



FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

Agenda

Providing Service

Questionable Claim/Reductions

FDC

Disability Benefit Questionnaire
(DBQ)

SC MSO Schedule

Amyotrophic Lateral Sclerosis (ALS)

Ebenefits

CSO Workshop
Jan 24, 2014



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Providing Services

Discussion

Questionable Claim/Reductions

Musculoskeletal System

| | |
|------------------------------|-----|
| Bilateral Feet | 30% |
| Except Cold Injuries | |
| Ankles | 20% |
| Knee | 30% |
| Hip | 60% |
| Cervical Spine | 30% |
| Lumbar Spine | 40% |
| Radiculopathy each Extremity | 20% |
| Hand | 30% |
| Wrist | 20% |
| Elbow | 30% |
| Shoulder | 50% |

Pulmonary Condition

COPD, Bronchitis, Emphysema, Asthma, etc. 60%
Unless there is required outpatient oxygen therapy

Heart Condition

IHD, CAD, MI, Pericarditis, etc. 60%
Unless there is congestive heart failure

Digestive System

Any Condition 60%

Skin Condition

Any Condition 30%

Mental Disorders

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| Any Condition | 70% |
|---------------|-----|

Misc

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| Headaches | 30% |
|-----------|-----|

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| Residual, Prostate Condition | 60% |
|------------------------------|-----|

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|------------------------|-----|
| Bilateral Hearing Loss | 30% |
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| Diabetes | 40% |
|----------|-----|

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|-----------------------|-----|
| Peripheral Neuropathy | |
| Each Extremity | 20% |

Fully Developed Claims

(FDC)

What can we do to influence the time it takes to process a “typical” claim?

**We can consider the
“Fully Developed Claim” Process!**

The program uses three new forms:

VA Form 21-526EZ for compensation claims, original or reopening (Aug 2013)

VA Form 21-527EZ for pension claims, original or reopening

VA Form 21-534EZ for DIC, accrued, and death pension

By definition, a “Fully Developed Claim” is one submitted with ALL of the evidence which would be required to prove the claim,

EXCEPT FEDERAL RECORDS such as service medical records and VA treatment records in the control of VA or DOD.

A FDC must be submitted using the proper EZ form which must be complete.

A FDC may be: VAF 21-526EZ

- Service connection (original, new, secondary, and reopened) PTSD (Stressor Statement or VAF 21-0781) Hearing loss (Statement on exposure to acoustic trauma)
- Service connection based upon a period of active duty for training or inactive duty training
- Increased disability compensation
- Individual unemployability (VAF 21-8940 & VAF 21-4192)
- Temporary total disability rating due to hospitalization or due to surgical or other treatment
- Compensation under 38 U.S.C. 1151

A FDC may be: VAF 21-526EZ continued

- Increased benefits for A&A (VAF 21-2680)
- Special Adaptive Housing or home adaption (VAF 26-4555)
- Automobile Allowance or adaptive equipment (VAF 21-4502)
- Benefits based on a Veterans Helpless child or Dependency (VAF 21-686c)

A FDC may be: VAF 21-527EZ

- Improved Pension
- Special Monthly Pension (A&A or housebound) (VAF 21-2680)
- Improved pension benefits based on a veterans helpless child (VAF 21-686c)

A FDC may be: VAF 21-534EZ

- Accrued Benefits
- DIC based on service connected death
- DIC based on on 38 USC 1318
- DIC based on active duty for training or inactive duty training death.
- Death Pension and Parents DIC
- 38 USC 1151 DIC (rare)
- Increase survivor benefits (A&A or housebound) (VAF 21-2680)
- Benefits for a veterans' helpless child (VAF 21-686c)

FDC Criteria (evidence required):

All relevant private medical treatment records for the claimed disabilities.

Identification of any Federal (Military or VA) treatment records.

For current National Guard and Reserve members, ALL service treatment records and relevant personnel records in the custody of the Veteran's unit must be submitted by the claimant.(it will be excluded if not submitted with claim)

The veteran MUST report for any VA medical examinations as requested.

If the claim is NEW, the veteran:

**Must submit certified copies of all
DD214s.**

A FDC will be kicked out & VA will process the claim traditionally IF:

All identified private treatment records are not submitted with the claim.

The VA determines that additional supporting documents or records are required.

IF:

The veteran submits any additional supporting information or documentation after the submission of the FDC.

The veteran fails to appear for an ordered VA examination.

The submission of a proper and complete DBQ with the FDC will contribute to a quicker decision by supplanting the need for a C&P examination. Use discipline in making the decision to use a DBQ.

Make sure you are using the correct one.

Will the nature of the claim require a medical opinion?

Will you need to delay filing the FDC in order to obtain a DBQ?

If the VA kicks a FDC out of the program it will be processed traditionally based on original date of claim.

This administrative processing decision by the VA is not appealable.

The VA will notify the veteran that the FDC has been kicked out and the reason it does not qualify for the program.

A veteran may not mix a FDC with a separate claim for other disabilities, or may not file an FDC if there is a separate pending claim (or pending appeal on an issue related to the new issue being claimed).

Likewise, if the veteran files a new claim after filing a FDC, the FDC will be kicked out and both claims will be processed in the traditional method unless the FDC has been advanced to Ready for Decision status.

Due to the FDC evidence limitations a FDC for a non-presumptive disability which had its origin in service filed more than 12 months after discharge is not impossible but may be difficult because of the requirement for medical evidence and continuity of treatment.

The veteran may file an informal FDC by submitting “only” the following statement:

“I intend to apply for compensation (or pension) benefits under the FDC Program. This statement is submitted to preserve my effective date for entitlement to benefits. I am in the process of assembling my claim package for submission.”

If the veteran uses the informal FDC option he has one year within which to submit a VA Form 21-526EZ or 21-527EZ which MUST be complete at time of submission.

If an incomplete FDC or a traditional formal claim is submitted within the one year it will be processed traditionally and the date of the informal claim statement establishes the date of claim.

If the informal claim is an original claim it should include a certified copy of the separation document, DD214 or equivalent, so that a claims folder may be established.

- Incomplete FDC Claims

- Consider any communication or action that identifies **intent** to file a compensation, pension, or survivor claim for processing in the FDC Program as an incomplete FDC application.

- Upon receipt of an incomplete FDC application:

 - Establish EP 400

- Send the claimant the *Incomplete FDC Claim Letter* (see Enclosure 3) **generated via MAP-D** (important) and enclose the appropriate AUG 2011 EZ form.

- Associate the incomplete FDC application with the claims folder* or the eFolder, as appropriate.

- PCAN the EP 400

- No further action on the incomplete FDC application is required at this time

Because of the FDC limitations, the veteran considering filing a new claim should carefully consider the benefits of filing a FDC if the full criteria for FDC can be met.

This may demand delaying the filing of a formal FDC in order to obtain the required evidence.

The discussion and preparation of a FDC with the client requires discipline in evaluating the available evidence and the issues being claimed.

Submitting the claim as a FDC only to have to have it kicked out to be processed traditionally will be unnecessarily frustrating to the veteran and uses valuable VA resources.

Because most of our claims come from DAV CSO/DSO's, State DVA offices, or County VAC offices, this program demands that we establish good relationships with them in the field.

They must control what you submit to us.

And we must control what we submit to the VA.

FDC Lessons Learned?

Identification of disabilities.

Failure to disclose all medical treatment.

Failure to provide all treatment records.

Incomplete forms.

The sole purpose of the FDC option is to reduce processing time!

We have had great success with fully documented claims using the FDC option with claims being resolved within 30 to 120 days (most under 90) at some Regional Offices. This has been a cooperative effort between NSO's, CSO's, DSO's, VAC's, VSO's, VA VSR's, RVSR's and VA management.

With discipline and good counseling I believe that you will find this program to be a valuable tool to serve many of your veterans reducing processing time.



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2014

South Carolina MSO Schedule

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|---------|--|
| July 7 | Greenwood, SC |
| July 8 | Walhalla, SC |
| July 9 | Anderson, SC |
| July 10 | Gaffney, SC |
| July 11 | Rock Hill, SC |
| July 14 | Darlington, SC |
| July 15 | Mullins, SC |
| July 16 | Myrtle Beach, SC |
| July 17 | Georgetown, SC |
| July 18 | Sumter, SC |
| Oct 6 | Augusta, SC |
| Oct 7 | Walterboro, SC |
| Oct 8 | Beaufort, SC |
| Oct 9 | Goose Creek, SC |
| Oct 10 | Orangeburg, SC |
| Nov 15 | Thunder Tower Harley-Davidson Columbia, SC |