

Pension and Fiduciary Service National Fiduciary Quality & Training Call Notes

Call Information	Date: Tuesday, April 18, 2017
	Time: 1:00 – 2:00 pm ET
	TMS: VA 4212724 (Self-Study)

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Call Meeting Minutes

Call Agenda Item	Details
<p>Quality Error Trends</p>	<p>Fiduciary Quality Accuracy Director's Performance Dashboard</p> <p>February 2017: 84.3% March 2017: 85.9%</p> <p>The March 2017 National Director's Dashboard Fiduciary Accuracy is 85.9%. This covers the period of November 1, 2016, through January 31, 2017.</p> <p>Pension and Fiduciary (P&F) Service cited 154 errors during the reporting period. 95 of the errors fell into the category of Administrative Errors and 57 of the errors fell into the category of Beneficiary Protection.</p>
	<p>P&F Service provided examples of error citations to include Fiduciary Program Manual (FPM) references.</p> <p><u>Administrative Errors</u> P&F Service cited 95 errors in the administrative category between November 1, 2016, and January 31, 2017.</p> <p>Specifically, errors called related to:</p> <ul style="list-style-type: none"> • Verifying field examination reports are of record, professional and proofread/edited prior to work item closure • Ensuring that information in the beneficiary record is accurate and correct • Updating BFFS to reflect information obtained from the corresponding Work Item • Notifying beneficiaries and their representatives of selection of the fiduciary to manage the beneficiary's funds • Uploading VA Form 21-592 to the efolder • Completing a CFID command in Share • Beneficiary marital status not properly documented in FELux • Not updating complete and accurate bank information in FELux <p>The two most common administrative errors fell under the error categories of C1m and C1f. C1m errors reference updating information in BFFS upon completion of a work item, and C1f errors reference the quality of the field examination report.</p>



	<p><u>Beneficiary Protection Errors</u> P&F Service cited 57 errors in the beneficiary protection category between November 1, 2016, and January 31, 2017.</p> <p>Specifically, beneficiary protection errors called related to:</p> <ul style="list-style-type: none"> • Updating BFFS to establish an accounting due date or the next accounting date • Noting income and expense information in the FX report • Verifying dependent needs are met • Utilizing streamlined supervision appropriately based on eligibility criteria • Ensuring VA Form 4703 is signed/dated prior to VA Form 21-555 <p>The top three beneficiary protection errors called fell under the error categories of B3e, B3h and B3i. B3e errors reference streamlined supervision errors, B3h errors reference dependents needs and B3i errors references income, expenses or estate information reported inaccurately.</p>
<p>Quality Matrix</p>	<p>On April 4, 2017, P&F Service released Fiduciary Program Guide (FPG) article titled <i>Quality Matrix</i>. This document identifies quality review items from the National fiduciary quality review checklist and provides corresponding references from the February 27, 2017, FPM rewrite.</p> <p>You can locate the Quality Matrix in KM by selecting:</p> <ul style="list-style-type: none"> Browse topics Quality and training Quality Quality matrix. <p>This document should serve as a useful resource and navigational tool until the release of a checklist revision.</p>
<p>Initial Appointment Checklist</p>	<p>The Office of Field Operations (OFO) sent a draft copy of the initial appointment checklist to you for review and comment last week. P&F Service is currently working on releasing the follow-up field examination checklist for review by the end of the month.</p> <p>The new Initial Appointment Field Examination Checklist targets five</p>



	<p>areas of review.</p> <ol style="list-style-type: none"> 1. The Determination of Inability to Manage VA Benefits 2. Field Examination 3. Finalizing Field Examinations 4. Fiduciary Adjustments 5. Initial Appointment-Administrative (Comments)
<p>Fiduciary Program Manual Change Document</p>	<p>On April 10, 2017, P&F Service created an information sheet in KM identifying recent changes to the manual. The information sheet, titled <i>Fiduciary Program Manual Changes</i> is available in KM.</p> <p>You can locate the change document in KM by selecting:</p> <ul style="list-style-type: none"> • Browse Topics • Fiduciary Program Manual • <i>Fiduciary Program Manual Changes</i>. <p>The FPM change document identifies the reference, the date of the change and the change content. As P&F Service updates the manual, this document will reflect all changes made. The old FPM verbiage will display in red strikethrough font while new additions to verbiage will display in blue font. All active verbiage on this information sheet display in black font. Color differences within the body of the FPM will no longer take place. All updates remain on the change document for 60 days.</p>
<p>National Work Queue</p>	<p>On April 10, 2017, the National Work Queue (NWQ) incorporated non-rating end products to improve VBA’s overall production capacity. To align with recent changes, P&F Service released updates to FPM, Chapter 7, <i>Promulgation</i></p> <p>NWQ will not distribute or recall the EP 290 with claim label “FID - Fiduciary Adjustment” or EP 590 with claim label “Due Process for Incompetency.” The VSC/PMCs will continue to manually route fiduciary EP 590s to the hubs. The NWQ will route EP 600s with claims labels “PMC Incompetency Determination” or “Competency Issue” to the appropriate regional office when the hub changes an EP 590 due to receipt of a hearing request or additional evidence. Fiduciary hubs must confirm the due process notification letter is of record. If the letter is not of record, the fiduciary hub must input a</p>



	<p>note in VBMS. The note must indicate due process notification for the issue of competency was not identified in the efolder and the case is being returned to the VSC/PMC for development. If documentation of Brady Act Oral notification is not of record, the fiduciary hub must make reasonable efforts to contact him/her by telephone.</p>
<p>Misuse IPRs</p>	<p>On February 8, 2017, P&F Service conducted In Process Reviews (IPRs) on misuse work item allegations established after November 3, 2016. P&F Service completed November and December misuse IPR reviews. The cumulative national misuse IPR quality is 28%.</p> <p>Common Misuse IPR Errors</p> <p>For December the most common IPR errors were:</p> <ul style="list-style-type: none"> • Failure to merge fiduciary records, • Failure to establish misuse allegation within two business days • Incorrect receive date in BFFS • Failure to provide all required elements in the Misuse Allegation Memorandum. <p>Misuse Templates</p> <p>P&F Service released Fiduciary Program Guide (FPG) articles and templates to support misuse protocol changes. The templates contain all required elements to help prevent misuse IPR errors within the hubs.</p> <p><u>KM contains fillable forms and additional templates for:</u></p> <ul style="list-style-type: none"> • Investigation Not Warranted checklist • Due diligence checklist • Debt collection/reissuance and revision • Notification to collect surety bond and request to Regional Counsel to assist in collecting a bond <p>Misuse Determinations</p> <p>The misuse determination serves as the official decision document, the basis for establishing misuse debt to the fiduciary, and bar to future service as a VA fiduciary. According to FPM, 5.D.1.f, facts of the case must include the history of the fiduciary appointment leading to the misuse allegation and detail each step of the misuse protocol. In accounting cases, the history leading up to the misuse allegation includes all efforts to obtain delinquent accountings and accounting</p>



	<p>disapprovals with specified reasons.</p> <p>Misuse protocol detailing requires a narrative form of information gathered and documented at any stage of the misuse protocol. The Misuse Determination must make a definitive conclusion regarding misuse, the period of misuse and how the amount of misuse was determined. Each Misuse Determination must stand alone, and any individual reading the determination should arrive at the same decision based on evidence and information provided within the determination. Due to the complicated nature of each step in the misuse protocol, there are no set limits to the number of pages on allegations, investigations or determinations.</p> <p>Revision of Amount of Misuse Debt</p> <p>The revision to the amount of misuse debt serves as a method to change the amount of misuse after the expiration of the reconsideration period expires. However, this process does not change the finding of misuse. The hubs have 30 days to prepare the Justification for Revision to Amount of Misuse Debt, template and submit the request to P&F for concurrence. The detailed process for submission in BFFS is in FPG Article, Processing Misuse Work Items. Once the hub receives concurrence from P&F Service, the hub must complete and submit the FPG template, Request for Revision of Misuse Debt Amount, to finance to change the amount of debt.</p> <p>P&F Service Notification</p> <p>Fiduciary Hubs are no longer required to send notification to P&F Service of misuse actions. P&F Service retrieves misuse actions through a BFFS report. Please send any misuse related questions or notifications to the P&F Service misuse mailbox at (VAVBAWAS/CO/FIDMISUSE).</p>
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Questions from the Field

P&F Service will provide responses to policy and procedural questions on the appropriate Frequently Asked Questions (FAQ) document within Knowledge Management.



Area	Question	Answer
Quality Review	Will historical versions of the Fiduciary Program Manual Change document be available?	Yes, updates to FPM will be available in the FPM Change document embedded in Knowledge Management (KM) for 60 days. After 60 days, changes will be transitioned into a PDF document, and the PDF will remain accessible in KM.
	Fiduciary hubs 290's were mistakenly transitioned into the National Work Queue. Will Pension and Fiduciary (P&F) Service be issuing guidance on how to get those EP's assigned to the fiduciary hub again?	Workload concerns and end product control are out of the scope of P&F Service. Please reach out to your district offices and OFO for assistance with National Work Queue matters.
	When will Chapter 2 updates be added to the FPM Change document in Knowledge Management?	P&F Service is coordinating a release of multiple updates and plans to publish by the end of the month. The FPM Changes article in KM will reflect all published changes.
	Any discussion on continuing to call errors for training purposes as the manual continues to be updated as well as BFFS not updating yet?	P&F Service will begin reporting quality accuracy on cases completed on or after April 1, 2017. As additional updates are made to the manual, fiduciary hubs will have 30 days from the date of the change before substantive (punitive) errors will be called specific to the updates.
	Will errors called during the grace period be called as a comment or as a material error in BFFS?	To prevent confusion, errors called on cases worked during the training period of February 27 – March 31, 2017, will be called as the error they are. However, the



		<p>errors called by P&F Service during the training period will not be reported to the Office of Performance Analysis and Integrity and will not affect each fiduciary hub's National quality accuracy.</p>
	<p>When can the field expect the quality checklist to ready for use by the field?</p>	<p>P&F Service is forwarding the checklists to our labor partners for review by the end of the month. P&F Service believes the new checklists will be available for use by the end of the fiscal year.</p>
	<p>Can you please provide a reference that states a misuse work item does not die with the fiduciary or with the beneficiary? I have not been able to find a reference in the new Fiduciary Program Manual that states the work item must stay open until the misuse process is complete.</p>	<p>P&F Service will update FPM Chapter 5 to reflect the requirement to leave the work item pending until completion of the entire misuse process in these instances.</p> <p>Completion of the entire misuse process is a requirement in instances where the beneficiary passes away before the completion of the misuse process. This includes the establishment of the debt collection process; however, the completion of reissuance is not a requirement at this time. P&F Service currently strictly interprets 38 U.S.C. 6107, "the Secretary shall pay to the beneficiary or the beneficiary's successor fiduciary an amount equal to the amount of benefits that</p>



		<p>were so misused.”</p> <p>In the future, there may be instances where P&F Service can pay heirs to beneficiaries that suffered misuse, with the stipulation that the misusing fiduciary, if an heir, is not entitled to payment. Completion of the entire misuse process is a requirement in a situation where the fiduciary passes away before completion of the misuse process. The beneficiary is possibly entitled to reissuance, but the establishment of the debt collection is not a requirement.</p>
	Can you please provide guidance on the process for disbursing funds to heirs?	P&F Service cannot provide guidance on this issue as there is a court case pending adjudication currently. The adjudication decision should provide precedence, and process development may then take place.
	The manual references a Misuse Work Items Guide that is outdated. Can this reference be updated?	P&F Service will work to update all FPG articles in KM related to Misuse processing in BFFS. The Legal Instruments Examiner Virtual Instructor Led Centralized Training Course includes a new product that will also address your concerns.
	Will the attachments from the rescinded FL 14-11 be added to Chapter 2 or KM?	All of the Cover Letters and Beneficiary Status Report attachments from Fast Letter 14-11 are available in BFFS. The attachments can be found by accessing the Beneficiary Record, selecting



		<p>the ellipse in the menu bar, selecting “Run Reports,” and then generating the applicable Cover Letter and Beneficiary Status Reports.</p>
	<p>Is there any status on the train-up/transition plan for VBMS since VVA supposedly will be ‘retired’ in June?</p>	<p>Yes, P&F Service is working with OFO to provide refresher training on VBMS and provide training on the Legacy Content Management (LCM) system that will replace Virtual VA access. Hubs will receive additional guidance soon.</p>
	<p>We have a question regarding the retroactive date of a missed accounting. Please include this on the QRT/STAR Training call on 18 April. Scenario –</p> <p>A FE conducts a 521 follow-up exam. The FE does not request an accounting because the beneficiary did not qualify for one at the time of the exam. During the next Follow-up field exam (three years later), the FE notices the beneficiary received a retro payment of \$11,000 two years ago (one year after the last follow-up exam).</p> <p>1. In this specific situation, would it be most correct to request an accounting going back to the date the retro was released, even though the fiduciary will likely not have receipts and such from</p>	<p>In this specific situation, the hub could request an accounting going back to the retro release date. Per VA Form 21-4703, <i>Fiduciary Agreement</i>, the fiduciary understood he/she must keep accurate, complete records and receipts, regardless of the accounting requirement. Per 2.F.8.b, VA-appointed fiduciaries must deposit any VA benefits in a properly registered checking or savings account. With this requirement, historical bank information should be available going back to the date of the retro. As an alternative, per 3.B.1.c, the Fiduciary Hub Manager has the discretion to determine an "accounting period end date" for less or greater than annual on a case-by-case basis. The Fiduciary Hub, on a case-by-case basis, may reduce the accounting period to less than one year if the fiduciary has</p>



	<p>that time frame or request the accounting going back to the date of discovery by the FE?</p> <p>2. In similar situations, where an accounting was not called, and now it is discovered an accounting should have been required, do we request the accounting as of the date the accounting should have been originally requested or do we request the accounting as of the date we (the VA) discovered an accounting was required?</p>	<p>difficulties completing an accounting, or the needs of the beneficiary will quickly exhaust accumulated VA funds to less than \$10,000. In both situations presented, we must request the accounting as of the date the retro was released. Per 3.E.3.c, The Fiduciary must submit the accounting as required. After approving the accounting, The Fiduciary Hub must review the accounting requirements and per FPM 3.B remove the accounting requirement if the fiduciary is no longer required to account.</p>
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Ongoing Events

Date	Event
April 22, 2017	BFFS 3.8 Release
April 26, 2017	LCM Training
May 8, 2017	FE Centralized Training FY 2017-3 begins
June 19, 2017	LIE Centralized Training FY 2017-1 begins

Next Monthly Quality & Training Call

The next National Fiduciary Quality & Training Call is on **Tuesday, May 16, 2017**.

P&F Service maintains a distribution list of all field QRT personnel for notification of upcoming Quality and Training calls. Please send an email to FFE.VBACO@va.gov notifying P&F Service of any changes to local QRT personnel.

Submit all comments and questions regarding these call notes and future calls to FFE.VBACO@va.gov.

