VA Appeals Modernization Act Supplemental Claims

Instructor Lesson Plan

Time Required: 1 Hour

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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 # | 4492046 |
| Prerequisites | None |
| target audience | The target audience for this lesson is **all employees that work VBA claims.** |
| Time Required | 1 hour |
| Materials/ TRAINING AIDS | Lesson materials:   * VA Appeals Modernization Act Supplemental Claims PowerPoint Presentation |
| 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 VA Appeals Modernization Act Supplemental Claims | | |
| 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 provide guidance on identification and processing of Supplemental Claims. |
| Lesson Objectives  Discuss the following:  Slide 2 | In order to accomplish the purpose of this lesson, the claims processor will be required to accomplish the following lesson objectives:  Theclaims processorwill be able to:   * Define Supplemental Claims as outlined in the Appeals Modernization Act (AMA) * Understand filing requirements for Supplemental Claims * Understand the evidentiary standard of “new and relevant” evidence * Identifying Supplemental Claims within VBMS based on systems controls (EPs and claim labels) | |
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| Motivation | This lesson will assist the claims processor on identifying and processing of Supplemental Claims. | |
| STAR Error code(s) | TBD | |
| References  Slide 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/).   * **38 CFR §3.155, *How to file a claim*** * **38 CFR §3.2501, *Supplemental Claims*** * **38 CFR §3.156, *Receipt of New Evidence*** * **38 CFR §3.159, *Department of Veterans Affairs assistance in developing claims*** * **M21-1, Adjudication Manual Part III, Subpart ii, Chapter 2, Section D** * **Appeals Modernization – VA.gov:** <https://va.gov/decision-reviews> **(after February 14, 2019)** | |

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| Topic 1: Defining a Supplemental Claim | |
| Introduction | This topic will assist the trainee in identifying a Supplemental Claim. |
| Time Required | 0.25 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Define Supplemental Claim * Define new and elevant evidence   The following topic teaching points support the topic objectives:   * Review the Appeals Modernization Act * Filing Requirements * Defining New and Material Evidence |
| Appeals Modernization Act  Slide 5 | The Appeals Modernization Act (August 23, 2017) creates a new claims and appeals process featuring three lanes, effective February 14, 2019. The three lanes are Supplemental Claim, Higher-Level Review, and Board Appeal. |
| Supplemental Claim Definition  Slide 6 | The AMA Supplemental Claims are request for review with new and relevant evidence based on a disagreement on a prior VA decision. This process replaces the prior “reconsideration” and “reopen claim” process. |
| Filing Requirements  Slide 7 | VA will only accept Supplemental Claims on VA Form 20-0995, *Decision Review Request: Supplemental Claim*. The effective date for benefits remains protected (claim must be submitted within a year of the decision). |
| New and Relevant Evidence  Slide 8 | “New and relevant” is replacing “new and material” in 38§CFR 3.156. The term “relevant” imposes a lower standard than “material.” |
| Topic 2: Processing Supplemental Claims | |
| Introduction | This topic will assist the trainee in processing a Supplemental Claim. |
| Time Required | 0.25 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify how to process a Supplemental Claim   The following topic teaching points support the topic objectives:   * End Products control * Introduction to Caseflow Intake * Developmental requirements for Supplemental Claims |
| Procedural Guidance  Slide 10 | M21-1, Part III, Subpart ii, Chapter 2, Section D will provide step-by-step guidance on Supplemental Claims. |
| Intake and Tracking  Slide 11 | Follow the End Product guidance as provided in the M21-1. The EPs and claim labels will be created at intake using Caseflow. The VSR will need to verify the EP and claim label and ensure they are both correct. |
| Development Requirements  Slide 12 | VSRs should follow procedures found in the M21-1 for review of Supplemental Claims. VSRs should confirm that contentions are correct and a complete claim was filed. VSRs will also need to complete any identified development actions.  If the claim was not submitted on the prescribed form, this is taken as a Request for Application. (M21-1.**III.ii.2.C.6.a)** |
| Decision Requirements  *Slide 13* | The guidance provided follows the traditional processing of “reopen” and “reconsideration” claims under the new Supplemental Claim label. |
| Lesson Recap/Knowledge Check  *Slide 14* | Review the questions and responses with the trainees. Have the trainees review the M21-1 for procedural guidance and processing instructions on Supplemental Claims. |

questions regarding the Appeals Modernization Act should be emailed to the AMO’s Program Administration staff at the following corporate mailbox: [AMO-Appeals.Admin@va.gov](mailto:AMO-Appeals.Admin@va.gov)

Questions on supplemental claims processing should be sent to the Compensation Service, Procedures Staff at the following VA pulse link: https://www.vapulse.net/community/live-manual-feedback

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| Lesson Review, Assessment, and Wrap-up | |
| Introduction  Discuss the following: | The VA Appeals Modernization Act Supplemental Claim 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 Modernization Act Supplemental Claim lesson.  The trainee should be able to:   * Define Supplemental Claim * Define New and Relevant evidence * Identify how to process a Supplemental Claim |
| Assessment | Remind the trainees to complete the on-line assessment in TMS to receive credit for completion of the course.  The assessment will allow the participants to demonstrate their understanding of the information presented in this lesson. |