in obtaining evidence](http://www.ecfr.gov/cgi-bin/text-idx?SID=ad275643432556b9dda942343fb89296&mc=true&node=pt38.1.3&rgn=div58#se38.1.3_1159) * [M21-1, Part I, Chapter 1, Section C - Requesting Records](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Farticle%2F554400000014066%2FM21-1-Part-I-Chapter-1-Section-C-Requesting-Records) * [M21-1, Part III, Subpart iii, Chapter 1, Rules and Process](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Ftopic%2F554400000003085%2FChapter-01-Rules-and-Process) * [M21-1, Part III, Subpart iii, Chapter 2, Developing for Service Records](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Ftopic%2F554400000003086%2FChapter-02-Developing-for-Service-Records) * [M21-1, Part III, Subpart iii, Chapter 3, Information Requests to and from the Social Security Administration (SSA)](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Ftopic%2F554400000003087%2FChapter-03-Information-Requests-to-and-from-the-Social-Security-Administration-SSA) * [M21-1, Part III, Subpart iii, Chapter 4, Information Requests to or From Other Federal and State Agencies](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Farticle%2F554400000015794%2FM21-1-Part-III-Subpart-iii-Chapter-4-Information-Requests-to-or-From-Other-Federal-and-State-Agencies) * [M21-1, Part III, Subpart iv, Chapter 6, Section C, Evidence](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Farticle%2F554400000014206%2FM21-1-Part-III-Subpart-iv-Chapter-6-Section-C-Completing-the-Rating-Decision-Narrative) | |

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| Topic 1: Record Types: Federal vs. Non-Federal | |
| Introduction | This topic will allow the trainee to identify Federal vs Non-Federal Records |
| Time Required | 15 minutes |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify a record as Federal or non-Federal and understand the different development procedures for each category |
| Record Types: Federal vs. Non-Federal  Slide 4 | **Talking points:**   * **EXPLAIN** the difference between Federal Records vs Non-Federal Records. This distinction is important, as the category within which a record falls dictates which development procedures apply. * When delivering this course to very new RVSRs, **DEFINE** the concept of “development” in the claims process. |
| Topic 2: Federal Records | |
| Introduction | This topic will allow the trainee to identify and differentiate types of federal records, methods for retrieving them, and follow-up procedures. |
| Time Required | 1 hour |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Distinguish where a Veteran’s service records are stored based on branch and period of service and how such records are requested. |
| Federal Records  Slide 5 | **DISCUSS** the different types of Federal records shown on the examples slide, which is not an exhaustive list. Point out that, depending on the type of Federal record, it may arise either during or after a Veteran’s military service.  “Next, we will examine the two most common types of Federal records that originate during a Veteran’s military service…” |
| Service Personnel Records  Slide 6 | **EXPLAIN** that service personnel records contain administrative records documenting service history such as duty stations and assignments, performance history, disciplinary or other personnel actions. Discuss that these records (particularly the DD-214) serve to verify service and **establish Veteran status** for the purposes of receiving VA benefits.  **HIGHLIGHT** that depending on the type of claim received, personnel documentation such as unit assignments and summaries of occupational duties, may be relevant to the outcome of the claim. For example, a claim related to herbicide exposure.  Additionally, for Veterans who were discharged under conditions other than honorable, the facts and circumstances surrounding the discharge should be reviewed and are found in the personnel record. |
| Service Treatment Records (STRs)  Slides 7 & 8 | **EXPLAIN** that service treatment records are the in-service health records that service departments collect for each service member at enlistment, separation and whenever medical care is sought during active service. For many years, they were referred to as service medical records (SMRs).  **EMPHASIZE** that STRs are a critical document in the decision-making process. Discuss, or ask the audience what the three elements of service connection are. Then explain that the STRs most often serve to satisfy the “in-service event” in the equation of service connection.  **DISCUSS** the concept of substantially complete STRs per M21-1 III.iii.2.A.1.f. Review this M21-1 reference with the class.  **EXPLAIN** that when a Veteran served multiple periods of service, medical records from each period should be obtained prior to implementing a rating decision with an unfavorable outcome.  **EXPLAIN** what STRs do not contain, including treatment obtained off-base by a civilian provider. |
| Clinical Records  Slide 9 | *Talking point:* inpatient records and mental health records are housed separately from the STR documents. The STRs will contain a clinical record coversheet summarizing the clinical treatment. Generally, this coversheet is sufficient for the purpose of estblishign an in-service event.  In the event that the complete clinical record is needed, development outside of the standard STR request is required. See III.iii.2.B.4.e. How to Request Clinical Records from NPRC |
| Whiteboard Question  Slide 10 | **QUESTION:**  What types of documents might we expect to find in service medical records and service personnel records?  *If conducting training online, put a whiteboard slide up so all participants can contribute. Suggest drawing a T table, with one column for STRs and another column for personnel records.*  **ANSWER:** Responses will vary. Trainees will likely identify that enlistment and separation examinations and outpatient clinical records will be housed in STRs. The DD-214 and unit assignment history are in the service personnel records. |
| Storage Locations for Service Records  Slide 11  Handout 3 | **EXPLAIN** that Veterans’ STRs and personnel records are stored based on the branch of service and date of separation from service. Take time to review each of the four entities shown on the chart.  **DISCUSS** the basic mechanics of requesting records from the specific location. Keep discussion specific to how the RVSR will know whether requests were properly made and when they need to explore that question (i.e. when STRs are not substantially complete). |

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| Locating Service Treatment Records  Slide 12  Handout 3 & 5 | **EXPLAIN** the nature of the cutoff dates shown on the chart. Reiterate that the location of the STRs dictates the associated development actions (discussed on the previous slide). M21-1 III.iii.2.B.2.e. Provides guidance on determining the date a former service member’s service ended.  **KNOWLEDGE** **CHECK**: Provide trainees with branch and discharge date, and ask where STRs are stored and how they would be requested *(Note: Consider asking via polling function if conducting training online)*   1. Air Force Veteran discharged June 30, 2003    * Answer: RMC; auto requested at CEST or email to RMC 2. Army Veteran discharged April 15, 2014    * Answer: HAIMS; VBMS (development chevron; Obtain STRs tab) 3. Marine Corps Veteran discharged January 31, 1994    * Answer: NPRC; Request via PIES program |
| Locating Service Personnel Records  Slide 13  Handout pg 4 | **EXPLAIN** similar to STRs, personnel records also have associated cutoff dates that dictate where personnel records are stored and therefore how they are requested. (M21-1 III.iii.2.B.5-9)  **KNOWLEDGE** **CHECK**: Provide trainees with branch and discharge date, and ask where personnel records are stored and how they would be requested *(Note: Consider asking via polling function if conducting training online)*   1. Coast Guard Veteran discharged February 1, 2018    * Answer: NPRC; Request via PIES program 2. Navy Veteran discharged September 3, 2002    * Answer: DPRIS; Request via DPRIS online portal |
| Fire-Related Cases  Slide 14 | **EXPLAIN** that a fire in 1973 irreparably damaged or destroyed NARA’s (National Archives and Records Administration) holdings for 80% of Army Veterans who served between November 1, 1912 and January 1, 1960, and approximately 75% of Air Force records with service from September 25, 1947 to January 1, 1964, specifically surnames “Hubbard” through the end of the alphabet.  If records of an impacted Veteran are requested through PIES, the NPRC’s response will indicate that records are fire-related. Development to affected Veterans should explain the nature of the fire and enclose an **NA Form 13055** for potential reconstruction of service data.  Based on information provided through NA Form 13055, and additional request can be submitted to NPRC through pies |
| National Guard and Reservist Service Records  Slide 15 | The location of service records for Guard and Reserve members depends on two key questions:   * Does a service obligation exist at the time VBA is making the request for records * If the Veteran has prior active duty, was there a complete break in service between active duty and NG/Reserve entry?   Walk the trainees through the guidance in M21-1 III.iii.2.B.3.b and emphasize that if an obligation no longer exists, or there was a complete break in service, records will be stored according to standards for regular active service. |
| Request for Records from Military Academies  Slide 16 | **EXPLAIN** that activities performed as a cadet at one of the four national service academies may be considered active duty for benefit administration purposes.  Military academy records are maintained at the respective institution and must be requested via locally-generated letter to one of the addresses listed in the manual citation provided. |
| VA Medical Records  Slide 17 | ***Talking points*:**  ROs must attempt to obtain the VA records a Veteran identifies, unless the RO concludes that it is reasonably certain the records do not exist.  Development for Vet Center records requires the Veteran to submit a VA Form 21-4142 due to the sensitive nature of these records.  If a Veteran does not identify treatment with VA, we must conduct an enterprise search via CAPRI.  **IMPORTANT**: If the enterprise search results do not show any VAMC treatment, add a permanent note to VBMS documenting the results per M21-1 III.iii.1.C.2.g. |
| Retrieving VA Medical Records  Slide 18 | **Talking Point:** VHA completed the transition to electronic recordkeeping at all VAMCs in late 2004.  VBA claims processors access the electronic health records using CAPRI and Advanced Web Image Viewer (AWIV) Web application.  Treatment that occurred prior to the transition to electronic recordkeeping has been archived by VHA, therefore claims processors should always consider submitting a VA Form 10-7131 request for archived records when treatment is alleged at a VAMC prior to 2005.  **EMPHASIZE:** Final review of CAPRI and JLV and upload of pertinent records into eFolder is the responsibility of the RVSR. |
| Whiteboard Question  Slide 19 | **QUESTION:**  Which application affords VBA personnel access to VHA treatment data?  **ANSWER:**  CAPRI (Compensation and Pension Record Interchange) and AWIV Viewer |
| Records from Social Security Administration (SSA)  Slide 20 | **EXPLAIN** thatSSA record requests are typically submitted in connection with claims for total disability due to individual unemployability (TDIU). The documents received speak to both disability severity and resultant functional and occupational impairment.  SSA disability records are requested through a web-based interface that SSA owns and operates called Social Security Administration-Government-to-Government Service Online (SSA-GSO). |
| When Federal Records Are Unavailable  Slide 21 | Standard development time frames for federal records are 30 days for initial request, and 15 days for a follow-up request.  When no response or negative response is received, follow these special procedures:   |  |  | | --- | --- | | **Type of record** | **Required action:** | | VAMC or VR&E | Document unavailability on 27-0820 per M21-1 III.iii.1.C.2.l | | Fire-related and Veteran did not provide NA Form 13055 or equivalent | Rating activity will rate based on evidence of record; RVSR to include information in narrative about this missing form per M21-1 III.iii.2.E.1.c; Use FIRE 1 glossary\* | | Service treatment records | Check JLV; if still unavailable, prepare final notification letter | | All other federal records | Prepare final notification letter |   *\** **FIRE1:**  *We were unable to obtain your service treatment records. The National Personnel Records Center (NPRC) reported that the records may have been destroyed in a fire at the Records Center in 1973. If you can provide additional information about your records, please complete NA Form 13055, Request for Information Needed to Reconstruct Medical Data, which can be found at http://www.archives.gov/st-louis/military-personnel/na-13055-info-2-reconstruct-medical-data.pdf. NPRC could not confirm the existence of such records; only the fact that if they had been stored at the Records Center, they would have been stored in an area damaged by the fire. If these records are located at a later date, we will reconsider this decision.* |
| Final Notification Letter  Slide 22 | **EXPLAIN** that after the initial 30 day request, and the 15 day follow-up request, we prepare a final notification letter to inform the Veteran of the missing evidence.  This offers him/her the opportunity to submit any relevant evidence in his/her own possession. Veteran is requested to submit any evidence to VA as soon as possible. |

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| Topic 3: Non-Federal Records | |
| Introduction | This topic will allow the trainee to identify and differentiate types of non-federal records, methods for retrieving them, and follow-up procedures. |
| Time Required | 30 minutes |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify a record as Federal or non-Federal and understand the different development procedures for each category |
| Non-Federal Records  Slide 23 | **EXPLAIN** that, thus far, we have discussed federal forms of evidence, such as service treatment records, VAMC, and SSA records.  **Non-federal** records are also significant to the claims adjudication process. These include private medical records, employment information, and buddy statements.  VA must make reasonable efforts to acquire these records, but we will cease efforts after two attempts and are under no obligation to formally document record unavailability if no response or records are received. |
| Requesting PHP Records  Slide 24 | **DISCUSS** VA Form 21-4142 and 21-4142a and it’s importance in the development process for PMR.  **EXPLAIN**  the PMR program and its purpose to have the contractor obtain PMRs by contacting PHPs and requesting the treatment records identified on the medical release form(s).  **NOTE:** DOMA Technologies (DOMA) is operating as a PMR Retrieval Center in support of the PMR program.  **DISCUSS** that it is still our responsibility to ensure the records were requested. If there was a reason for why PMR (DOMA) rejected the form, a VSR is required to review the rejected form and reason and complete any additional development. |
| Requesting other Non-Federal Records  Slide 25 | **EXPLAIN** When a claimant adequately identifies the existence of relevant records, VA has a duty to obtain those records by requesting them or by sending the claimant the appropriate VA forms to allow VA to request the relevant records at any point during the claims process**.**  This includes lay and buddy statements if the Veteran is able to adequately identify the applicable individual.  Reasonable efforts to obtain non-Federal records includes:   * Making an initial request for such evidence, and * at least one follow-up request if no response is received from the custodian of the records unless a response to the initial request indicates that   + the records do not exist, or   + a follow-up request would be futile.   Fifteen days are allowed between each request. If either or both requests elicit a negative response or receive no response at all, developmental attempts may be discontinued without further documentation. |
| Responsibility of the Claimant  Slide 26 | **EXPLAIN** that although VA will do everything possible to obtain records, the ultimate responsibility for furnishing evidence needed to perfect the claim rests with the claimant. |
| Information to Include in a Rating Decision  Slide 27 | **EMPHASIZE** that when VA requested records, but was ultimately unsuccessful in obtaining them, the RVSR is responsible for documenting this in the evidence section of the rating decision.  For example: Private medical records requested from [provider’s or facility’s name], but not received.  Additonal information about the evidence section of a rating decision can be found at M21-1 III.iv.6.C.4 |
| Whiteboard Question  Slide 28 | **QUESTION**:  Who is ultimately responsibility for furnishing evidence needed to perfect the claim?  **ANSWER:**  The Veteran |
| Review  Slide 29 | Ask trainees if they have any questions about the material covered in the lesson. |

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| Lesson Review, Assessment, and Wrap-up | |
| Introduction  Discuss the following: | The *Records Management for RVSR* lesson is complete.  Review each lesson objective and ask the trainees for any questions or comments. |
| Time Required | 5 minutes |
| Lesson Objectives | You have completed the *Records Management for RVSR* lesson.  The trainee should be able to:   * Identify a record as Federal or non-Federal and understand the different development procedures for each category * Distinguish where a Veteran’s service records are stored based on branch and period of service and how such records are requested * Demonstrate proper documentation within the rating decision of evidence requested by VA but not received. |