Purpose

This Job Aid provides general instructions, information, and references for Appeals Modernization Act (AMA) Higher-Level Reviews (HLR) processing under Public Law (PL) 117-168, Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, or PACT Act.

Audience

All claims processors responsible for processing AMA HLRs.

References

- [PL 117-168 (PACT Act)](#)
- [38 CFR 3.160(d), *Status of Claims*](#)
- [M21-5, Chapter 5, *Higher Level Review Procedures*](#)
- [PACT Act Standard Operating Procedure (SOP), Topic 7](#)

Instructions

Check and add, if needed, the **PACT** special issue to all PACT Act-related issues.

Rating
- Treat issues impacted by PACT Act that result in returns for development as duty-to-assist (DTA) errors
- Return for corrective action if service-connection for the PACT Act issues(s) cannot be granted on a non-PACT Act basis.
  - This applies if the prior rating decision was issued before the change in law and the decision maker was acting on appropriate guidance in place at that time.
- If PACT Act development was previously completed, do not return as a DTA error unless the previous development was incomplete or insufficient
- Ensure the correct disposition is selected when returning an issue.

Authorization
- Clear the HLR end-product (EP) 030 in VBMS-A.

    o   If there is a DTA error, the EP 040 will be established in VBMS for further development for the PACT Act issue(s).

Important Reminders

- Affix the **PACT** special issue on any PACT Act related contention.
- Follow the guidance for use of Individual Longitudinal Exposure Record (ILER) found in the [ILER Guidance](#).
- Review claims for non-presumptive disabilities to determine whether an explicit or implicit Toxic Exposure Risk Activity (TERA) claim applies.
- If the EP 040 DTA Error is not established in VBMS, open a [YourIT](#) ticket to report the issue.

Other Resources

- [PACT Act Information Page](#)
- [PACT Act Pension and Fiduciary Service Information Page](#)
- [PACT Act Implementation Training Resources](#)
- [OAR Job Aid: PACT Act Resource Guide](#)