

Q&A From PMC TERA Tool Overview Training on June 1, 2023

Question	Response
<p>How far is our expectation to develop? For example, on a non-service-connected death claim, if we do not have the Veteran's MOS and the cause of death may be service connected- what do we expect VSRs to do?</p>	<p>Generally, if the cause of death is presumptive to herbicides or GWOT, and the VSR notices something in initial claim documentation that indicates foreign or sea service, VSRs need to weigh all evidence on hand and then make a definitive determination on whether to develop for Service Treatment Records (STRs)/Official Military Personnel Files (OMPF). This development may be precluded by checking systems like CAPRI or ILER for service information as well.</p> <p>For best practices, VSR should annotate in VBMS notes why they either ARE or ARE NOT developing to pursue SC death further.</p>
<p>For non-service-connected death claims, if the evidence of record indicates there is the potential for service-connected death to be granted based on the Veteran's cause of death and potential TERA, then the PACT Special Issue should be applied.</p> <p>Some VSRs will request PIES, some VSRs will consider the lack of direct evidence as a clear indication that there is no implicit claim.</p> <p>There is no standard/specific way all of us are processing the non-service-connected claims. Could we please get some kind of guidance or litmus to help everyone process on the same page and avoid quality errors?</p>	<p>The evidence of record will dictate the process. A review of the Veteran's OMPF and STRs is required when service-connection for the Veteran's cause of death cannot be granted based on the available evidence in relation to the current claim. All necessary development should be completed prior to referring a claim to the rating activity for a decision on service-connected death. Complete OMPF and STRs <i>may</i> not be needed if the evidence available establishes location-based concessions.</p> <p>For best practices, VSR should annotate in VBMS notes why they either ARE or ARE NOT developing to pursue SC death further.</p> <p>Please note that a consolidation of all the NSC guidance is being added to the SOP and all processing personnel will be notified when that updated guidance is available.</p>
<p>Slide 16 of the PowerPoint states development must be initiated when pursuing a reasonable TERA claim.</p> <p>The VA typically does not develop to deny and if there is an implicit claim, what development is needed and /how far is the VSR to go on developing? Example: Navy Veteran, died of lung cancer, widow did not claim SC death. What is our duty to assist?</p>	<p>The evidence of record will dictate the process. Generally, if the cause of death is presumptive to herbicides or GWOT, and the VSR notices something in initial claim documentation that indicates foreign or sea service, VSRs need to weigh all evidence on hand and then make a definitive determination on whether to develop for STRs/OMPF. This development may be precluded by checking systems like CAPRI or ILER for service information as well.</p> <p>For best practices, VSR should annotate in VBMS notes why they either ARE or ARE NOT developing to pursue SC death further.</p>
<p>We could use more guidance on non-service-connected claims and what our responsibility is to develop or not.</p>	<p>Please note that a consolidation of all the NSC guidance is being added to the SOP and all processing personnel will be notified when that updated guidance is available.</p>