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Quality Call Bulletin

August 2021

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JUNE 2021 OAR AUTHORIZATION QUALITY REVIEW SPECIALIST (AQRS) QUALITY ASSURANCE PRACTICUM (QAP) RESULTS

Target Audience: DROC Management, Quality Review Teams (QRT), Decision Review Officers (DRO), Rating Veterans Service Representatives (RVSR) and Veterans Service Representatives (VSR)

Presenter: Alexandria Katinos, Senior Management and Program Analyst (SMPA), OAR Program Administration (PA)

June 2021 AQRS QAP Results

Overall compliance for the Practicum was 68%.

Compliance rates of less than 70% are highlighted in **RED**.

DROC	Assignments	Completions	Compliance Rate	Mean Score	Percentage of Perfect Scores
Grand Total	40	27	68%	87%	30%
DC	13	9	69%	82%	33%
Seattle	9	6	67%	88%	0%
St. Petersburg	18	12	67%	89%	42%

Between June 7 and 11, 2021, OAR administered a Practicum to assess AQRSs' ability to evaluate a simulated case file that has been processed for a Veteran's service-connected disability. Of the 40 AQRSs assigned the Practicum, 27 (68%) complied with OAR's requirement to participate and complete the process. Compliance varied between 67% and 69% across the three DROCs. Of those who completed the practicum, there was an average accuracy of 87%.

The case was an EP 130 Dependency Adjustment Award transaction to add a

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dependent spouse to the Veteran's award, which included the spouse being added from an incorrect date and notification letter errors. The common errors cited were for incorrectly citing the dependency adjustment error and incorrectly identifying whether the claimant was properly notified.

For this case, since it was an award transaction on an EP 130, Tasks 1 – 5 should have been answered as *NA* as no actions/determinations under those tasks were necessary. Each task included at least one incorrect answer.

For Task 6, the expected response is *Yes*, because all applicable issues were addressed and decided. In this case, the decision made addressed the issue of dependency allowance for the Veteran's spouse.

The expected Task 7 response is *Yes* because the award associated with the claim has the correct payment rates and effective dates when reviewing this task "as if" the other tasks were correct. The dependency effective date error is captured under Task 8; therefore, it would be cascading to cite an award error under Task 7. An answer of *NA* is not appropriate for Task 7, because an award was generated/completed. Four AQRs selected *NA* for Task 7, and one AQR selected *No* for Task 7.

The expected Task 8 response is *No*, as the spouse was added from an incorrect date. The dependency claim was received within one year of rating decision dated 4/15/20, which granted service connection at 0% for hypertension effective 3/19/19. The rating effective date applies even if the combined rating remained unchanged. In this Practicum, the spouse was an eligible dependent. However, she was added from an incorrect effective date. Therefore, the best descriptor to capture this fact pattern is dependency adjustment effective date incorrect. 11 AQRs incorrectly selected the descriptor "dependent spouse was established, denied, or removed incorrectly." The error descriptor dependent spouse established, denied, or removed incorrectly is best used when ineligible dependents are added to an award or eligible dependents are removed from an award or denied.

The expected Task 9 response is *NA* because the transaction under review did not include or require any withholdings or reductions requiring VSR input/decision, nor was any calculation required to determine if withholding was necessary.

The expected Task 10 response is *No*, as notification letter dated 1/27/21 does not include evidence used to add the spouse to the Veteran's award. 10 (37%) AQRs did not provide the expected response *No* to Question 10. Instead, 9 answered *Yes*, and 1 answered *N/A*. Additionally, utilizing the error descriptor for incorrect payment rates/dates would be considered cascading.

For task 11, the expected answer was *Yes* as all system updates were completed properly. 100% of AQRs answered this question as expected.

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SECONDARY ACTION REQUIRED TRACKED ITEM

Target Audience: DROC Management, QRTs, DROs, RVSRs and VSRs

Presenter: Sixto Olmo, Program Analyst, OAR PA

References:

M21-1 I.1.C.3.I, *Documentation of the Status of Examination Review*

M21-5 3.B.8.a, *National Compensation Non-Rating Quality Review Checklist*

Secondary Action Required

The Secondary Action Required tracked item is used when an exam review is not yet performed or is partially complete.

The following procedures must be followed:

1. Indicate in the permanent claim level note what outstanding development is required before examination review may be conducted for the remaining issues.
2. Establish a tracked item using the Secondary Action required from the COMPMGT menu with a suspense date corresponding with the pending development.

Secondary Action Required, Development

During subsequent stages of the development process:

1. Add a permanent claim-level note to accurately reflect the status of any outstanding contentions requiring examination review when the status of the development and/or examination review changes.
2. Maintain the Secondary Action Required tracked item until examination review has been completed for all contentions to prevent the claim from reverting to ready for decision status before examination review is complete.
3. When all examination reviews are complete, close the secondary action required tracked item.
4. Update the permanent claim-level note to reflect that examination review is complete.

Secondary Action Required Tracked Item

National Compensation Non-Rating Quality Review Checklist. [M21-5 3.B.8.a]

- Were all systems accurately updated?
 - Task 11 - tracked items for all requested evidence were not entered and updated as necessary (include disposition and suspense date).

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DROC DC VIRTUAL IN-PROCESS REVIEW VISIT (VIPR-V) AFTER-ACTION REPORT

Target Audience: DROC Management and QRTs

Presenter: Chanda Plair, SMPA, OAR PA

Purpose

OAR conducted a VIPR-V on work performed by DROC DC employees the week of June 28 – July 1, 2021. The purpose of the VIPR-V was for OAR to review cases through conducting in-process reviews (IPR) for accuracy. If errors were identified, OAR provided on-the-spot mentoring to the DROC DC employees. These IPRs allowed employees to take immediate and corrective action on any identified deficiencies and provide better decisions to Veterans and their beneficiaries. The IPRs are non-punitive systematic reviews conducted at strategic touch points in the claims process. The OAR reviewers provided immediate feedback to employees, monitored cited deficiencies for trends, conducted training and mentoring, and ensured DROC DC employees initiated and/or completed corrective actions.

Pre VIPR-V Data Sample and Raw Data

In preparation for the VIPR-V, OAR reviewed DROC DC local errors for Fiscal Year 2021 (FY21). OAR populated the data from the Quality Management System (QMS) and used the data as a reference point of comparison to the final IPR results.

As of May 21, 2021, OAR identified 105 local errors cited by DROC DC Rating Quality Review Specialists (RQRS) on Decision Review Officers (DRO) fiscal year to date (FYTD).

As of May 21, 2021, OAR identified 285 local errors cited by DROC DC Rating Quality Review Specialists (RQRS) on Rating Veterans Service Representatives (RVSR) FYTD.

As of May 21, 2021, OAR identified 236 local errors cited by DROC DC Authorization Quality Review Specialists (AQRS) on Veterans Service Representatives (VSR) completing authorization work FYTD.

Note: Prior to the VIPR-V, OAR did not identify errors cited by DROC DC AQRS on Pending Authorization transactions. Following discussions with DROC DC Leadership, OAR included Pending Authorization transactions as a review category during the VIPR-V.

RFD Sample, Errors and Analysis

OAR analysts completed a review of 15 Ready for Decision transactions. 1 review contained errors; OAR identified no error trends. The accuracy rate for Ready for Decision transactions is 93.33%. OAR identified the following errors:

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Task 11 – Were all systems accurately updated?

Service is not verified in Veterans Benefits Management System (VBMS). All periods of active service must be verified and updated in VBMS.

RDC Sample, Errors and Analysis

OAR analysts completed a review of 30 Rating Decision Complete (RDC) transactions. 7 reviews contained errors. The accuracy rate for Rating Decision Complete transactions is 76.66%. OAR identified the following errors:

Task 2 – Were all inferred and/or ancillary issues addressed?

A2j – SMC – Other: Rating Decision (RD) dated 6/24/21 did not infer, and grant, the issue of service connection (SC) for right upper extremity radiculopathy or grant an increased evaluation for right upper extremity paresthesias.

Task 4 – Does the record show Veterans Claims Assistance Act (VCAA) compliant development to obtain all indicated evidence (including a VA exam, if required) prior to deciding the claim?

B2f – Insufficient VA examination/medical opinion: Supplemental Statement of the Case (SSOC) dated 06/24/21 prematurely denied the issues of a left shoulder disability and left knee disability prior to obtaining a medical opinion that complies with remand instructions. Board of Veterans' Appeals (BVA) decision and remand dated 01/06/21 specified that the medical examiner review the Veteran's claims file and provide an opinion as to whether it is at least as likely as not that the Veteran's left shoulder disability had its clinical onset during service or is due to an event or incident of the Veteran's active service, to include the weightlifting accident or parachute injury.

B2f – Insufficient VA examination/medical opinion: DROC issued SSOC dated 6/24/21 denying SC for sleep apnea prior to returning an insufficient Veterans Affairs Examination (VAE) or developing for required evidence.

Task 9 – Was Decision Documentation correct?

E2 – The basis of each decision not identified and/or each denial not explained: SSOC dated 6/24/21 did not appropriately explain the reasons for the denial of entitlement to individual unemployability (IU).

E2 – The basis of each decision not identified and/or each denial not explained: RD dated 6/24/21 correctly granted SC for hypertension secondary to anxiety disorder, but incorrectly stated the VA examiner opined the hypertension was the proximate cause of the service-connected anxiety disorder.

Task 15 – Were Rating Comments correct (EP not under review)?

J1A – Issue Errors not associated with end product under review: RD dated 5/28/20 assigned an incorrect effective date of 11/10/93 for the grant of SC for the Veteran's

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lumbar spine condition.

Task 16 – Were Rating Comments correct (EP under review)?

J2 – Disability determination – end product under review: The Decision section and Codesheet of RD dated 6/24/21 shows the DROC assigned a 10% evaluation for the left glenohumeral joint dislocation with an effective date of 5/12/14; however, the Reasons for Decision section of the RD states the effective date for the 10% evaluation is 5/20/14 while noting the claim was received 5/12/15. This RD did not adequately address the reason for the effective date.

Pending Authorization Sample, Errors and Analysis

OAR analysts completed a review of 16 Pending Authorization Award transactions; 4 reviews contained errors. Although there were (2) errors for both Task 7 and Task 9, OAR identified no error trends as each comment/error was distinct and did not involve similar fact patterns. The accuracy rate for Pending Award transactions is 75%. OAR identified the following errors:

Task 7 – Was necessary administrative decision or award generated/completed and correct?

The award net effect was correct. The VSR used prior award data in processing the transaction under review. OAR analyst suggested the use of "add to gross." The 10/22/2019 RD called a clear and unmistakable (CUE) on RD dated 8/1/19 adjusting the sleep apnea effective date from 2011 to 2014. Although the Codesheet was updated, post cannot create a debt. Generate Award Override (GAO) was used on previous awards.

The current award correctly granted an earlier effective date for the spouse. However, the award needed to remove the "add to gross" rates for the 5/1/14 and 12/1/14 award lines to prevent duplicate payment of dependency benefits. The award dated 2/7/18 implemented an administrative decision to eliminate debt that would have been created by correcting the effective date of the spouse.

Task 9 – Were all required withholdings / reductions correctly implemented?

The Military Retirement Pay (MRP) withholdings on the pending award were incorrect.

The 31J and 06A transaction amounts were incorrect. VSR also needed to update the award to reflect the new MRP cutoff date.

Accuracy and Error Trends

Overall accuracy for all reviews was 80.33%

Error trends were identified in the RDC and pending authorization cycles.

- RDC

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- Insufficient VA examination/medical opinion
- Decision documentation incorrect
- Pending Authorization
 - Add to gross rates
 - Military Retirement Pay withholdings

Recommendations

When conducting their local quality reviews, the DROC RQRSs should focus on Checklist question #4 - Were all necessary examinations and medical opinions requested and sufficient?

The DROC RQRSs should focus on the following error descriptors contained under Checklist question #4 when conducting their local quality reviews:

- The VA medical opinion was insufficient (opinion was requested but not provided).
- The supporting rationale for a required VA medical opinion was incomplete or not supported by the evidence.
- VA medical opinion was needed but was not requested.

JUNE 2021 OAR RATING QUALITY REVIEW SPECIALIST (RQRS) QAP RESULTS

Target Audience: DROC Management, QRTs, DROs, RVSRs and VSRs

Presenter: JaVon Chisley, SMPA, OAR PA

June 2021 RQRS QAP Results:

Overall compliance for the Practicum was 70%

Compliance rates of less than 70% are highlighted in **RED**.

DROC	Assignments	Completions	Compliance Rate	Mean Score	Percentage of Perfect Scores
Grand Total	47	33	70%	93%	48%
DC	13	12	92%	92%	33%
Seattle	11	9	82%	92%	44%
St. Petersburg	20	11	55%	96%	64%
St. Paul RACC	3	1	33%	100%	100%

Between June 15 and 18, 2021, OAR administered a Practicum to RQRSs at the three DROCs and St. Paul Restricted Access Claims Center (RACC). The Practicum assessed their ability to properly evaluate a simulated case file that has been processed for a Veteran's service-connected disabilities. Of the 47 RQRSs assigned the Practicum, 33

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(70%) complied with OAR's requirement to participate and complete the process. Compliance varied between 33% and 92% across the 3 DROCs and St. Paul RACC.

The individuals at the St. Paul RACC are assigned to the OAR National Training Curriculum (NTC) as they work OAR RACC claims.

- **Overall Percentage of Perfect Scores: 48%.** Of the 33 RQRSs who completed the Practicum, 16 were accurate in evaluating the simulated case file.
- **Percentage of Perfect Scores:**
 - St. Paul RACC, 100%
 - St. Petersburg, 64%
 - Seattle, 44%
 - DC, 33%

This case involved reviewing a Veteran's electronic claim file, including a rating decision that failed to address a claim for service connection. The rating decision also failed to include laws and regulations applicable to the claim as well as identify or document favorable findings.

For this case, a VA Form 21-526EZ for service connection for left shoulder strain was not addressed and decided. Thus, the expected Task 1 response is *No*.

For Task 2, the expected response is *NA*.

- There were no inferred or ancillary issues addressed in the rating decision, and there were no inferred or ancillary issues that needed to be addressed. 91% of RQRSs answered as expected.

For Task 3, the expected response is *Yes* because all necessary development (excluding VA examination) was completed in association with the transaction under review.

For Task 4, the expected response is *Yes* because the appropriate examination and medical opinion were requested for hearing loss and tinnitus. Although treatment in service is shown for the claimed left shoulder, an examination or medical opinion is not required because the evidence does not show the other two elements that must be present prior to an exam/opinion request.

- An additional error citation for the shoulder under Task 4 would be cascading as it was rooted in Task 1. [M21-4 6.4.h-i]

For Task 5-8, the expected response is *Yes*.

- The grant of all issues was correct. 100% of RQRSs answered as expected.
- The denial of all issues was correct. 100% of RQRSs answered as expected.
- The evaluations assigned were correct (to include SMC and combined

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evaluations). 97% of RQRSs answered as expected.

- All effective dates assigned were correct. 100% of RQRSs answered as expected.

For Task 9, the expected response is *No*, and the expected error descriptors are as follows:

- The laws and regulations applicable to the claim were not provided:
 - The laws/regulations applicable to the effective date of tinnitus and left ear hearing loss were not provided as 38 C.F.R. §3.400 was not included in either narrative. [38 C.F.R. §3.103(f)(3) and M21-1 III.iv.6.C.5.a & e]
- The decision maker did not properly identify or document favorable findings:
 - The Veteran claimed only direct service connection but was also denied service connection for right ear hearing loss on a presumptive basis. As such, favorable findings related to presumption for hearing loss must be included in the rating decision. [38 C.F.R. §3.103(f)(4); 38 C.F.R. §3.104(c); M21-1 III.iv.2.B.5.b; and M21-1 III.iv.6.C.5.f]

For Task 10, the expected response is *NA*.

- This task is not applicable, as the transaction under review did not include any deferrals. [M21-4 6.5.c]

For Task 11, the expected response is *Yes*.

- All system updates were completed properly. [M21-1 III.ii.3.C]

For Task 12, the expected response is *Yes*.

- There are no correctable comments in this case. Correctable comments are those items which are not considered to be a “critical” error on the transaction under review, but which require additional processing to ensure the correctness and/or completeness of the claim in general. [M21-1 III.iv.6.C and M21-1 III.v.2.B]
- The preferred Task 12 response is *Yes* for this review because one of the error descriptors refers to whether or not proper free text was included with properly identified favorable findings. As favorable findings were identified in the rating narrative, it is appropriate to consider Task 12 as applicable to the review. [M21-4 6.5.c]