(VSR VIP Pre-D) VA Duty to Assist

Instructor Lesson Plan

Time Required: 2.5 Hours

**Table of Contents**

[Lesson Description 2](#_Toc50465079)

[Introduction to VA Duty to Assist 4](#_Toc50465080)

[Topic 1: Overview of Duty to Assist and Fully Developed Claims (FDC) 6](#_Toc50465081)

[Topic 2: Incomplete FDC Claims and Excluding Claims from FDC 10](#_Toc50465082)

[Topic 3: FDC Development 14](#_Toc50465083)

[Practical Exercise 18](#_Toc50465084)

[Lesson Review, Assessment, and Wrap-up 18](#_Toc50465085)

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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 # | 4456082 |
| Prerequisites | None |
| target audience | The target audience for VA Duty to Assist is VSR Entry Level.  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 | 2.5 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * VA Duty to Assist Power Point Presentation * VA Duty to Assist 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:   * Compensation Service Web Site |
| 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. * Provide a sign in sheet and at the conclusion of the session, ensure that all trainees sign in. |

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| Introduction to VA Duty to Assist | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 0.25 hours |
| Purpose of Lesson | | This lesson is intended to give the trainees an overview of VA’s Duty to Assist a claimant and the Fully Developed Claim (FDC) Program. |
| Lesson Objectives  Slide 2  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:   * Identify the impact of Public Laws 106-475 and 112-154 on VA’s Duty to Assist * Identify the purpose of the Fully Developed Claims (FDC) program * Identify the specific forms used in the FDC program * Identify the submission requirements for a complete and incomplete FDC * Identify types of exclusions from the FDC program * Create an FDC Write Out Letter * Identify Section 5103 notice letter requirements * Construct a 5103 notice letter * Identify allowed development under the FDC program | |
| Motivation | It is important for trainees to understand that VA’s Duty to Assist permits VA to provide Section 5103 notices by the most effective means available. These means include utilizing electronic communication and providing the claimant notice before the filing of a claim, rather than after. These means eliminate the need to perform lengthy development actions later in the claim lifecycle and avoid delays associated with those development actions. | |
| STAR Error code(s) | Tasks 1, 2, 3, 4, 5, and 11 | |
| References  Slide 3  Handout 3 | 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/).   * Public Law 106-475*,* Veterans Claims Assistance Act of 2000 * Public Law 112-154, Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012 * 38 U.S.C. 5103, Notice to claimants of required information and evidence * 38 CFR 3.159, Department of Veterans Affairs assistance in developing claims * M21-1, Part I, Chapter 1, Section A, Description and General Information on Duty to Notify and Duty to Assist * M21-1, Part I, Chapter 1, Section B, Duty to Notify Under 38 U.S.C. 5102 and 5103 * M21-1 Part III, Subpart i, 3.A, General Information about the Fully Developed Claim (FDC) Program * M21-1 Part III, Subpart i, 3.B, Processing Fully Developed Claims (FDCs) | |

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| Topic 1: Overview of Duty to Assist and Fully Developed Claims (FDC) | |
| Introduction | This topic will provide background on VA’s Duty to Assist and the FDC program. |
| Time Required | 0.5 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify the impact of Public Laws 106-475 and 112-154 on VA’s Duty to Assist * Identify the purpose of the Fully Developed Claims (FDC) program * Identify the specific forms used in the FDC program |
| Background Information  Slide 4-5  *Handout 4-5* | Explain to the trainees the purpose behind VA’s Duty to Assist is to notify and help the Veteran obtain what is needed to substantiate their claim. It begins when VA receives a substantially complete initial or supplemental claim and ends once VA issues a decision on the claim.  Public Law 106-475, Veterans Claims Assistance Act (VCAA) of 2000:   * Was enacted on November 9, 2000, it eliminated the concept of a well-grounded (plausible) claim and mandated specific notice requirements (What the Evidence Must Show). * Required VA to, upon receipt of an incomplete application, notify the claimant of the information necessary to complete an application and defer assistance until the claimant submits the information. * Required VA to notify the claimant of any information not previously provided that is necessary to substantiate the claim and that information shall be received by VA within one year from the date of the notification. It also required VA to make reasonable efforts to assist a claimant in obtaining necessary evidence. ***Explain that this is called the Section 5103 notice and an important part of VA’s Duty to Assist the claimant.***   Public Law 112-154, Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012 amended 38 USC 5103 to streamline VA’s duty to notify and assist responsibilities.  PL 112-154 was enacted on August 6, 2012, and amended 38 U.S.C. 5103 to allow VA to provide the notice before, rather than after, the submission of a claim.  Explain that this act allowed VA to create the Fully Developed Claims program and the EZ application forms by providing notice with the application.  It also eliminated the need to provide additional Section 5103 notices on subsequent claims if the same type of Section 5103 notice has already been provided on a current pending claim within the previous year.  ***Note: Section 506 of this Public Law 112-154 amends 38 U.S.C. § 5110 to allow up to a one-year retroactive effective date for awards of disability compensation based on fully-developed original claims filed between August 6, 2013, and August 5, 2015. For more information, see M21-1 Part III, Subpart i.3.B.4.a.*** |
| Purpose of FDC  Slide 6  *Handout 5* | Explain that the Fully Developed Claim (FDC) program is now the most common program under how claimants submit applications. Discuss the purpose of the FDC program and how it affects VA claims processing.  The VA designed the FDC program for the purpose of:   * reducing its backlog of pending claims, and * improving claims-processing timeliness.   The FDC program allows VA to divert the additional time and resources it would have to the traditional claims process by requiring claimants that choose to participate in this program to:   * submit their claim on a specific form that contains language which satisfies the notice requirements of 38 U.S.C. 5103 * simultaneously submit all private medical treatment records with their claim * identify any relevant treatment records at a Federal facility, and * submit any additional forms or treatment records required under special circumstances that support their specific claim |
| **Submission of Claims**  *Slide 7*  *Handout 5-6* | Until February 19, 2019, Veterans could submit claims on VA Forms 21-526 and 21-526b. ***Important: The 21-526 and 21-526b have been discontinued and are no longer in use. See M21-1 Part III, Subpart ii.1.C.8.e for how to handle discontinued forms.***  ***Stress to the trainees that these forms did not provide Section 5103 notice, so one must be provided to the claimant after receipt of the application.***  Upon receipt of one of these forms, Intake Processing Center (IPC) may have sent a Standard 5103 notice, but the VSR is responsible for reviewing the file to make sure this requirement has been met.  ***Note:*** ***eBenefits e-mails a generic electronic Section 5103 notice to the claimant for every claim filed by a power of attorney (POA) in Stakeholder Enterprise Portal (SEP). Non-original claims signed and submitted by a POA using means other than SEP require sending the claimant a Section 5103 notice at the time of establishment of the EP. Claims processors must review the claim to determine if a Section 5103 notice is needed. See M21-1 Part III, Subpart i, 4.B.2.h-i for more information.*** |
| Types of EZ Forms  Slide 8  Handout 6 | Explain to the trainees the different types of forms used for the FDC program and that the forms ***must*** be completed, signed, and returned to the VA in order to participate in the FDC program.  Types of EZ Forms:   * Disability Compensation – *VA Form 21-526EZ Application for Disability Compensation and Related Compensation Benefits* * Veterans Pension – *VA Form 21P-527EZ Application for Pension* * Survivors Benefits – *VA Form 21P-534EZ Application for DIC, Survivors pension, and/or Accrued Benefits*   ***NOTE: The VA Form 21P-527EZ, Application for Non-Service Connected Pension Benefits and VA Form 21P-534EZ Application for Dependency and Indemnity Compensation (DIC), Survivors Pension and Accrued Benefits won’t be discussed at length during this course, as they are mainly processed at Pension Management Centers (PMCs).***  ***NOTE: A Veteran who simultaneously claims entitlement to both compensation and pension under the FDC program must submit both:***   * ***VA Form 21-526EZ and*** * ***VA Form 21P-527EZ*** |
| EZ Form for FDC  Slide 9  Handout 6-7 | Only a claim filed on an EZ form is potentially eligible for processing in the FDC program. If a claimant requests processing in the FDC program but did not file their claim on an EZ form, or uses an outdated version of an EZ form (dated prior to March 2018), the claim will be excluded from the FDC program.  Claimants ***must*** use the appropriate EZ form each time they file a claim if they want VA to process under the FDC program. In addition, claimants who do ***not*** want VA to process their claim under the FDC program may check the box next to “Standard Claims Process” on Question 1 on the VA Form 21-526EZ, March 2018 version.  ***Note: If the VA Form 21-526EZ includes selections for processing under:***   * ***both*** the FDC Program and the standard claim process, process the claim through FDC Program until exclusion from the FDC Program becomes necessary. * ***neither*** the FDC Program nor the standard claim process, process the claim through FDC Program until exclusion from the FDC Program becomes necessary. Do ***not*** send the ***FDC Writeout Letter*** from Letter Creator.   Follow procedures found in M21-1, Part III, Subpart i, 3.B.2.d, if exclusion from the FDC Program becomes necessary. |
| Unique Characteristics of the EZ form  Slide 10  *Handout 7* | Explain to the trainees that the VA Form 21-526EZ is unique in that they provide the Section 5103 notice along with the application for benefits, thereby eliminating the need for VA to:   * provide the notice ***after*** receiving the application, and * allow time for claimants to respond to the notice. |

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| Topic 2: Incomplete FDC Claims and Excluding Claims from FDC | |
| Introduction | This topic will explain incomplete claims and the VA’s process to handle such claims. It will also explain the claims exclusion process from the FDC program and how the claimant is notified if they are excluded from the FDC program. |
| Time Required | 0.5 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify the submission requirements for a complete and incomplete FDC * Identify types of exclusions from the FDC program * Create an FDC Write Out Letter |
| Incomplete EZ Forms  Slide 11  Handout 8 | Explain to the trainees that an ***incomplete EZ form*** is one that does not contain enough information to identify ***any*** of the claimant’s contentions. ***Be sure to discuss the difference between a substantially complete claim (******per M21-1 Part I, 1.B.1.b) and an incomplete claim.***    If the EZ form does not contain enough information to identify any of the claimant’s contentions, treat the application as *an* ***incomplete application***. Follow the instructions in M21-1, Part I, 1.B.1.g to send the ***Incomplete Application*** letter from Letter Creator under an EP 400.  If the EZ form contains enough information to identify ***some, but not* all** the claimant’s contentions, follow the instruction in M21-1, Part III, Subpart i, 3.B.1 to attempt to obtain clarification from the claimant by telephone. If the telephone contact with the claimant is unsuccessful or further attempts to obtain clarification would result in a delay of more than one business day, follow the instructions in M21-1, Part III, Subpart i, 3.B.2.a for excluding the claim from the FDC program.  If the form is ***missing identifying*** information, it is unidentifiable mail and processed per M21-1 Part III, Subpart ii,1. B.5.  If the application is ***unsigned or missing service information***, it is not substantially complete and is an incomplete application. Substantially complete criteria are found in M21-1 Part I, 1.B.1.b.  ***For more information on identifying and handling incomplete FDCs filed prior to March 24, 2015, see the historical manual reference, Historical\_M21-1III\_i\_3\_SecA\_2-27-19.docx, which is located at M21-1, Part III, Subpart i, A.*** |
| Unsigned EZ Forms  *Slide 12*  *Handout 8* | If the EZ form represents an original claim for benefits and the claimant ***did not*** sign the form, or it is a non-original claim for benefits and is ***not signed by either***the claimant or the authorized representative, treat the form as an incomplete application, per M21-1, Part I, 1.B.1.g.  If an EZ form constituting a ***non-original*** claim for benefits is signed by the authorized representative ***only***, send the claimant a Section 5103 notice or ensure one has been sent, and continue processing the claim under the FDC Program.  ***Exception: VA does not require a “wet” signature on forms claimants submit through*** ***Veterans Online Application (VONAPP), VONAPP Direct Connect (VDC), or Vets.gov. The certification that a wet signature provides on the paper versions of these forms is captured electronically when the claimants submit forms through authorized web portals, such as eBenefits.*** |
| Excluding a Claim from FDC at CEST  Slides 13-14  Handout 9 | Explain to the trainees that even though a claimant submits one of the EZ forms, the claim must be reviewed at the claims establishment (CEST) stage to ensure it qualifies for FDC processing.  Once a VSR receives it in their VBMS Core Work Queue, they should review the claim to see if it meets FDC criteria, or if exclusion is needed. If the claim is excluded, the proper Special Issue must be attached to any contention and the correct exclusion letter in Letter Creator should be sent.  Upon initial review, the claim may be excluded from the FDC program based on the following:   * claimant indicated a desire ***not*** to have the claim processed in the FDC program * claim pending at the time of receipt of the EZ form * legacy appeal, higher-level review (HLR) or notice of disagreement (NOD) with the Board of Veterans’ Appeals (BVA) pending at the time of receipt of the EZ form * further evidence is needed or a private medical provider is identified (exceptions exist for special issue claims) * failure to ***simultaneously*** submit any of the additional forms required to process specific claims * claim requires a character of discharge (COD) determination * claimant submits an incomplete form that is listed in the “Special Circumstances” section of the 21-526EZ ***This includes incomplete dependency claims, (VA Forms 21-686c or 21-674) submitted with the 21-526EZ. Refer to M21-1, Part III, Subpart i, 3.B.2.a***   ***Exception: If evidence submitted with the FDC is sufficient to concede a stressor in a posttraumatic stress disorder (PTSD) claim, such as fear, combat decoration, etc., a* VA Form 21-0781, Statement in Support of Claim for Service Connection for Post-traumatic Stress Disorder (PTSD), *is not required.***  ***NOTE: The VSR is required to attempt telephone contact with the Veteran to obtain missing information prior to developing in a letter. If a letter is required, stress to the trainees that a note in VBMS Core is necessary to document the unsuccessful call and the FDC exclusion language is required in the development letter.***  ***Remind the trainees to add the appropriate Special Issue to the claim on any contention when excluding from the FDC program.*** |
| Subsequent Exclusion from FDC Program  Slide 15  Handout 9 | Explain if at any time during the processing of an FDC, a reason for exclusion is met, the claim must be excluded from the FDC program.  Exclude a claim from the FDC program if:   * The Veteran fails to report for a VA exam and asks to reschedule (and the fault is not with the VA) * The Veteran submits an additional claim, additional evidence, or a legacy appeal, request for HLR or a NOD to BVA.   This information can be submitted by the Veteran or their POA and will require the claim be excluded from FDC  ***Remind the trainees to add the appropriate Special Issue to the claim on any contention when excluding from the FDC program.*** |
| **Submission of Additional Evidence and FDC Exclusion**  Slide 16  *Handout 10* | In some cases, the submission of additional evidence does not require an automatic exclusion from the FDC program. Do ***not*** exclude a claim from the FDC program if the claimant submits:   * Duplicate evidence already of record, including records not in the eFolder but in other VA systems, such as Compensation and Pension Record Interchange (CAPRI) * The claimant responds to ONLY the information that is requested in a required development letter * Status or Inquiry Routing and Information System (IRIS) inquiries from the claimant or POA, or * Information received in response to a matching/data transfer program between VA and another government entity. |
| Excluded FDC Notification  Slide 17  *Handout 10* | Explain if it becomes necessary to exclude from the FDC program, the following steps need to be taken:   1. Replace the ***Fully Developed Claim*** special issue indicator with the appropriate special issue indicator from the list in M21-1, Part III, Subpart i, 3.B.2.e. 2. Notify the claimant their claim has been excluded from the FDC program by sending one of the following:  * the ***FDC Writeout Letter*** from the Letter Creator, and * a subsequent development leter, if development to the claimant is required and the claim is being excluded, with relevant language from Letter Creator added to the subsequent development letter  1. Continue processing the claim under standard claims-processing procedures.   When notifiying the Veteran, the following language is used:  *You requested that we expedite your claim under the FDC Program; however, we cannot process your claim under this program because* ***[insert exclusion reason here]****. Because your claim is not eligible for processing under the FDC Program, we are processing it under our standard claims-processing procedures.*  ***NOTE: This notice is not required to the claimant if the reason for exclusion is because the claimant declined FDC processing.***  ***Refer to M21-1, Part III, Subpart i, 3.B.2.e for more details about which FDC Writeout Letter Selection to use and what Special Issue/Write Out Language to use in each situation.*** |
| Private Medical Records  Slide 18  *Handout 10-11* | In the FDC program, the Veteran must submit copies of the private treatment records for VA to consider in order to remain eligible for the FDC program.  If the Veteran submits a completed VA Forms 21-4142*,* *Authorization to Disclose Information to the Department of Veterans Affairs* and/or 21-4142a, *General Release for Medical Provider Information to the Department of Veterans Affairs* for a private provider along with their claim or identifies private medical providers, the claim will be excluded from FDC Program and VA will develop for the medical records or the 21-4142/a under the standard-claims process.  ***Remind the trainees to add the appropriate Special Issue to the claim on any contention when excluding from the FDC program.*** |

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| Topic 3: FDC Development | |
| Introduction | This topic contains information about development VA undertakes in connection with FDCs. |
| Time Required | 0.75 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify Section 5103 notice letter requirements * Construct a 5103 notice letter * Identify allowed development under the FDC program |
| 5103 Notice Requirements  Slide 19  Handout 12 | When a Section 5103 notice has not been provided, the Veteran must be provided with the following What the Evidence Must Show (WTEMS) items:   * Disability Service Connection * Secondary Service Connection * Increased Disability Compensation   ***Discuss the differences between the Standard 5103 notice and Custom 5103 notice letters in VBMS Core.***  ***Explain to the trainees that both the Standard and Custom 5103 letters contain these three WTEMS plus many others. The VSR does not need to add any additional WTEMS paragraphs.*** |
| 21-526EZ Notice Section  Slide 20-21  *Handout 12* | ***Review with the trainees a blank VA Form 21-526EZ and explain the different parts, especially the instructions of the form.***  Explain these forms are unique in that they provide Section 5103 notice along with the application for benefits. This eliminates the need for the VA to provide the notice after receiving the application and allowing additional time for the claimant to respond to the notice. The forms also explain the general differences between the FDC process and the Standard Claim process and what the evidence needs to show in order to grant service connection.  The notice section of the *VA Form 21-526EZ* provides the claimant §5103 for the following type of disability claims:   * Service Connection for disabilities related to the following types of service:   + active duty   + active duty for training, or   + inactive duty training * Secondary Service Connection * Increased Disability Compensation * Compensation claims submitted prior to discharge * Temporary Total Disability rating due to   + hospitalization, or   + surgical or other treatment * Individual Unemployability * Compensation under 38 U.S.C. 1151 * Special Monthly Compensation (SMC) based on the   + need for Aid and Attendance, or   + status of being Housebound * additional benefits for a spouse who needs aid and attendance * Specially Adapted Housing or Special Home Adaption * Automobile Allowance or Adaptive Equipment, and * additional compensation for a Veteran with a child incapable of self-support.   ***NOTE: Some special issues, such as Hepatitis, may require additional development.*** |
| FDC and Allowed Development  Slide 22  Handout 12-13 | Explain to the trainees that although the VA strongly encourages the Veteran to submit any copies of records in question with the claim, the VA ***must*** develop for certain types of records. These records include:   * federal records in the custody of the Federal government, including: * records in the custody of VA Medical Centers * relevant records at an MTF, including development for a VA Form 21-4142 and/or VA Form 21-4142a, for MTF records relating to a sensitive diagnosis * records that were destroyed by a fire at the National Personnel Records Center (NPRC) in 1973 * records in the custody of a Veteran’s Reserve/Guard unit(s) * *VA Form 21-4142/a* when needed to obtain Vet Center Records * information needed for special issue claims * clarification made by telephone contact with the claimant, and/or * a VA examination   ***Tell the trainees that they should not exclude the Veteran from the FDC program due to this development.*** |
| Unavailable Federal Records  Slide 23  Handout 13 | Explain to the trainees if the Veteran identifies federal records, and VA is unable to obtain them, we will send the Veteran a notification of the unavailability of those records, with the following paragraph attached:  *We received your claim and your request to participate in the Fully Developed Claim (FDC) Program. Though you indicated you have no other information or evidence to give VA to support your claim, we are required to send you this notice. If you have information or evidence not previously submitted to VA that supports your claim, we recommend you submit it. As a reminder, if you identify or submit any additional information or evidence at this point, VA will remove your claim from the FDC Program and process it under standard claims-processing procedures.*  ***See the guidance in M21-1 Part III, Subpart iii, 1.C.1.e and M21-1, Part III, Subpart i, 3.B.3.b for more information on Final Notification of unavailability of Federal records.*** |
| FDC and Special Issue Development  Slides 24-25  Handout 13 | There are a number of special issues which often require a development letter to the claimant when evidence is not sufficient to establish exposure or other factors related to the special nature of the issues claimed. These include special issues such as (but not limited to):   * asbestos exposure * Camp Lejeune contaminated water * environmental hazard exposure * fire-related STRs * former prisoner of war (FPOW) * hepatitis requiring risk factor development * herbicide exposure * ionizing radiation exposure under 38 CFR 3.311 * military sexual trauma (MST) * mustard gas or Lewisite exposure * participation in special operations   ***See M21-1 Part******I, Subpart 1.B.1.f for more information on Special Issue development.***  ***Stress to the trainees that in these cases, FDC exclusion is not appropriate at CEST as there was no prior notice to the claimant to provide the additional information/evidence necessary to develop and adjudicate the claim.***  D***o not*** send a development letter if the evidence of record provides the information the letter solicits, or the evidence of record is otherwise sufficient to decide the claim.  Example: A Veteran claiming hepatitis C submits medical records that address risk factors for the disease. Do not send a letter soliciting hepatitis C risk factors as this information is addressed by the evidence of record. |
| FDC Special Development Language  Slides 26  *Handout 14* | In the cases when an FDC requires a development letter, ROs must enter the following text under the FREE TEXT menu, ***Important Information*** section:  *You submitted your claim under the Fully Developed Claim (FDC) Program; however, we need additional information from you.  Since your claim is part of the FDC Program, if you submit evidence other than what is requested below, your claim will be excluded from the FDC Program.*  As long as the claimant ***only*** submits the evidence requested and nothing more, the claim will ***not*** be excluded from the FDC program. |
| Telephone Development  Slide 27  Handout 14 | Explain to the VSRs that making a telephone call to a claimant to clarify information will ***not*** require exclusion from the FDC program as long as the telephone call can be completed at the time the action is being taken on the claim. Explain that exclusion would be appropriate if:   * The claimant cannot be reached at the time of the action being taken on the claim, and * VA then had to send a letter to the claimant to request the necessary information. |

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| Practical Exercise | |
| Time Required | 0.25 hours |
| EXERCISE | Ask if there are any questions about the information presented in the exercise, and then proceed to the review.  Have the trainees answer the questions at the end of the Handout. Review the answers with the trainees. |

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| Lesson Review, Assessment, and Wrap-up | |
| Introduction | The VA Duty to Assist lesson is complete.  ***Review each lesson objective and ask the trainees for any questions or comments.*** |
| Time Required | 0.25 hours |
| Lesson Objectives | You have completed the VA Duty to Assist lesson.  The trainee should be able to:   * Identify the impact of Public Laws 106-475 and 112-154 on VA’s Duty to Assist * Identify the purpose of the Fully Developed Claims (FDC) program * Identify the specific forms used in the FDC program * Identify the submission requirements for a complete and incomplete FDC * Identify types of exclusions from the FDC program * Create an FDC Write Out Letter * Identify Section 5103 notice letter requirements * Construct a 5103 notice letter * Identify allowed development under the FDC program |