(VSR Challenge)

Introduction To Ratings

Instructor Lesson Plan

Time Required: 2.0 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 # | 61922 |
| Prerequisites | None |
| target audience | The target audience for **Introduction to Ratings** is **entry level VSR**  Although this lesson is targeted to teach the **entry level VSR** employee, it may be taught to other VA personnel as mandatory or refresher type training. |
| Time Required | 2 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * Introduction to Ratings PowerPoint Presentation * Introduction to Ratings Trainee Handouts * Access to Manuals and Regulations |
| 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 * Manuals and regulations |

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| 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 Ratings | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 2 hours |
| Purpose of Lesson  Explain the following: | | This lesson is intended to provide the VSR with an understanding of the components of a rating decision and the VSR’s role in ensuring the rating decision is correct prior to promulgation. This lesson will contain discussions and exercises that will allow you to gain a better understanding of:   * The individual components that make up the rating decision narrative. * The individual components that make up the rating decision code sheet. * Issues that are related to a rating decision under the purview of the VSR. |
| Lesson Objectives  Discuss the following:  Slide 2  Handout page 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:   * Recognize issues that require a rating decision * Identify the anatomy of a rating decision * Define terms associated with rating decisions. | |
| 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 | Explain to the trainees that since it is the responsibility of the VSR to implement the RVSR’s rating decision and explain it to the claimant, it is vitally important that the VSR understand the components of a rating decision, and how those components determine actions required by the VSR. | |
| STAR Error code(s) | Tasks 1, 2, 3, 4, 5 and 11 | |
| References  Slide 3  Handout page 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/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%3FLANGUAGE%3Den%26COUNTRY%3DUS)   * 38 CFR, Part 4, Schedule for Rating Disabilities * 38 CFR 3.104(c), Favorable Findings * M21-1, Part III, Subpart iv, Chapter 6, *The Rating Decision* * M21-1, Part III, Subpart v, Chapter 2, Section A, *Decision Authorization* * VBMS Job Aid, Initiating and Finalizing Draft Deferrals | |

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| Topic 1: Introduction to Ratings | |
| Introduction | This topic will allow the trainee to understand the differences between and entitlement decision and a rating decision. |
| Time Required | 1.5 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Define terms associated with a rating decision. * Recognize the anatomy of a rating decision. * Identify issues related to a rating decision.   The following topic teaching points support the topic objectives:   * Identification of cases that require a rating decision * Format of a rating decision |
| VA Adjudicative Decisions  Slide 4  Handout page 4 | Explain that authorization decisions are made by VSRs.  Explain that rating decisions are made by RVSRs. |
| **The VSR’s Role**  Slide 5  Handout page 4 | Explain that as VSRs it is the VSR’s responsibility to ensure that the claim is substantially complete and that all aspects of the claim development were correct. It is *not* the VSR’s responsibility to review the decision made by the rating specialist. We ensure that all development was correct and that all claimed conditions have been addressed. |
| The VSR’s Role Cont.  Slide 6  Handout page 4 | The VSR has the authority to make eligibility decisions and address issues based on the rating decision.  A VSR may deny a claim for service-connected (SC) disability or death benefits without a rating decision if:   * There is a legal bar to entitlement, and/or * the claimant does not respond within 30 days to a request for evidence needed to determine whether or not there is a legal bar to entitlement   Stress that even if a claimant does not respond to a development letter for some other reason (such as requesting information for a special issue), a rating needs to be completed. |
| **Authorization Authority**  Slide 7  Handout page 4 | VSRs also have the authority to make decisions related to:   * Change in number of dependents * Adjustment in income * Aid and Attendance (A&A) due to nursing home status |
| **Authorization Authority (cont.)**  Slide 8  Handout page 4-5 | VSR do not have the authority to:   * Determine service connection, and /or * Deny a specific claim for service connected death benefits without a rating decision.   Stress to the trainees that it is the role of the RVSR to determine if service connection for a disability is warranted. As a VSR you will review Service Treatment Records (STRs) to determine if an in-service injury, event or disease occurred and if an examination is warranted. |
| RVSR’s Role  Slide 9  Handout page 5 | * Rating Specialists have the authority to make decisions and take actions on claims that require a rating decision. * Rating specialists apply provisions of all pertinent laws and regulations governing VA.   Explain to the trainees that RVSRs take all the information we gathered during development and then apply that evidence to the laws governing VA to make a determination of service connection and if service connection is granted they also determine to what compensable percentage the Veteran is entitled. |
| **Rating Decisions Evidence**  Slide 10  Handout page 5 | Explain that RVSRs must review all evidence to ensure that they have made a complete and adequate decision. This is a good opportunity to reinforce the development requirements for a rating related claim. Stress that all STRs, military records and private records identified by the Veteran must be obtained. If the records are not available then all appropriate actions must have been taken by the VSR to document the absence of the evidence. All evidence, to include actions taken to notify the Veteran that records were not available must be included in the evidence. |

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| **Anatomy of a Rating Decision**  Slide 11  Handout pages 5 | Explain that the rating decision is made up of two separate parts, the Narrative and the Codesheet.  Refer trainees to the handout to see an example of a rating decision |
| The Narrative  Slide 12  Handout pages 5-6 | Narrative section of the rating decision is made up of five sections   * Introduction * Decision – only decisions relating to the current claim * Evidence * Reasons for Decision * References   Note: Refer the trainees to page 8 of their handout for descriptions of the material located in each section of the narrative. |
| Requirement for inclusion of Favorable Finding in the Reasons for Decision  *Slides 13 & 14*  *Handout pages 6-7* | Explain to trainees rating decisions generated on or after February 19, 2019, must address, as a narrative element for each decided issue, any findings made by the adjudicator that are favorable to the claimant under [38 CFR 3.104(c)](https://www.ecfr.gov/cgi-bin/text-idx?SID=3a65915b4097601a1669dd2b46ab0339&mc=true&node=se38.1.3_1104&rgn=div8).  Tell trainees a ***favorable finding*** is a determination of fact, based on applicable laws and regulations, made by the adjudicator concerning the issue(s) under review. Favorable findings should relate to a material element that would be required to grant the benefit sought.  Explain to trainees the narrative element entered in the reason for decision will depend on the type of decision being made.  The table below outlines what elements must be discussed for each type of decision.   |  |  | | --- | --- | | If … | Then the Reasons for Decision must address … | | the claim is being awarded | * laws and regulations applicable to the claim * the fact that all elements required to decide the issue were met, and all findings are favorable to the claimant. | | an existing evaluation is being confirmed and continued | * laws and regulations applicable to the claim * findings that are favorable to the claimant under [38 CFR 3.104(c)](https://www.ecfr.gov/cgi-bin/text-idx?SID=3a65915b4097601a1669dd2b46ab0339&mc=true&node=se38.1.3_1104&rgn=div8), if any. | | the claim is being denied | * laws and regulations applicable to the claim, and * reason for denial, including the   + criteria required to grant SC   + element(s) required to grant the claim that were not met, and   findings favorable to the claimant under [38 CFR 3.104(c)](https://www.ecfr.gov/cgi-bin/text-idx?SID=3a65915b4097601a1669dd2b46ab0339&mc=true&node=se38.1.3_1104&rgn=div8), if any. | |
| **The Codesheet**  Slide 15  Handout pages 7 | Codesheet section of the rating decision is made up of five sections   * Data Table * Jurisdiction * Coded Conclusions * Special Notation and Template fields * Signature(s)   Stress that the Codesheet contains a record of all conditions claimed, past and present. |
| **The Codesheet (cont.)**  Slide 16  Handout pages 7 | The slide explains the combined evaluation for compensation and the listing of “Not Service Connected” conditions.  Explain to the trainees that the “Combined Evaluation for Compensation” is not just a matter of adding together each of the Veteran’s service connected condition. The law requires that we utilize the “Combined Rating Table” to determine a Veteran’s overall percentage. |

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| **Rating Schedule and Diagnostic Codes**  Slide 17  Handout pages 7-8 | Explain that the 38 CFR Part 4 is the Rating Schedule of disabilities. Part 4 is used by the RVSR to determine the rating percentage for a particular disability based on the results of an examination. |
| **Special Monthly Compensation (SMC)**  Slide 18  Handout page 9 | SMC is a benefit in addition to the basic rate of compensation. Entitlement to SMC is always the RVSR’s determination, and will be clearly coded on the Rating Decision.  SMC is granted for the anatomical loss of use of one or both hands, feet or eyes. Also for deafness and loss of use of a creative organ.  SMC is also granted to a beneficiary who is housebound or in need of aid and attendance based on a service-connected disability |
| **Deferred Issues – Partial vs. Completely Deferred Rating**  Slide 19  *Handout page 9* | When a RVSR is unable to make a decision on a claim the RVSR will defer a decision until additional evidence is obtained by the VSR. If the RVSR is able to grant at least one contention claimed by the Veteran, the RVSR can generate a Partial Rating. If at least one contention cannot be granted then the RVSR will completely defer the decision.  Stress to the trainees the importance of thoroughly reviewing a deferral to preclude any further delays in processing a claim. |
| **Deferred Rating**  Slide 20  *Handout page 9* | The deferred rating is used by the RVSR when a decision cannot be made on any contentions because the claim was not developed properly or requires additional information, possibly clarification on a VA exam. The Rating Decision deferral will be completed by the RVSR in VBMS. Upon finalization of the deferral in VBMS, the claim will be sent into the unassigned work queue and routed by National Work Queue (NWQ) based on the claims’ cycle. The RVSR will detail exactly what is required before the claim should be made ready for decision again.  Stress to the trainees the importance of thoroughly reviewing a deferral to preclude any further delays in processing a claim. |
| **Processing Deferred Rating**  Slide 21  *Handout page 9* | Stress to the trainees that it is the VSR’s responsibility to review the deferred rating decision and develop for all required information. It is very important not to cause any further delays in the processing of a claim. If you have any doubts consult with the RVSR that wrote the deferral. |
| **Special Notation Box**  Slide 22  *Handout page 10* | Explain that the special notation box can be used by the RVSR to communicate specific instructions to the VSR to be carried out during promulgation. An example would be a solicitation for a claim, possibly I/U. It is extremely important as a VSR to make sure you thoroughly review the entire rating decision, both the narrative and the code sheet to ensure you are completely informed prior to taking any further action. |
| **Filing and Distributing the Rating Decision**  Slide 23  *Handout page 10* | VBMS-R automatically uploads a copy of the rating decision into documents in the Veteran’s e-folder, once it is finalized.  The VSR will use that rating decision to promulgate an award and prepare a notification letter for the Veteran. |
| **Promulgating and Notifying of the Decision (cont.)**  Slides 24-25  *Handout page 10* | Explain that the next step is to promulgate the award and prepare a notification letter. The promulgation of the award will be accomplished utilizing VBMS-A and the notification letter will be prepared utilizing the Redesigned Automatic Decision Letter (RADL) function in VBMS-A. If a RADL cannot be produced, the VSR will be required to generate a letter using the Personal Computer Generated Letter (PCGL). The promulgation and letter generation will be covered in upcoming lessons.  Stress to the trainees that VA does not provide a copy of the Codesheet to veterans as part of the notification process. |

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| Practical Exercise | |
| Time Required | 0.25 hours |
| EXERCISE | Have trainees complete review exercise. Allow 15 minutes to complete the review exercise and additional time to review the correct answers and answer any questions. You can ask them to work as partners or teams to come up with the right answers. Go over the correct answers as a group. You may want to distribute copies of the answer sheet to the trainees after this discussion.  Ask if there are any questions about the information presented in the exercise, and then proceed to the Review. |

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| Lesson Review, Assessment, and Wrap-up | |
| Introduction  Discuss the following: | The Introduction to Ratings 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 Introduction to Ratings lesson.  The trainee should be able to:   * Define terms associated with a rating decision * Recognize the anatomy of a rating decision * Identify issues related to rating decisions. |
| 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. |