



U.S. Department



Periodic Progress Report on Appeals

Public Law 115-55, Section 3

VA's Mission

To fulfill President Lincoln's promise, "To care for him who shall have borne the battle, and for his widow, and his orphan."

August 2020 Update

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Executive Summary

This report is the third post-implementation report that satisfies section 3 of the Veterans Appeals Improvement and Modernization Act of 2017 (Appeals Modernization Act or AMA), *Comprehensive Plan for Processing of Legacy Appeals and Implementing the New Appeals System*, paragraph (d), *Periodic Progress Reports*. VA is required to submit post-implementation reports every 180 days.

On February 19, 2019, VA successfully implemented the new claims and appeals system after benefiting from feedback received from stakeholders, including Veterans Service Organizations (VSO) and the Government Accountability Office (GAO). This report focuses on elements that are relevant to post-implementation, ongoing support for AMA and VA's comprehensive plan to process both legacy and AMA appeals.

I. Requirement for Periodic Progress Reports

P.L. 115–55, 115th Congress

The “Veterans Appeals Improvement and Modernization Act of 2017”

Sec. 3. Comprehensive Plan for Processing of Legacy Appeals and Implementing New Appeals System.

*(d) **Periodic Progress Reports.**—Not later than 90 days after the date on which the Secretary submits the plan under subsection (a), not less frequently than once every 90 days thereafter until the applicability date set forth in section 2(x)(1), and not less frequently than once every 180 days thereafter for the seven-year period following such applicability date, the Secretary shall submit to the appropriate committees of Congress and the Comptroller General a report on the progress of the Secretary in carrying out the plan and what steps, if any, the Secretary has taken to address any recommendations formulated by the Comptroller General pursuant to subsection (c)(2)(C).*

II. GAO Recommendations on Appeals

In this report, VA will provide an update on findings contained in the GAO reports below. For more information on GAO findings, including the status of the recommendations they contain, please see the hyperlinked websites below.

A. Summary of GAO Reports

Report 1: VA Disability Benefits: Improved Planning Practices Would Better Ensure Successful Appeals Reform, [GAO-18-352](#), published March 22, 2018.

GAO’s Findings: “VA’s plan for implementing a new disability appeals process while attending to appeals in the current process addresses most, but not all, elements required by the AMA. VA’s appeals plan reflects certain sound planning practices, but it could benefit from including important details in several key planning areas.”

In its 2018 report, GAO raised the following questions:

- Whether VA had sufficient personnel and IT resources to implement AMA;
- How VA would delineate resources between the legacy and AMA systems;
- How VA would measure success in the new system; and
- Whether VA’s master schedule/project plan and risk assessment were adequate.

Report 2: VA Disability Benefits: Additional Planning Would Enhance Efforts to Improve the Timeliness of Appeals Decisions, [GAO-17-234](#), published March 23, 2017.

GAO’s Findings: “VA is taking steps to improve the timeliness of its benefit compensation appeals process, in which veterans who are dissatisfied with claims decisions by the Veterans Benefits Administration (VBA) can appeal first to VBA, and then to the Board of Veterans’ Appeals (the Board). VA has taken actions related to

increasing staff, reforming the process and updating information technology (IT), which are consistent with relevant sound planning practices.”

GAO recommended that VA implement the following:

- Apply sensitivity analyses when projecting staff needs;
- Develop a more timely and detailed workforce plan;
- Develop a robust plan for monitoring process reform;
- Develop a strategy for assessing process reform; and
- Create a schedule for IT improvements that takes into account plans for potential process reform.

B. VA’s Progress to Address Both GAO Reports

VA successfully implemented AMA in February 2019 and addressed the concerns discussed in the March 2018 and March 2017 reports as follows:

- VA developed a robust, scalable model, which was presented to GAO, and projected timeliness and appeals inventories;
- VA’s test programs, the Rapid Appeals Modernization Program (RAMP) and the Board of Veterans’ Appeals Early Applicability of Appeals Modernization (BEAAM), provided sensitivity analysis and information about Veteran preferences that enabled VA to improve services to Veterans, VA policies and operating procedures;
- With the support of project management experts, VA continuously updated and improved the project plan, leading to successful implementation of AMA;
- Test programs supported VA’s efforts to improve risk assessment by testing processes and technology prior to implementation;
- Extensive reporting requirements in sections 3 and 5 of AMA ensured transparency in monitoring and assessing process reform; and
- VA expanded quality review and training programs including AMA procedures. Further details on VA’s plans for recruiting, hiring and training are addressed in Part III of this report.

III. Comprehensive Plan

Implementation Plan Requirements

Section 3(a)(1) – Processing of Legacy Appeals

(a) PLAN REQUIRED.—*[T]he Secretary of Veterans Affairs shall submit to the appropriate committees of Congress and the Comptroller General of the United States a comprehensive plan for—*

(1) the processing of appeals of decisions on legacy claims that the Secretary considers pending;

VA is resolving legacy appeals while concurrently processing AMA appeals in a timely manner. VA’s Legacy Appeals Resolution Plan includes a prioritized reduction of legacy

appeals, informed by continuous stakeholder engagement as well as sound project management practices, and has resulted in a marked reduction in the number of legacy appeals pending in the Department before the Board, and in all three Administrations – VBA, Veterans Health Administration (VHA) and the National Cemetery Administration (NCA). See Table 1.

Table 1. Pending Legacy Appeals by VA Office – October 2019 through June 2020

Pending Legacy Appeals by Administration									
	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	June 2020
VBA	229,362	219,358	209,005	198,196	185,524	173,800	158,159	119,256	89,242
VHA	8,555	6,874	5,629	4,652	3,766	3,208	2,816	2,581	2,372
NCA	117	115	119	129	154	186	175	146	76
Board	96,752	94,239	91,463	86,283	81,587	78,891	77,887	99,613	109,969
Total	334,786	320,586	306,216	289,260	271,031	256,085	239,037	221,596	201,659

As the Board receives legacy appeals from VBA, VHA and NCA, it plans to eliminate its legacy appeals inventory by the end of calendar year (CY) 2022. See Figure 1.

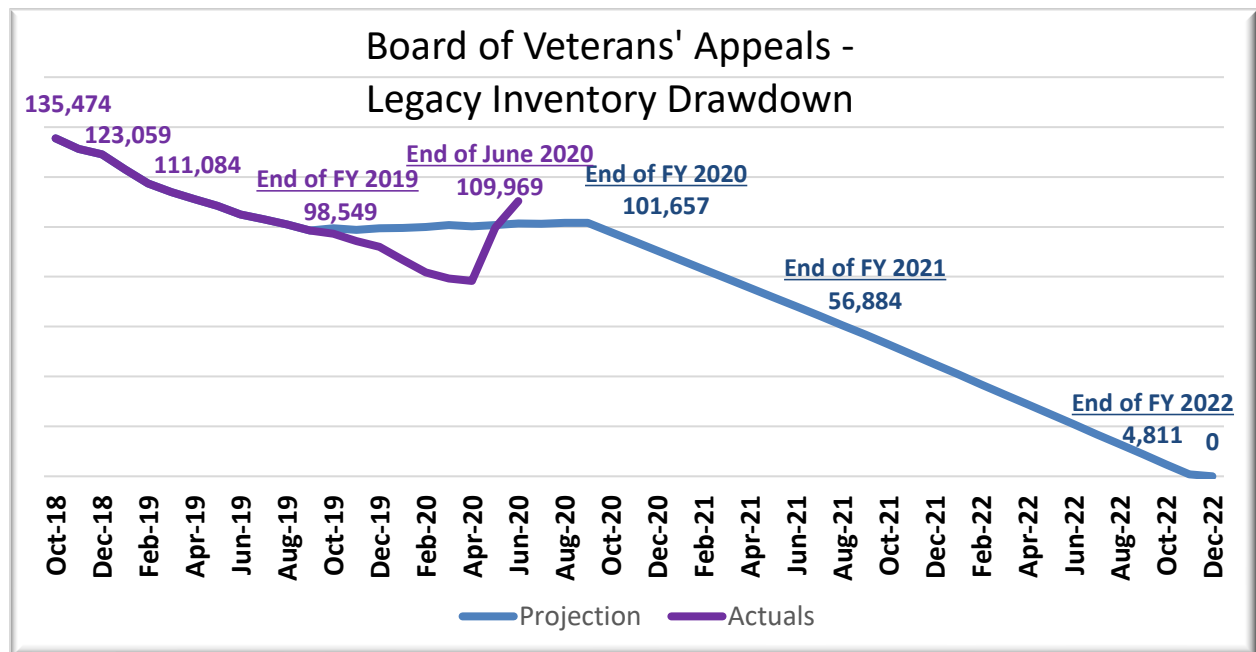


Figure 1. Board Legacy Inventory Drawdown

The Board continues to set and exceed targets. In FY 2019, the Board exceeded its target of 90,050 dispatched decisions by over 5,000 decisions. In FY 2020, the Board's target is 91,500 dispatched decisions. In fiscal year (FY) 2020, the Board completed 157 hiring actions, including seven new Veterans Law Judges (VLJ). Despite the

unprecedented challenges presented by the COVID-19 pandemic that resulted in the Board rapidly transitioning to a temporarily remote workforce, the Board dispatched 79,073 decisions to Veterans through June 2020, 65,713 of which were legacy appeals.

In FY 2019, the Board held a record 22,743 hearings, over 98% of which were legacy hearings. From the start of FY 2019 through the end of March 2020, the Board reduced the number of pending legacy hearings requests from 75,946 to 56,761. Prior to COVID-19, the Board was on target to reach its goal to conduct a record 24,300 hearings in FY 2020. Through the end of March 2020, the Board held 11,455 hearings, averaged 448 hearings held per week and was 57 hearings above its goal.

Due to COVID-19 closures at VA facilities including Regional Offices (RO), the Board was forced to temporarily suspend the Travel Board, VA Central Office and video hearings. Because the Board began testing Virtual Tele-hearing capability in July 2019, it was able to offer Veterans virtual hearing opportunities in place of the suspended Travel Board, VA Central Office and video hearings.

With the President's April 10, 2020, signing of the VA Tele-Hearing Modernization Act, the Board fully implemented the Virtual Tele-hearing option, allowing Veterans and their representatives to participate in hearings before the Board by voice and video transmission over the internet using non-VA cell phones, tablets and computers. This technology also provides greater access and flexibility to Veterans in rural locations.

The Board expanded virtual tele-hearing capacity and has conducted 1,677 virtual tele-hearings through June 30, 2020. The Board has taken several actions to encourage utilization of the virtual tele-hearing option, including enhancing information technology solutions, restructuring the Board's hearing operations and increasing coordination with VSO partners. These actions are designed to reduce the number of pending hearing requests by expanding remote access for rural Veterans, broadening Veteran options and accessibility and improving the overall Veteran experience.

As VA moves to re-entry, the Board is implementing several measures to mitigate the impacts of COVID-19 on hearing operations, including focusing a certain segment of its VLJ corps on holding legacy hearings, actively managing the use of Acting VLJs to hold hearings, fully utilizing all Board hearing space and expanding available hearing times in Central and Western time zones.

In addition, the Board continues to build on various initiatives for more efficient adjudication of legacy appeals. The "One Touch" program, which was discussed in prior post-implementation reports, enables VLJs to identify and quickly adjudicate hearing cases that are within docket range and have clear dispositions—delivering faster results for waiting Veterans. Since January 2020, VLJs adjudicated over 426 One Touch hearing cases with an approximate 58% cumulative grant rate.

The Board's specialized case team (SCT) is comprised of 71 attorneys who efficiently adjudicate unusual or difficult cases. Attorneys are competitively selected for details to

the SCT. Regular, staggered turnover provides a majority of attorneys an opportunity to participate in the program while maintaining consistency in decision-making and ensuring that institutional knowledge remains intact.

VBA continues to utilize several strategies to resolve the pending inventory of legacy compensation appeals. These strategies include workload redistribution, increased oversight and accountability, leveraging technology for increased efficiencies and the opportunity for claimants to opt-in from the legacy system to the modernized system. Between September 2016 and the end of June 2020, total VBA legacy appeals inventory has decreased by approximately 75%, as depicted in Figure 2.

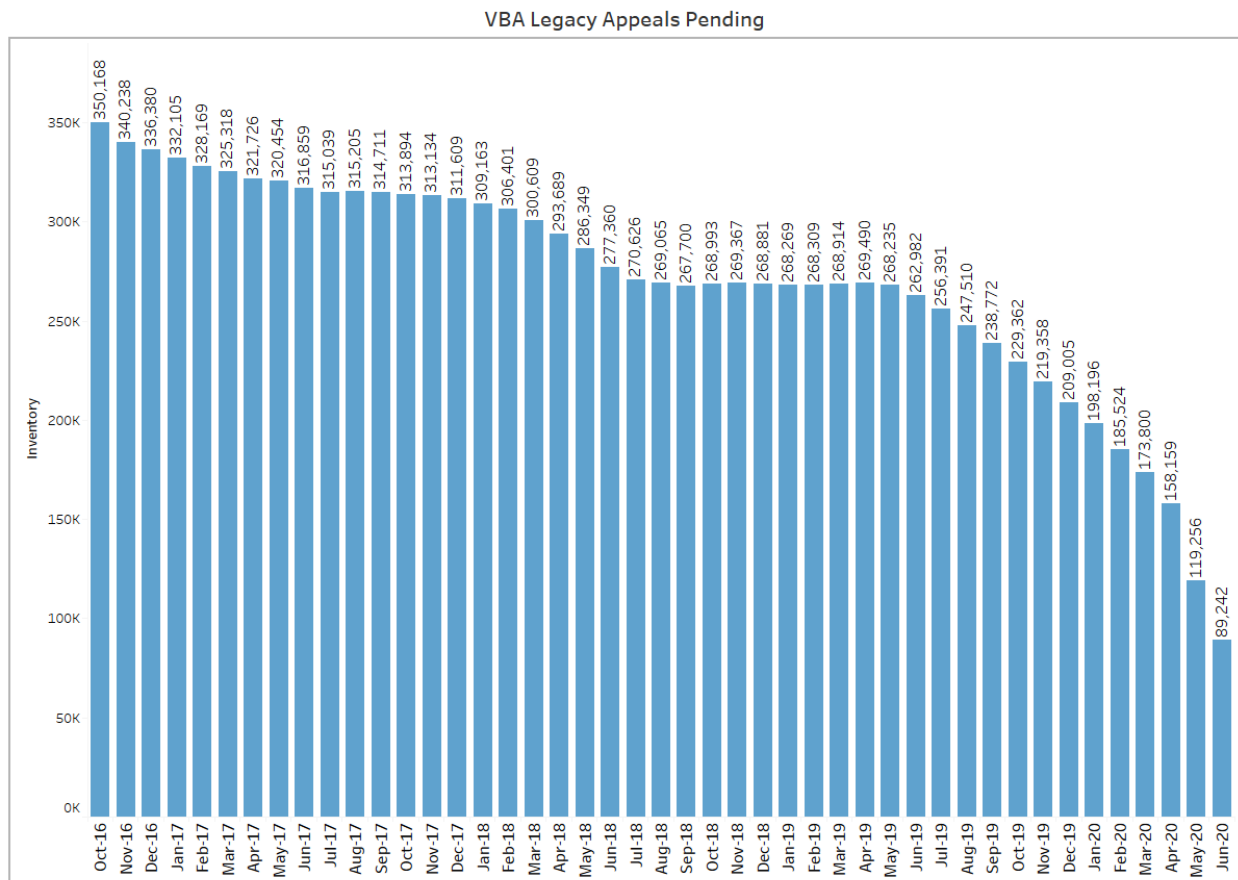


Figure 2. VBA Appeals Pending – September 2016 through June 2020

Additionally, VBA’s Office of Administrative Review (OAR), previously known as the Appeals Management Office (AMO), continues to leverage the National Work Queue to distribute legacy appeals across ROs. The OAR workload redistribution formula uses RO capacity and proficiency to maximize the benefits of workload redistribution.

Aggressive workload management, combined with increased oversight, helped expedite legacy appeals actions. National output from October 1, 2019, through June 30, 2020, has exceeded targets for appeals actions by approximately 5%, as depicted in Figure 3.

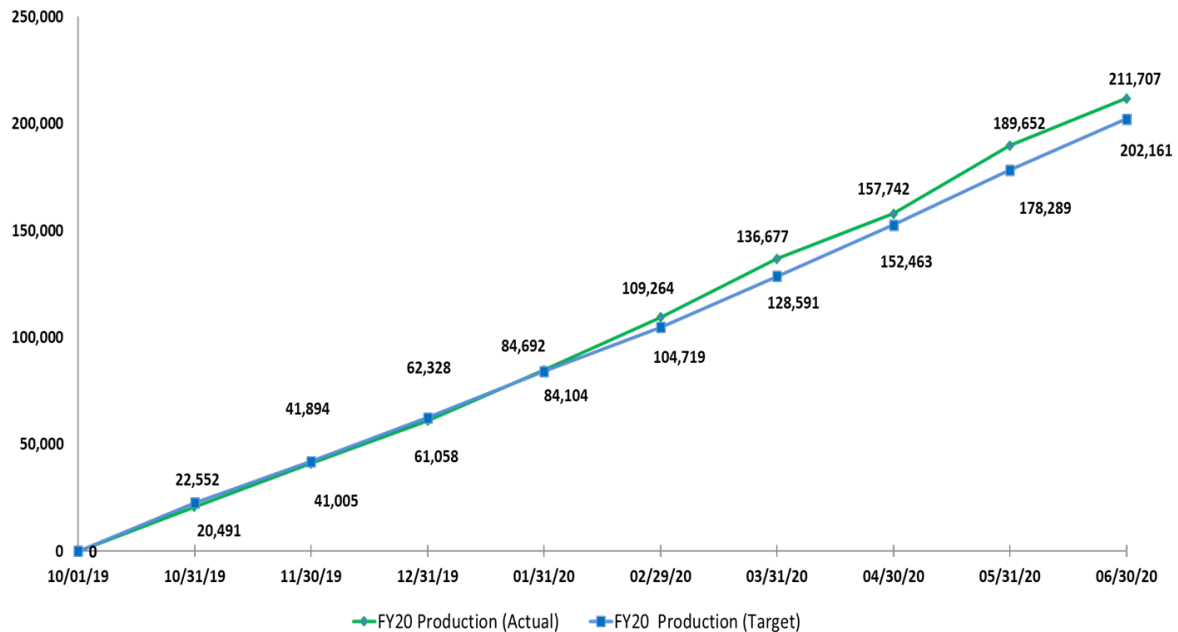


Figure 3. VBA National Output – October 2019 through June 2020

VBA hired an additional 605 full-time equivalents (FTE) in FY 2019 to assist in the reduction of VBA’s legacy appeals inventory and to adjudicate AMA claims. Hiring increased available resources for processing compensation and pension (C&P) appeals; AMA higher-level reviews (HLR), and associated returns; AMA Board remand decisions; and Board grants under the AMA, from 1,495 to 2,118 FTE in FY 2019 (includes an authorized float). In FY 2020, VBA continues to assess resources. OAR designated 1,290 FTE of the total 2,118 FTE toward the processing of legacy appeals. An additional 728 FTE are dedicated to administering decisions in the new claims system—specifically HLRs and duty-to-assist error corrections identified under the HLR and the Board lanes.

As of July 2020, VBA eliminated the majority of the legacy inventory in the notice of disagreement (NOD) and substantive appeal (Form 9) stages. Due to appeals processing interruptions caused by the COVID-19 pandemic (e.g., inability to conduct in-person hearings at an RO, conduct in-person compensation examinations and request Federal records from external organizations), VBA has retained a small inventory in the NOD and Form 9 stages, which VBA will eliminate shortly after normal operations resume.

As stated in the February 2020 report, VBA originally planned to reduce legacy inventory in the remand decision stage to a steady state in FY 2021. VBA defined *steady state* as the elimination of all legacy inventory in the NOD and Form 9 stages, with an inventory of legacy appeals remand decisions that equals the number of remand decisions issued per year. Based on continued assessments and alignment with the Department’s legacy appeals elimination strategy, starting in July 2020 VBA began accelerating its reduction of legacy appeals inventory in the remand decision stage to a

working inventory. VBA defines *working inventory* as legacy appeals remand decisions that are currently in process, plus those newly received from the Board.

VBA's other benefit offices provide the following status reports on legacy appeals processing:

In FY 2020, VBA formed a specialized workgroup to monitor and track the non-remand legacy appeals in the non-C&P business lines. VBA utilized data sharing and focused communications to ensure progress towards elimination of legacy appeals.

As of June 30, 2020, there were 958 legacy appeals pending at Pension Management Centers (PMC), which is a 65% reduction of legacy appeals since October 1, 2019. As of June 30, 2020, pension had 34 NODs, 20 Form 9s, and 904 remand decisions pending with VBA. Additionally, there are 248 pending legacy appeals with one or more pension-related issues that are assigned to ROs and not PMCs.

As of June 30, 2020, the Fiduciary Program has eliminated all legacy appeals in the NOD, Form 9 and remand stages.

As of June 30, 2020, Insurance Service has eliminated all legacy appeals in the NOD and Form 9 stages, i.e., all non-remand legacy appeals inventory. Sixteen remands remain pending with Insurance Service.

As of June 30, 2020, Education Service has 31 legacy appeals pending, which is an 86% reduction of legacy appeals since October 1, 2019. As of June 30, 2020, Education Service has eliminated all legacy appeals in the NOD and Form 9 stages with 31 remand decisions pending with VBA.

As of June 30, 2020, Veterans Readiness and Employment Service, formerly known as the Vocational Rehabilitation and Employment Service, (VR&E) has 58 legacy appeals pending, which is a 52% reduction of legacy appeals since October 1, 2019. As of June 30, 2020, VR&E had zero NODs, one Form 9 and 57 remand decisions pending with VBA.

As of June 30, 2020, Loan Guaranty Service (LGY) has eliminated all legacy appeals in the NOD and Form 9 stages and had 12 remand decisions pending with VBA. VHA continues to collaborate with the Board and the other Administrations to address legacy appeals inventory. VHA business lines realigned resources in order to eliminate legacy appeals inventory while continuing to process claims in a timely manner. All legacy appeals are being tracked through the Veteran Appeals and Control Locator System (VACOLS) by stage and business line. VHA continued progress on drawing down legacy appeals inventory, reducing it to 2,262 by June 30, 2020.

NCA continues to process legacy appeals still pending in VACOLS. NCA estimates the inventory will be nearly eliminated by the end of FY 2020.

Section 3(a)(2) – Implementing the New Appeals System

(2) implementing the new appeals system;

On February 19, 2019, VA successfully implemented the modernized system, as outlined in P.L. 115-55. To successfully implement the AMA, each Administration modified applicable policy and procedures; updated forms, letters and regulations; and trained all affected employees on the new process.

In January 2020, the Board established the Office of the Clerk of the Board. Headed by a VLJ assisted by several counsel, the Clerk's Office was established to ensure the proper docketing of AMA appeals and to serve as an internal resource as the Board transitions from legacy to AMA appeals. The Clerk's Office provides training and guidance for administrative staff charged with docketing AMA appeals, answers complex legal questions from Board judges and counsel related to AMA docketing and jurisdiction, creates AMA letter templates for Board staff and assists Board management with AMA implementation. The Clerk's Office also works to identify and correct AMA docketing errors, improve Board training around AMA issues and assists VA IT professionals in refining the technological tools used by Board staff to process AMA appeals. To date, the Clerk's Office has answered over 2,400 unique inquiries from VLJs and counsel regarding AMA issues.

The Board continues to execute its change management plan. It has conducted the following key activities:

- Held multiple trainings with internal and external stakeholders, including VSOs and advocate partners, to provide information and guidance on appeals modernization and to enhance the flow of appeals at the Board;
- Distributed periodic e-mail communications highlighting important AMA updates, trainings, tips and activities to Board personnel;
- Published monthly internal newsletters with sections dedicated to communicating ongoing changes, sharing AMA updates and celebrating milestones;
- Collaborated with VHA's National Center for Organizational Development to prepare managers and leaders to coach Board staff through AMA changes;
- Had regular collaboration between Knowledge Management (KM), Quality Review and the Clerk of the Board on new training materials for New Attorney Bootcamp and Board-Wide Trainings;
- Hosted town halls to emphasize to Board employees the value of AMA and the procedural and organizational changes associated with its implementation;
- Shared progress updates with VA Administrations to ensure appropriate alignment, synchronization and integration of change management efforts;
- Implemented a social media strategy for the Office of the Chairman that included AMA messaging and updates; and
- Continued to collaborate with SharePoint developers to improve the layout and framework of the Board's internal SharePoint site, which houses AMA materials in a central repository.

As previously reported, the Board collaborates with the Veterans Experience Office (VEO), to administer a VSignals customer experience survey to Veterans who have an active appeal at the Board. These surveys provide valuable insight into Veteran experiences at various stages of the appeals process, both legacy and AMA. The compiled survey results provide the Board with important comparative data regarding Veteran experiences in both appeals systems. The Board continues to use survey data and service recovery principles to revise its letters and decisions to provide better information and clarity to Veterans.

As stated in the August 2019 report, VBA's benefit offices successfully implemented AMA and provided the necessary policy and procedural guidance and training to all impacted employees. Benefit offices continue to assess the new claims system and make process improvements to maintain the effectiveness and efficiency of the program. For example, Compensation Service is currently working to extend Intent-to-File rights to supplemental claims beyond 1 year from the decision date with an anticipated implementation in the first quarter (Q) of FY 2021.

VBA continues to develop a VSignals customer experience survey to measure satisfaction and understanding of the new system. VA plans to deploy the survey to Veterans at appropriate stages in the process in order to observe the overall experience of the Veteran with VBA's decision review process. The results of the survey will help VBA to further refine relevant processes. Following survey implementation, VBA will use survey results to engage in service recovery and process improvements.

VHA worked closely with VA's Office of General Counsel (OGC) and the Board to implement AMA. VHA program offices created process models and developed the guidance necessary to implement the three options available to claimants under the new law.

VHA published its proposed Appeals Modernization regulation AQ44(P) in February 2020 and is working to publish the final rule.

VHA adapted VBA and Board explanatory and training materials to address the unique needs of each VHA workstream. VHA continues to update VHA Directive 1032, *Health Benefits Appeals Processing* and VHA Directive 1041, *Appeal of VHA Clinical Decisions*, to accommodate AMA requirements and cleanly bifurcate clinical and non-clinical review processes. Only non-clinical decisions may be reviewed at the Board.

VHA is working with the Board to establish an efficient method of transferring files to replace the legacy process of mailing paper files. It has taken initial steps toward implementation of centralized VHA appeals management, designed to improve the quality and timeliness of VHA decision reviews.

NCA leveraged VBA-created training to educate all levels of its Field Programs to understand the impact of AMA. NCA dedicated personnel to process HLRs and supplemental claims.

The Central Mail Portal (CMP) is being triaged by leadership until administrative support is adequately trained to take over the function. Until NCA can upload CMP evidence into the Veterans Benefits Management System (VBMS), all documents must be downloaded into NCA's electronic depository, Feith Document Database.

NCA dedicated personnel to triage and process Supplemental Claims and Higher-Level Reviews. NCA continues to manage the workload on an Excel spreadsheet on a SharePoint site to consolidate information from three business lines' software programs, Burial Operations Support System (BOSS), Automated Monument Application System (AMAS) and Eligibility Office Automation System (EOAS). The three systems will be integrated in the Memorial Benefits Management System (MBMS) by mid-2022. NCA does not yet use the Caseflow software program to track new appeals.

Section 3(a)(3) – Timely Processing Under the New Appeals System

(3) timely processing, under the new appeals system, of—

(A) supplemental claims under section 5108 of title 38, United States Code, as amended by section 2(i);

(B) requests for higher-level review under section 5104B of such title, as added by section 2(g); and

(C) appeals on any docket maintained under section 7107 of such title, as amended by section 2(t).

The Board is concurrently managing appeals in the following six dockets:

- Legacy or AMA appeals that have been advanced on the Board's docket (AOD), or were remanded to the Board by the Court of Appeals for Veterans Claims (CAVC);
- Legacy appeals where a hearing was not requested;
- Legacy appeals where a hearing was requested;
- AMA appeals in the Direct Review lane;
- AMA appeals in the Evidence Submission lane; and
- AMA appeals in the Hearing lane.

As explained in previous updates, the Board continues to prioritize AOD appeals and CAVC remands; legacy appeals; and AMA appeals in the Direct Docket lane. Appeals from all six Board dockets are assigned to VLJs for adjudication using a sophisticated case distribution algorithm, which ensures active appeals are assigned in priority order, while ensuring that appeals are decided across all lanes.

AMA was intended, in part, to reduce the Board's remand rate by closing the record, and it has succeeded. From October 1, 2019, to June 30, 2020, 46.1% of the Board's legacy appeals issues were remanded compared to only 30.5% of AMA appeals issues. At the same time, the Board's grant rate by issue was higher in AMA appeals at approximately 23.4% while the legacy grant rate was 19.6%.

Since the implementation of AMA, the Board is meeting its 365-day timeliness goal for processing Direct Docket appeals. In FY 2019, 1,214 Direct Docket appeals were dispatched with average days to complete (ADC) of 142 days. Through the end of June 2020, the Board completed 10,074 Direct Docket appeals with an ADC of 215 days.

Through the end of June 2020, the average days pending (ADP) for an appeal in the AMA Evidence Submission docket was 203, and the ADP for the AMA Hearing Docket was 275. These are affected by the total number of both legacy and AMA appeals the Board receives. As the number of legacy appeals received at the Board increases, this impacts the Board's ADC for the AMA appeals. As VBA is moving to resolving the remaining legacy appeals including remand decisions, the Board is evaluating Veteran choice and modeling behavior as well as timeliness to inform targets for AMA Evidence and Hearing Docket appeals by the end of Q2, FY 2021. The Board continues to inform the VSO community of current ADC for each Board lane.

The Board's Office of Quality Review (QR) transitioned from reviewing test program cases to a full, separate accuracy program for AMA appeals for FY 2020. QR and the Office of Knowledge Management (KM) have provided extensive training for VLJs and attorneys both on the fundamentals of AMA appeals and potential approaches to complex legal issues inevitably created by modernization. This training has continued, despite the COVID-19 pandemic, through the preparation of multiple online tools and resources for judge and attorney use in properly implementing and applying the AMA.

With implementation of the AMA, as previously reported in the February 2020 report, VBA has two distinct C&P workloads (legacy appeals and AMA decision reviews) for its approximately 2,100 appeals FTE. VBA's current target is to reduce C&P legacy appeals inventory to a working inventory, as defined in section 3(a)(1).

Due to VBA's accelerated reduction strategy, at the end of FY 2020, VBA projects it will require approximately 1,291 dedicated FTE to reduce current pending VBA remand inventory to a working inventory level. The 728 FTE currently assigned to the Decision Review Operations Centers (DROC) in the St. Petersburg and Seattle ROs process compensation HLR claims, duty-to-assist error corrections (returned due to errors in assisting claimants with obtaining evidence needed to support their claims), Board AMA full grants and Board AMA remand decisions.

VBA's goal is to maintain processing timeliness of an average of 125 days to complete AMA workload (*i.e.*, HLRs and supplemental claims). Overall timeliness for completing AMA workload at VBA from AMA implementation on February 19, 2019, through June 30, 2020, was approximately 69.3 ADC. This processing time remains well below the 125-day goal for ADC.

For the same period, ADC for HLRs was approximately 62 days with 61,241 completions. ADP for HLRs was 69.6 days for a pending inventory of 29,400 claims. For supplemental claims, ADC was 71 days with 266,504 completions, and ADP was 104.1 days for a pending inventory of 64,413. The first graph in Figure 4 provides the monthly

breakdown for completions and ADC for HLRs and supplemental claims. The second graph provides the monthly breakdown for pending inventory levels and ADP for HLRs and supplemental claims.

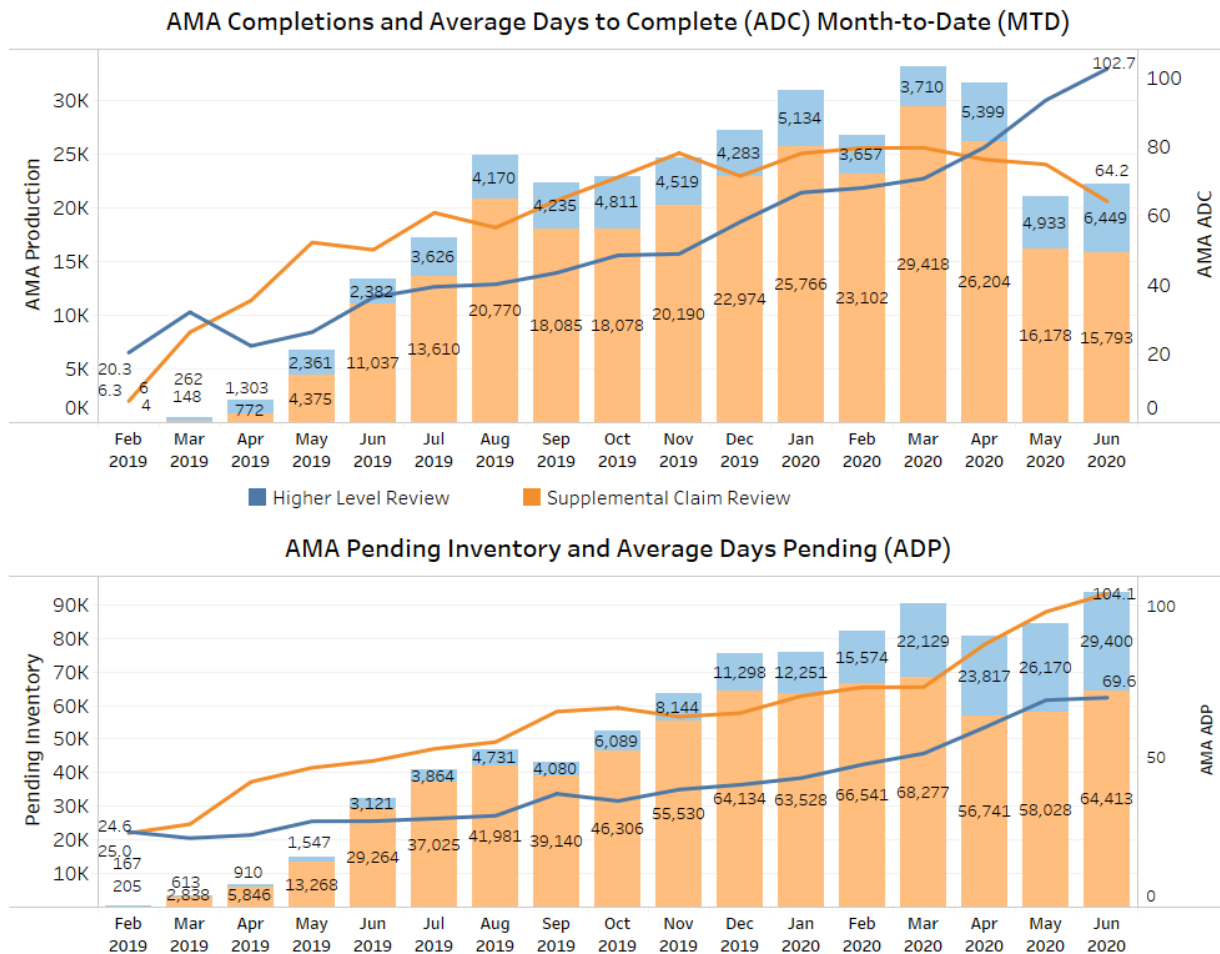


Figure 4. VBA Monthly AMA Completions and Inventory – February 2019 through June 2020

VBA continues to review data, manage risks and model multiple scenarios to allocate resources to timely process claims under the modernized decision review process. Additionally, VBA’s Compensation Service and Pension and Fiduciary (P&F) Service, along with OAR, collaborate to ensure claims processors have the necessary guidance, training materials and systems functionality to process claims in an efficient manner that aligns with the 125-day ADC timeliness goal. For example, electronic notification of the statutory duty-to-assist is now available on the proposed supplemental claim form, which is anticipated to reduce development time to manually send these statutory letters and expediate the processing of these claims.

Specific to the other VBA benefit programs:

Insurance Service has established a goal to complete HLRs and supplemental claims in an average of 30 days or less. During the January 1, 2020, through June 30, 2020, reporting period, Insurance Service completed 11 HLRs within an average of 28 days. During the same period, 23 supplemental claims were completed within an average of 18 days.

Education Service set additional internal goals of processing all HLRs in an average of 45 days or less and supplemental claims in an average of 60 days or less. In FY 2019, the ADC for HLRs was approximately 25.1 days; for supplemental claims it was 20.8 days. During the January 1, 2020, through June 30, 2020, reporting period, the ADC for HLRs and supplemental claims was approximately 20.4 days and 13.3 days, respectively.

During the January 1, 2020, through June 30, 2020, reporting period, VR&E completed 94 HLRs in an average of 78 days. During this same period, VR&E processed 55 requests for supplemental claim reviews in an average of 55.6 days. These processing times are significantly shorter than VR&E's goals for processing HLRs within 90 days and supplemental claims within 125 days. As of July 1, 2020, VR&E continues to maintain timely processing of AMA requests for HLR and supplemental claims.

During the January 1, 2020, through June 30, 2020, reporting period, LGY processed 46 HLRs and 35 supplemental claims within an average of 4.6 days and 3.7 days, respectively. LGY's timeliness requirement is 7 days per VBA's Guaranteed Loan Processing Manual, M26-1, Chapter 8, Appeals.

VHA continues to track appeals volume, inventory and timeliness. This data allows VHA managers to adjust staffing and priorities, as needed, to maintain timely processing of post-decision reviews in the new system.

NCA tracks timely processing with an Excel spreadsheet on a SharePoint site. NCA is adequately staffed to handle the new appeals system claims volume.

Section 3(a)(4) – Monitoring Metrics and Goals of the New Appeals System

(4) monitoring the implementation of the new appeals system, including metrics and goals—

- (A) to track the progress of the implementation;*
- (B) to evaluate the efficiency and effectiveness of the implementation; and*
- (C) to identify potential issues relating to the implementation.*

The Board is adjudicating AMA appeals across all lanes while prioritizing the adjudication of legacy appeals. From October 1, 2019, through June 30, 2020, 46.1% of the Board's legacy appeals issues were remanded compared to only 30.5% of AMA appeals issues. At the same time, the Board's grant rate by issue was higher in AMA appeals at approximately 23.4% while the legacy grant rate was 19.6%.

VBA has no substantive updates since the February 2020 report. VBA's implementation of AMA has concluded, and the program is successful; therefore, VBA has no further updates.

VHA has established a small centralized Claims and Appeals Modernization Office inside VHA Central Office (CAMO). VHA CAMO is working with affected program offices, other VHA stakeholders, the Board, VBA, the Office of Information and Technology (OIT) and OGC to create and enhance systems and processes to monitor quality and efficiency of modern appeal operations and VHA adherence to claim processing revisions made as a result of AMA. VHA CAMO is also assessing the feasibility of developing and implementing Enterprise-wide health care benefit appeal procedures, consistent with AMA and other legal authorities.

The VHA integrated project team (IPT) provides oversight and collaboration among business lines to ensure adherence to VA's Enterprise-wide integrated master schedule (IMS) project plan and timelines. Each respective program office manages matters regarding decentralized processes, oversight and accountability, data management and business line specific processes. VHA is collecting data to establish adequate metrics and revise current goals for the new system.

Prior to AMA, 3% of NCA denial decisions required appeal activity. Post AMA, the total number of requests for Supplemental Claims and Higher-Level Reviews is only 1% of the total denials. NCA improved the process for scheduling and completing informal conferences which will dramatically improve the timeliness.

Plan Elements

The following sections provide information on each element of the comprehensive plan as required in sections 3(b) through 4(a)(2) of the Act.

Sections 3(b)(1) & (2) – Resource and Personnel Requirements

(1) Delineation of the total resource requirements of the Veterans Benefits Administration and the Board of Veterans' Appeals, disaggregated by resources required to implement and administer the new appeals system and resources required to address the appeals of decisions on legacy claims.

(2) Delineation of the personnel requirements of the Administration and the Board, including staffing levels during the—

(A) period in which the Administration and the Board are concurrently processing—

(i) appeals of decisions on legacy claims; and

(ii) appeals of decisions on non-legacy claims under the new appeals system; and

(B) period during which VBA and the Board are no longer processing any appeals on legacy claims.

The Board continues to monitor resource and personnel requirements as it receives and adjudicates cases from both legacy and AMA appeals systems. As of June 30, 2020, there were 201,659 legacy appeals remaining in the Department, 109,969 of which were located at the Board, 9% higher than the Board's projection. As of the end of June 2020, approximately 78% of the Board's staff were dedicated to its primary mission of writing and signing decisions under both systems, with another 14% of staff directly supporting appellate operations (*i.e.*, case intake, hearing scheduling and case dispatch). With a goal of 1,190 cumulative FTE by the end of FY 2020, the Board projects a breakdown of approximately 102 VLJs, 850 decision-writing attorneys and 238 appellate operational support and administrative staff.

In the February 2020 update, the Board projected that AMA adjudications would account for at least 10% of resources associated with attorney and VLJ workflow in FY 2020, with the remainder dedicated to processing legacy appeals. Through June 2020, the estimated resources dedicated to administering AMA appeals was 17%, and 83% for legacy. As VBA completes their work on legacy appeals, including legacy appeals remands, the proportion of AMA appeals that are distributed by Caseflow based upon predefined parameters is expected to return to approximately 10% as projected. The anticipated delineation of resources may change as the Board obtains additional data.

As previously reported, in FY 2019 VBA hired 605 FTE to assist in the reduction of VBA's legacy appeals inventory and to adjudicate AMA claims. The hiring increased available resources for processing compensation and pension appeals and AMA HLRs from 1,495 to 2,118 FTE (includes an authorized float). VBA designated 1,290 FTE toward the processing and oversight of legacy appeals. Some 728 FTE are dedicated to administering decisions in the new claims system—specifically HLRs and duty-to-assist error corrections identified under the HLR and Board lanes.

VBA mostly eliminated its NOD and Form 9 stage inventories in July 2020 and will significantly reduce its remand inventory by Q2, FY 2021. At that time, VBA projects that it will need 1,095 FTE to address VBA HLRs, HLR returns, AMA Board remand decisions, AMA Board grants, incoming legacy Board remand decisions and incoming legacy Board grants.

As previously reported, VHA completed a comprehensive assessment of the resources currently used to process appeals and continues to assess the resources needed to manage and process legacy claims and transition to the new system. This includes claims under former 38 U.S.C. §§ 1703 (authorized care), 1728 (unauthorized emergency treatment for service-connected conditions) and 1725 (unauthorized emergency treatment for nonservice-connected conditions). VHA identified and is addressing multiple resource needs, including dedicated staff, regulatory and procedural guidance and IT modifications.

VHA's Office of Community Care/Payment Operations Management, which is responsible for most VHA appeals, has consolidated appeals processing at select sites and has dedicated staff to appeals processing. VHA will use current and future appeals data and execute time studies to better determine the number of FTE needed to manage appeals under both the legacy and new systems.

VHA's Claims and Appeals Modernization Office partners with other VHA business lines to establish more streamlined appeals processes in their functional areas, as well as increased transparency and accountability. NCA delineated personnel to address legacy appeals and AMA Supplemental Claims and Higher-Level Reviews. As the inventory of legacy appeals depletes, personnel will be assigned other workload. NCA would use Caseflow if the system could be integrated with NCA software.

Section 3(b)(3) – Legal Authorities for Hiring and Removing Employees

(3) Identification of the legal authorities under which the Administration or the Board may—

(A) hire additional employees to conduct the concurrent processing described in paragraph (2)(A); and

(B) remove employees who are no longer required by the Administration or the Board once the Administration and the Board are no longer processing any appeals of decisions on legacy claims.

The Board and VBA have no substantive updates to prior reports. Both VBA and the Board will continue to monitor resource requirements and adjust plans as necessary pursuant to applicable legal authorities as originally provided.

NCA has proposed Appeals Team position realignment due to reductions in incoming appellate mail.

Section 3(b)(4) – Estimated Time for Hiring Employees

(4) An estimate of the amount of time the Administration and the Board will require to hire additional employees as described in paragraph (3)(A) once funding has been made available for such purpose, including a comparison of such estimate and the historical average time required by the Administration and the Board to hire additional employees.

The Board continues to onboard new personnel to meet its hiring goal of 1,190 cumulative FTE by the end of FY 2020. Due to COVID-19, the Board began onboarding new employees virtually since May 10, 2020. This process has been working well and the Board onboarded 63 new employees between May 10 and June 30, 2020. As of the end of June 2020, the Board is reporting 1,142 cumulative FTE, and has 91 applicants who have accepted tentative offers for future employment. The Board projects it will complete the majority of its hiring between June and September 2020.

VBA has no substantive updates since the prior report. VBA completed all required hiring actions and has no further updates to this section of the report. VHA has no substantive updates to prior reports. NCA estimates the Appeals Team will be properly sized by the end of FY 2020.

Section 3(b)(5) – Higher-Level Adjudicator Training and Experience Requirements

(5) A description of the amount of training and experience that will be required of individuals conducting higher-level reviews under section 5104B of title 38, United States Code, as added by section 2(g).

VBA has no substantive updates to prior reports. VBA completed all required HLR adjudicator training development and has no further updates to this report. VHA and NCA have no substantive updates to prior reports.

Section 3(b)(6) – Estimated Percentage of Higher-Level Adjudicators Who Were Decision Review Officers

(6) An estimate of the percentage of higher-level adjudicators who will be employees of the Department of Veterans Affairs who were Decision Review Officers on the day before the new appeals system takes effect or had experience, as of such date, comparable to that of one who was a Decision Review Officer.

VBA has had no substantive updates since the November 2018 report. VBA's implementation of AMA was successful. VHA and NCA have no substantive updates to prior reports.

Section 3(b)(7) – Decision Review Officer Functions in New System

(7) A description of the functions that will be performed after the date on which the new appeals system takes effect by Decision Review Officers who were Decision Review Officers on the day before the date the new appeals system takes effect.

In March 2020, VBA established a Decision Review Officer (DRO) position description IPT. The IPT performed a job task analysis to design and craft a new position description applicable to the modernized decision review process. The job task analysis confirmed that the core duties of the position remain similar to the former DRO position. However, the updated position description will reflect modernized notification requirements and responsibilities related to the adjudication of HLRs.

In coordination with updating the DRO position description, VBA is currently evaluating the DRO performance standards for necessary updates, including critical rating elements. The performance standards will align with the decision review process under the new system while considering the residual legacy appeals from the old system. The

target implementation date for the updated DRO position description and performance standards is FY 2021.

VHA and NCA have no substantive updates to prior reports.

Section 3(b)(8) – Training Identification and Timeline

(8) Identification of and a timeline for—

(A) any training that may be required as a result of hiring new employees to carry out the new appeals system or to process appeals of decisions on legacy claims; and

(B) any retraining of existing employees that may be required to carry out such system or to process such claims.

The Board provides comprehensive training to all new decision-writing attorneys and law clerks during their first 12 weeks at the Board. Administrative support staff are trained by their managers. The Board's KM Office provides recurring Board-wide training on AMA. KM provided targeted and interactive training for the Mail and Intake Branch and is developing training for all other administrative staff that covers both legacy and AMA appeals. The Board closely monitors trends in the types of errors identified by its Quality Review Office and uses this data to pivot and provide training and guidance in real time.

Since the February 2020 report, VBA's benefit offices have continued to assess the training needs of employees assigned to process claims under the new decision review process and legacy appeals system.

To address VBA's legacy appeals, OAR created and instructed the following six training courses in February 2020: (1) Overview of Legacy Appeals; (2) Notice of Disagreement (NOD); (3) DRO Review Process; (4) Hearings; (5) Statement of the Case and Supplemental Statement of the Case; and (6) Substantive Appeals.

To address HLRs in VBA's new decision review process, OAR updated the content of five AMA training courses in April 2020 and assigned them as FY 2020 mandatory training to DROCs. OAR also continues to automatically assign these courses to newly hired Veterans Service Representatives (VSR) and Rating Veterans Service Representatives (RVSR) upon completion of new hire training as part of the After Challenge Training (ACT) curriculum.

Specific to other VBA benefit programs, on March 19, 2020, VR&E Service provided refresher training to VR&E field staff to provide information on how to issue appropriate and complete decision letters that meet AMA notification requirements.

LGY is developing AMA refresher training for all Loan Production staff, which LGY anticipates delivering by October 1, 2020. The training objectives include review of the HLR and supplemental claims processing and highlight of the proper appeals modernization workflow to ensure Veterans obtain their appeal rights. LGY also added

an appeals modernization training course for LGY Specially Adapted Housing (SAH) agents. SAH Policy staff will conduct refresher training during FY 2020 as part of its regular annual training requirements.

As previously reported, each of VHA's appeals processing business lines adapted and disseminated VBA and the Board's explanatory and training materials to the unique needs of their workforce. VHA CAMO is also assessing the feasibility of developing and implementing Enterprise-wide health care benefit appeal procedures, consistent with AMA and other legal authorities.

NCA has no substantive updates to prior reports.

Section 3(b)(9) – Costs of Training

(9) Identification of the costs to the Department of Veterans Affairs of the training identified under paragraph (8) and any additional training staff and any additional training facilities that will be required to provide such training.

As discussed in previous updates, the Board does not anticipate additional training costs resulting from AMA.

VBA has had no substantive updates since the May 2018 report. VBA will no longer provide updates to this section of the report since VBA met the reporting requirements.

VHA and NCA have no substantive updates to prior reports.

Section 3(b)(10) – Modifications to Information Technology Systems

(10) A description of the modifications to the information technology systems of the Administration and the Board that the Administration and the Board require to carry out the new appeals system, including cost estimates and a timeline for making the modifications.

All IT system enhancements necessary for a Minimal Viable Product (MVP) to support AMA have been deployed.

The Enterprise Program Management Office (EPMO) manages and maintains VA's core claims processing system, VBMS. The VBMS team continues to be on track to meet all milestones and deliverables. The team has provided numerous enhancements in support of AMA and delivered increased functionality with the September 2019 (17.1), December 2019 (18.0) and May 2020 (18.1) VBMS Releases. The May 2020 VBMS deliverables were received on schedule.

Caseflow is intended to replace VACOLS. Development activities for Caseflow have transitioned to OIT under the Benefits and Memorial Services portfolio. Engineering and development teams for Caseflow and VBMS continue to work very closely together, in

conjunction with business teams from the Board, to develop a fully-integrated solution to meet the needs of AMA.

In early FY 2018, the Chairman of the Board inquired whether OIT could build virtual tele-hearing technology utilizing existing tele-health capabilities. After investigation, OIT, in May 2018, advised that it could do so. OIT, collaborating closely with Board staff, worked to utilize the existing tele-health technology to make virtual tele-hearings a reality and incorporate this technology into Caseflow. A test of Generation 1 technology was conducted between July 2019 and September 2019. Some Generation 2 technology is now being tested for allowing integration into Caseflow for easier use, including simplified scheduling and a one-click solution for recording Virtual Hearings. This functionality was tested between April and May 2020. In May 2020, Generation 2 technology deployed into production allowing for nationwide access to virtual hearing technology within Caseflow Hearing.

In November 2019, VEText functionality was added to Caseflow Hearing, enabling hearing reminders to be sent to appellants through text message.

Caseflow Hearing's geo-matching functionality was updated to ignore state boundaries when identifying the closest RO to the appellant. This update provides appellants the opportunity to travel to a closer RO to attend hearings.

Development of the Appeals Resource Management System (ARMS) has been completed and was deployed to Production in February 2020. ARMS is a relational database and associated web application that enables the Board to strategically manage resource data and assist in workforce planning efforts. An additional component of the ARMS contract includes Tableau Reporting that allows the Board, as end-users with appropriate ARMS application permissions, to utilize these Tableau reports for a view into the volume of appeals cases being worked by attorneys and judges and tracking of metrics related to appeals cases.

Tableau reports display pertinent appeals data through the interface with the Caseflow application. Tableau will provide reports to provide additional human resource information for tracking Board activity. A dashboard allows users to search and modify Veteran records as needed. For historical reference, these Tableau reports are stored in a SharePoint repository as they are created. The 3-year Authority to Operate (ATO) was received in January 2020, and all Help Desk requirements will be delivered, including knowledge articles and ticketing for service issues.

VHA is collaborating with OIT and the Board to identify IT requirements for a long-term goal of creating a unified desktop that can be used to access the information and evidence necessary to process claims and appeals. VHA has also determined that significant requirements for Caseflow Intake are necessary before it can be used to efficiently and effectively manage VHA review and appeals workload or generate VHA workload statistics. VHA will continue to use its current systems to process both legacy

and AMA appeals until Caseflow Intake is sufficiently enhanced and a fully integrated system is developed.

Section 3(b)(11) – Estimate of Office Space by Phase

(11) An estimate of the office space the Administration and the Board will require during each of the periods described in paragraph (2), including—

(A) an estimate of the amount of time the Administration and the Board will require to acquire any additional office space to carry out processing of appeals of decisions on legacy claims and processing of appeals under the new appeals system;

(B) a comparison of the estimate under subparagraph (A) and the historical average time required by the Administration and the Board to acquire new office space; and

(C) a plan for using telework to accommodate staff exceeding available office space, including how the Administration and the Board will provide training and oversight with respect to such teleworking.

The Board's robust telework program has allowed the Board to maintain its physical footprint despite almost doubling FTE over the last 5 years. Prior to COVID-19, the Board had adopted several space management efficiencies, including the following: (1) sharing office space for Board personnel who work remotely 50% or more of the time; (2) converting underutilized space to workspace; (3) using memoranda of understanding (MOU) to secure additional space within the building; and (4) implementing flexible telework and remote work programs. In response to COVID-19, the Board successfully transitioned 99% of its personnel to remote operations without a decrease in decisions issued to Veterans, although the Board's ability to conduct hearings was impacted by pandemic-related public contact closures of ROs and other facilities.

VBA has had no substantive updates related to office space since the November 2018 report. VHA does not anticipate additional office space requirements. If necessary, VHA has a robust telework and virtual work program to meet any additional demands. NCA has no substantive updates to prior reports.

Section 3(b)(12) – Projections for the Productivity of Individual Employees

(12) Projections for the productivity of individual employees at the Administration and the Board in carrying out tasks relating to the processing of appeals of decisions on legacy claims and appeals under the new appeals system, taking into account the experience level of new employees and the enhanced notice requirements under section 5104(b) of title 38, United States Code, as amended by section 2(e).

Board decision output is above projected levels, as the Board has shifted resources from conducting hearings to issuing decisions in the wake of COVID-19 closures. The Board's annual output goal for FY 2020 is 91,500 decisions. This goal took into account that FY 2020 was to be a baseline year for the Board to focus on the following:

(1) resolving legacy appeals; (2) holding a higher percentage of scheduled hearings; and (3) working all three dockets of AMA cases in a timely manner. With 79,073 decisions dispatched through June 2020, the Board is 17.4% (11,747 decisions) above the pace required to meet its goal of 91,500 decisions in FY 2020. Of the 79,073 cases dispatched, 65,713 were legacy cases and 13,360 were AMA. Due to COVID-19, the Board was not able to hold a higher percentage of scheduled hearings but was able to focus on the other two objectives.

The Board's senior leadership continually monitors output goals and changes in environment to help make decisions about these goals. Individual output goals are related to the Board's overall organizational goals for cases and issues decided, and they are set to ensure organizational goals can be achieved. Congress, the public and the Veterans expect that the Board will use the resources it is given to efficiently and accurately adjudicate all appeals for as many appellants as possible. To account for lower issues for decision averages in the first half of FY 2020, the Board slightly revised attorney decision output standards on April 17, 2020, retroactively effective beginning on October 1, 2019.

Initial comparisons show differences in the number of issues for each case (3.0 legacy/2.4 AMA), however there is not sufficient data to determine individual output difference between the two systems as employees work multiple cases from both systems at any one time.

VBA projects output for C&P legacy claims using completions (FTE per FY). As previously reported in the February 2020 report, *completions* are actions that move claims to the next stage in the process, and may include resolutions, which are actions that end the claim. Based on 211,707 completed actions from the beginning of FY 2020 through June 30, 2020, the actual legacy appeals completions per FTE is 245, which includes 112 resolutions per FTE. Productivity per FTE increased approximately 25% when compared to FY 2019 for both completions and resolutions. The estimated annual productivity per FTE under the new process is 205 HLRs or 200 supplemental claims. VBA continues to review AMA data to identify output trends.

Figure 5 depicts projected AMA review inventory from FY 2020 through FY 2024 (*i.e.*, HLR and Supplemental Claim duty-to-assist errors) and legacy appeals inventory from FY 2020 through FY 2021 based on current staffing and productivity. This model includes numerous factors that could alter forecasts, such as the opt-in rate, refile rate, Board remand rate and allocation of staffing, which is shown in the shift in projections from the February 2020 report.

VBA expects to reduce legacy inventory in the remand stage to a working inventory in FY 2021, as defined in section 3(a)(1) above, despite the anticipated receipt of approximately 40,000 legacy remand decisions from the Board from FY 2020 to FY 2022 with additional residual remand decisions beyond FY 2022 until eventual elimination.

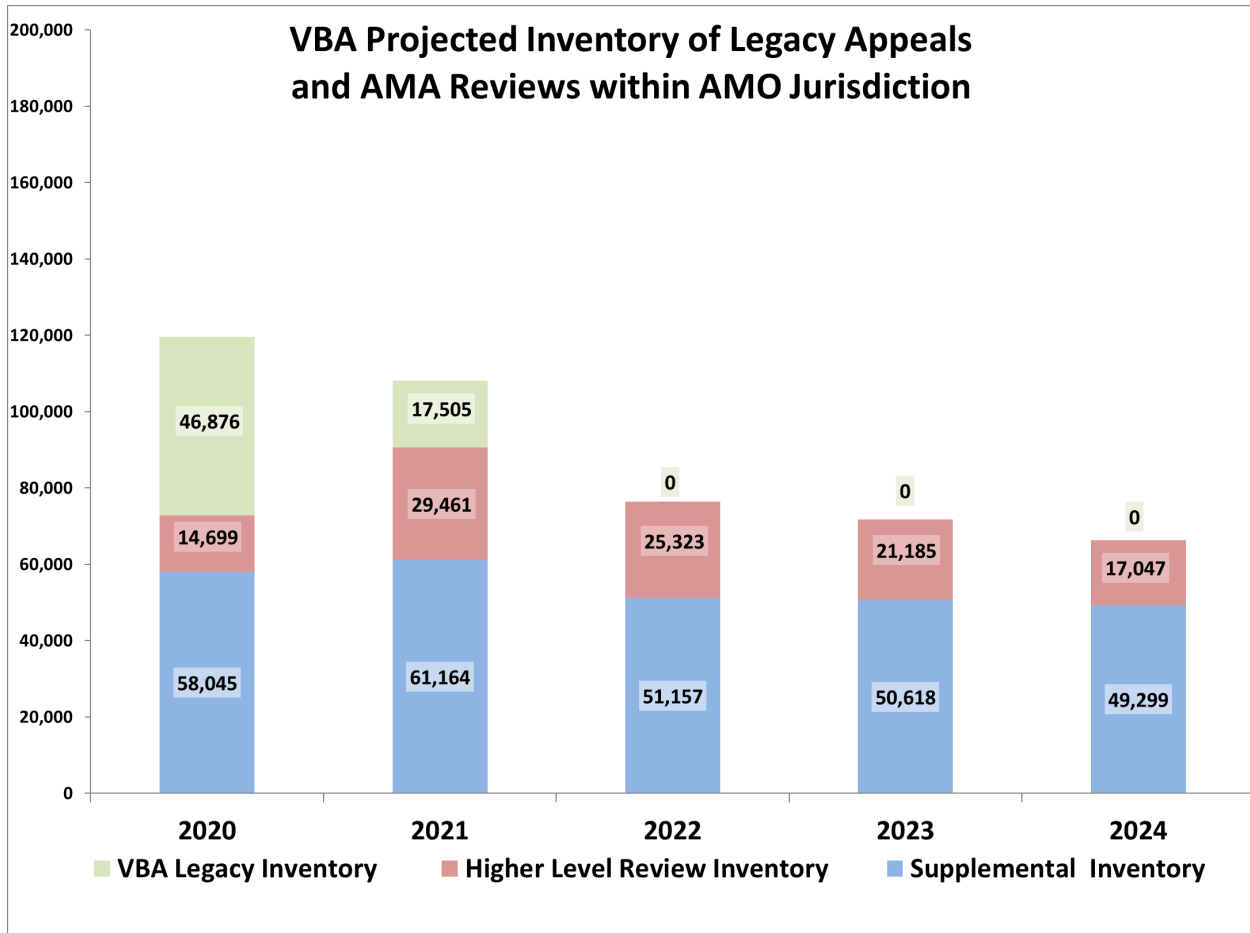


Figure 5. VBA Projected Appeals Inventory – FY 2020 through FY 2024

Education Service and LGY Service did not have any substantive updates to report. VBA’s other individual benefit offices report on output updates below.

In addition to the overall projections noted previously for C&P benefits, other individual benefit offices report on output updates below.

The impact of the changes on the output of Insurance employees has been minimal. Employees who currently handle legacy claims are the same employees who handle claims under the new process. All employees who primarily handle claims under the new process are experienced and have received training specific to their positions and roles. Insurance Service continues to monitor the impact of the new process on output and will adjust resources accordingly.

VR&E field staff continue to ensure pending legacy claims are handled in a timely manner. For this reporting period, VR&E reduced actionable pending legacy claims under its jurisdiction from 104 to 58. VR&E field staff are actively working with claimants on the process to opt-in to the new decision review process, if applicable, to reduce the number of legacy appeals moving forward. As a result, only 1 of the 58 legacy appeals

are in the pre-certification to Board phase of the legacy appeal process; the remaining 57 legacy appeals are remand decisions from the Board to the RO for processing. VR&E will continue to actively target remand decisions for completion until all legacy appeals are resolved.

As for the enhanced notification requirements provided in 38 U.S.C. § 5104(b), VR&E developed several letters for VR&E field staff use to ensure notification letters meet the intent and requirements of the law. In addition, these letters include drop-down functionality to ensure that issues, as well as statutory and regulatory requirements, are accurately and consistently identified. These letters auto-populate other required elements, such as how to gain access to the evidence used when making the decision and information on next steps if the claimant disagrees with the decision.

All LGY legacy claims continue to be processed by experienced Loan Specialists in the Atlanta Regional Loan Center (RLC). The processing of HLRs and supplemental claims under the new system are completed by all eight RLCs.

VHA is still collecting baseline data to establish adequate metrics and revise current goals for the modernized system.

NCA is measuring employee output to determine a proposed performance standard update before the end of FY 2020.

Section 3(b)(13) – Outreach Plan

(13) An outline of the outreach the Secretary expects to conduct to inform veterans, families of veterans, survivors of veterans, veterans service organizations, military service organizations, congressional caseworkers, advocates for veterans, and such other stakeholders as the Secretary considers appropriate about the new appeals system, including—

- (A) a description of the resources required to conduct such outreach; and*
- (B) timelines for conducting such outreach.*

The Chairman of the Board continues to promote, educate, train and inform Veterans and stakeholders about AMA. The Chairman hired a VSO/Stakeholder Liaison to enhance outreach efforts. Prior to COVID-19, the Chairman regularly traveled across the country to engage with various VSOs and stakeholders; participate in speaking engagements; attend conferences and training events; and visit various VA sites. Additional information regarding the Chairman's outreach activities is available in Appendix A.

As previously noted, the Board uses the VSignals customer experience survey with Veterans who have an active appeal at the Board. Since October 1, 2018, a Board-customized survey dashboard allows the Board to track specific comments and observations about Board correspondence, decisions and hearings. The Board receives a monthly report on customer experience trends, as well as free text comments, and

hired full-time staff to manage strategic engagement and customer experience and implement service recovery recommendations.

The Chairman and the Under Secretary for Benefits regularly communicate and share information with Veterans, advocates and other stakeholders through LinkedIn, Facebook and YouTube.

VBA completed its outreach activities associated with implementation of the modernized decision review process. For a list of outreach activities conducted in support of AMA implementation, see Appendix D of the November 2018 report. VBA will continue to provide information on the decision review process to Veterans and other stakeholders through its regularly scheduled outreach activities. VBA continues to assist and inform Veterans about review options using its suite of outreach products: posters, brochures, fact sheets and an informational video. These promotional materials are available on VA's external website: <https://benefits.va.gov/benefits/appeals.asp>.

VBA also looks to understand and measure the Veteran experience to identify and improve internal processes. As previously reported, within VBA, OAR, Compensation Service and the Office of Strategic Initiatives and Collaboration partnered with VA's VEO to develop three VSignals customer satisfaction surveys. The first is centered on the process for filing a decision review with the last two centered on the Decision Review lanes managed by VBA: the HLR and the Supplemental Claim Lanes. The surveys provide VBA an opportunity to ensure customer experience is considered as VBA seeks to improve the overall process. VBA released these surveys in July 2020. VBA is consolidating responses into a real-time dashboard capable of drilling down to specific questions, types of customers or decision review choice. The dashboard provides other means for VA to analyze the information and comments. Following survey implementation, VBA will use survey results to engage in service recovery and process improvements.

VHA and NCA have no substantive update to prior reports.

Section 3(b)(14) – Timeline for Policy Updates

(14) Timelines for updating any policy guidance, Internet Websites, and official forms that may be necessary to carry out the new appeals system, including—

(A) identification of which offices and entities will be involved in efforts relating to such updating; and

(B) historical information about how long similar update efforts have taken.

As previously reported, the Board continued to develop new procedures since implementation of AMA including the Clerk of the Board operations. This occurs in sync with technological updates, training and standard operating procedures. Improvements to the Board's external website, www.bva.va.gov, which contains weekly metrics, the current docket date and information about appeals modernization, are ongoing. The

website also includes a link to the appeals status tracker on VA.gov, which may be found at <https://www.va.gov/claim-or-appeal-status/>.

VBA confirms that all policy and procedural guidance on AMA decision reviews is current. VBA will continue to review policy and procedural guidance for process improvements through its regular maintenance protocols.

VHA's CAMO continues to work with affected VHA program offices, the Board and OGC to revise internal policies and directives, as needed. VHA is updating Directives 1032, *Health Benefits Appeals*, and 1041, *Appeal of VHA Clinical Decisions*. VHA CAMO is also assessing the feasibility of developing and implementing Enterprise-wide health care benefit appeal procedures, consistent with AMA and other legal authorities.

NCA has no substantive updates to prior reports.

Section 3(b)(15) – Timeline for Promulgating Regulations

(15) A timeline, including interim milestones, for promulgating such regulations as may be necessary to carry out the new appeals system and a comparison with historical averages for time required to promulgate regulations of similar complexity and scope.

VBA previously communicated in the August 2019 report that the Final Rule was published on January 18, 2019, and the regulations became effective on February 19, 2019. VBA continues to review regulations for necessary updates for process improvements. VHA published its proposed Appeals Modernization regulation AQ44(P) in February 2020 and is working to publish the final rule. NCA has no substantive updates to prior reports.

Section 3(b)(16) – Outline of “Opt-In” Circumstances

(16) An outline of the circumstances under which claimants with pending appeals of decisions on legacy claims would be authorized to have their appeals reviewed under the new appeals system.

The Board continues to process opt-in requests consistent with statutory and regulatory requirements. Opt-In requests are adjudicated as early-AMA appeals. VBA, VHA and NCA have no substantive updates to prior reports.

Section 3(b)(17) – Key Goals & Milestones for Reducing Legacy Appeals

(17) A delineation of the key goals and milestones for reducing the number of pending appeals that are not processed under the new appeals system, including the expected number of appeals, remands, and hearing requests at the Administration and the Board each year, beginning with the one-year period beginning on the date of the enactment of this Act, until there are no longer any appeals pending before the Administration or the Board for a decision on a legacy claim.

The rate at which the Board’s legacy appeals inventory can be resolved is dependent on a number of factors and variables, such as the rate at which appellants with pending legacy appeals opt into the modernized system and the number of legacy appeals including remand decisions received at the Board from VBA, VHA and NCA.

The Board continues to make progress in reducing the number of legacy appeals. Legacy appeals pending peaked at 158,251 at the end of February 2018 and continued to decrease. In May 2020, the Board saw an increase in the number of legacy appeals as VBA increased its certification rate for Form 9 and remand cases to the Board, as evidenced in Figure 6. The number of legacy appeals at the Board will continue to increase as VBA completes their work on legacy remand appeals.

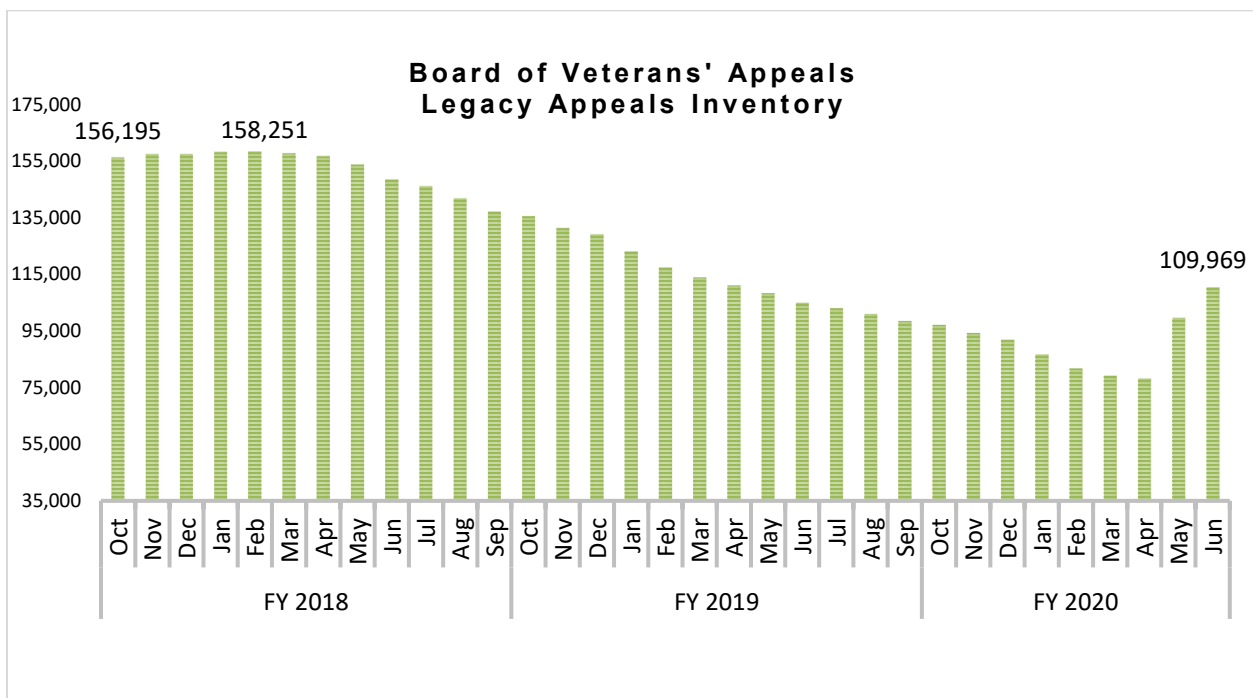


Figure 6. Board Legacy Appeals Inventory – October 2018 through June 2020

In October 2019, VA finalized a plan to resolve legacy appeals, including legacy appeals remand decisions, by the end of calendar year 2022. These projections include a variety of factors and assumptions, such as Veteran appeal rates; legacy appeal receipt rates from VBA, VHA and NCA; preference with respect to what type of appeal a Veteran selects; Veteran refile rates; Board remand rates; output; and FTE levels. Any trends identified in these assumptions that lead to changes in the model can affect what is currently forecasted. See Figure 1 (page 4). Board of Veterans’ Appeals Legacy Inventory Drawdown.

The Board must adjudicate post-remand legacy appeals in addition to new appeals received in docket order. The Board’s remand rate for legacy appeals has ranged from approximately 46.4% to 38.8% from FY 2015 to FY 2020 Q3, as reflected in Table 2.

Since February 2020, 1 year after the last rating decision is issued under the legacy system, no new legacy appeals have been received by VBA.

Table 2. Board Legacy Dispositions – FY 2015 through FY 2020 Q3

Board Legacy Decisions*					
Fiscal Year	Decisions	Allowed	Remanded	Denied	Other
2015	55,713	31.0%	46.4%	19.1%	3.5%
2016	52,011	31.8%	46.0%	18.0%	4.2%
2017	52,661	29.9%	43.5%	21.6%	5.0%
2018	85,288	35.8%	38.8%	20.9%	4.6%
2019	93,571	35.8%	39.0%	20.8%	4.5%
2020 (through Q3)	65,713	34.9%	40.7%	19.4%	5.0%

*The historical reporting system for Board decisions with multiple issues identifies the disposition of an appeal based on the following hierarchy: allowance, remand, denial or other (e.g., dismissals). When there is more than one disposition involved in a multiple issue appeal, the “reported disposition” for Board Statistical Reports will be categorized based on the disposition hierarchy noted above.

The Board continues to reassess its forecasting model for the resolution of legacy appeals by gathering data regarding Veterans’ preferences in the modernized system and COVID-19 impacts to hearings. Such reassessment will enable the Board to ensure the accuracy of the model’s outputs and its utility in VA’s appeals modernization forecasting.

As stated in section 3(a)(1), VBA eliminated the majority of its legacy inventory in the NOD and Form 9 stages in FY 2020 and plans to reduce legacy inventory in the remand stage to a working inventory in FY 2021. VBA is currently dedicating 1,291 FTE across RO appeal teams nationwide and the DROC in Washington, DC, to eliminate legacy appeals.

As of February 19, 2019, upon receipt of a Statement of the Case (SOC) or Supplemental Statement of the Case (SSOC), Veterans may elect to opt-in to an AMA Decision Review lane, rather than remain in the legacy appeals process. From implementation through June 30, 2020, appellants have opted 8,929 legacy appeals into the modernized decision review system. Opt-ins from the legacy process continue to increase month over month, with only 134 received in May 2019 to 1,006 received in June 2020. For modeling purposes, VA calculates an additional 12,500 receipts for FY 2019 through FY 2021. VA will adjust its forecast as it collects additional data.

Specific to other VBA benefit programs:

As previously stated, as of June 30, 2020, there are zero legacy fiduciary appeals pending at fiduciary hubs and 958 pension legacy appeals pending at PMCs. P&F Service will continue to utilize resources in PMCs and fiduciary hubs and anticipates processing all remaining legacy appeals by the end of FY 2020.

As of June 30, 2020, Insurance Service has 16 legacy remand appeals pending. Insurance Service anticipates processing all remaining legacy remand appeals by the end of FY 2020.

Education Service will continue to review and process all pending legacy appeals until every appeal is resolved. Education Service anticipates finalizing the review of its remaining actionable legacy appeals by the end of FY 2020.

VR&E's goal is to eliminate its current inventory of legacy appeals over the next year. To accomplish this task, VR&E started a systematic review and action plan on legacy appeals in February 2018. VR&E regularly issued instructions for processing targeted legacy appeals quarterly to ensure VR&E's role in the legacy appeals system is completed in a timely manner. As a result, the number of actionable legacy appeals under VR&E's jurisdiction has reduced from 104 as noted in the February 2020 report to 58 as of June 30, 2020. Of those, only 1 is in the initial phases of the appeals process; 57 are remand decisions to the RO from the Board for action.

LGY processed all remaining legacy appeals in the NOD and Form 9 stages under the legacy system. As of June 30, 2020, 12 remand decisions from the Board remain pending.

VHA has made progress drawing down legacy appeal inventory, reducing it to 2,262 by June 30, 2020. VHA continues to reassess resource requirements and streamline processes with the goal of eliminating legacy appeals inventory in FY 2020.

NCA anticipates that by the end of FY 2020 nearly all legacy appeals will be processed.

Section 3(b)(18) – Risk Factors

(18) A description of each risk factor associated with each element of the plan and a contingency plan to minimize each such risk.

The Department has identified the following risks and mitigation strategies:

1. Resource Requirements (Section 3(b)(1))

Risk: As previously reported, a modernized IT solution for VHA claims processing is currently not available. VHA adjudication records are maintained in different repositories, in different formats, are not always accessible to authorized individuals

who may have a business need and are not easily accessed by Veterans and other claimants.

Mitigation: VHA will continue to use current IT capabilities until necessary modifications are complete. Because each business line utilizes different IT systems, VHA will not have one standardized system for appeals processing and will continue to transfer files to the Board using current procedures.

2-3. Personnel (Section 3(b)(2)-(3))

Risk: The Board may not have sufficient personnel to administer the legacy and modernized processes.

Mitigation: The Board continues to allocate resources in an efficient manner to administer both systems, with a focus on completing AMA direct docket appeals within an average of 365 days and resolving legacy appeals by the end of calendar year 2022. Future resource requirements and requests continue to be contingent upon allocation decisions made during the annual budget process with the Office of Management and Budget and the Congress.

Risk: The Board may experience a decline in its workforce through attrition.

Mitigation: The Board will continue enhanced recruitment activity.

Risk: Current statutes may constrain VBA's ability to scale its workforce to address reduced workload once the inventory of legacy appeals, including approximately 75,000 pending legacy appeal remand decisions, has been exhausted.

Mitigation: VBA will use any appropriate, applicable legal authority to remove employees only as a last resort. VA anticipates using more routine workforce management methods, such as employee attrition or reassignment, to address staffing changes resulting from the elimination of legacy appeals. The residual risk is low.

Risk: For VHA, a baseline of metrics for the new system is not yet established, and it is unclear whether current staff will meet demand. At this time, however, VHA does not anticipate that additional staff will be needed.

Mitigation: VHA will continue to monitor incoming claims and communicate the need to host stand-downs, offer overtime and utilize other methods of increasing output when hiring staff can not immediately be addressed.

Risk: Staffing changes at NCA may be required to address claimant demand and post-AMA process changes.

Mitigation: NCA will continue to assess if personnel changes are necessary.

4. Estimated Time for Hiring Employees (Section 3(b)(4))

Risk: The Board's hiring actions may be delayed due to human resources support levels.

Mitigation: With current hiring trends as projected, the Board anticipates that it will achieve a cumulative FTE of 1,190 by the end of FY 2020.

5. Training and Experience Required of Higher-Level Adjudicators (Section 3(b)(5))

Risk: HLR caseload may exceed VHA anticipation.

Mitigation: VHA will continue to monitor incoming claims and reviews under the new system and will either expand the universe of HLR adjudicators beyond team leads and first-level supervisors or hire additional staff, if necessary.

Risk: At NCA, HLR Adjudicators may be specialized in other areas.

Mitigation: NCA will cross-train, as necessary.

6. Estimated Percentage of Higher-level Adjudicators who were Decision Review Officers (Section 3(b)(6))

VBA has no updates to prior reports.

7. Decision Review Officer Functions in new System (Section 3(b)(7))

VBA has no updates to prior reports.

8. Training Timeline (Section 3(b)(8))

Risk: At the Board, formal training may not be available to some administrative staff in their workplace.

Mitigation: The Board's KM Office has developed and administered targeted and interactive training for Mail and Intake personnel and is developing targeted training modules for the Board's other administrative units, to ensure that all employees receive the training. KM provides training materials and FAQs (frequently asked questions) on an internal SharePoint site for reference, including recordings of select trainings for individuals who are unable to attend the live training.

9. Costs of Training (Section 3(b)(9))

Risk: At the Board, there may be insufficient training materials and supplies for delivering necessary training, or an instructor may not be available.

Mitigation: The Board's KM Office provides course materials electronically. Also, KM team members collaborate when designing training so that if a specific instructor is unavailable, another instructor can deliver the training. KM can also reschedule a training if the original instructor is unavailable; and utilize virtual training opportunities and resources.

10. Information Technology (Section 3(b)(10))

Risk: Ongoing resource constraints may impact Department-wide Caseflow development.

Mitigation: VA will provide close collaboration within the Department to ensure optimum resource allocation and prioritization of Caseflow requirements.

Risk: If a Linux Administrator is not identified, then there will be a delay in submitting the Authority to Operate (ATO) package. OIT's ATO submission will contain numerous findings not closed out prior to submission, thus adding risk to receiving a full ATO.

Mitigation: A Linux Administrator has been hired.

Risk: If VA Project Managers are not identified, then several current projects and two FY 2019 projects will be at risk for continued delays and curtailed delivery of requested enhancements. OIT has six initiatives/systems under its Appeals project and only one VA project manager. This could result in delays or a bottleneck. The Appeals project needs two project managers from leadership.

Mitigation: The Product Line Manager has met with the Benefits and Memorials (BAM) Portfolio Director to discuss resources.

11. Estimate of Office Space by Phase (Section 3(b)(11))

Risk: A significant decline in the utilization of the Board's telework and remote programs would result in the Board's inability to provide enough workstations for its staff in its current location.

Mitigation: Before COVID-19, a significant number of Board employees teleworked or worked remotely. There is no indication that this trend will reverse at the Board. Due to the pandemic, approximately 99% of the Board's employees have been working remotely, and it is expected that post-pandemic, telework and remote numbers will continue at higher levels for the foreseeable future.

Risk: VHA may require more office space than can be made available.

Mitigation: VHA will rely on telework and virtual workspace.

12. Projections for the Productivity of Individual Employees (Section 3(b)(12))

Risk: There could be an unanticipated decrease in Board output, leading to a risk of not meeting performance goals and decreased service to Veterans.

Mitigation: The Board closely monitors and assesses decision output and hearing scheduling and adjusts to reallocate resources where needed to meet performance goals while utilizing best practices for efficiency. Use of targeted overtime to offset any reductions in decision output could be applied to mitigate the risk. With the implementation of VEText and the onboarding of a VSO/Stakeholder Liaison, the Board expects less hearing cancellations and no-shows.

Risk: Prolonged closures at ROs and subsequent postponement of Veteran's hearings due to the COVID-19 pandemic could impact the Board's inventory of workable cases, eventually impacting overall productivity.

Mitigation: The Board is closely monitoring COVID-19 impacts and has implemented a robust plan to increase hearing output through several courses of action including expanded virtual tele-hearing capacity and other IT solutions, restructuring the Board's hearing operations and increased coordination with VSO partners. These and several other actions are being designed to reduce the number of pending hearing requests by expanding remote access for rural Veterans broadening Veteran options, accessibility and improving the overall Veteran experience.

With the President's April 10, 2020, signing of the VA Tele-Hearing Modernization Act the Board fully implemented a virtual tele-hearing option, allowing Veterans and their representatives to participate in hearings before the Board via voice and video transmission over the internet using non-VA cell phones, tablets and computers. This technology also provides greater access and flexibility to Veterans in rural locations.

Risk: VHA may underestimate or overestimate employee output in terms of processing benefits in the modernized system.

Mitigation: VHA will adjust staffing as needed.

Risk: NCA software systems severely impact adjudication speed.

Mitigation: OIT is working to implement new software.

13. Outreach Plan (Section 3(b)(13))

Risk: Veterans may not receive enough information about AMA, or they may be confused by the information they do receive.

Mitigation: The Chairman of the Board participated in several media engagements and interviews as well as multiple stakeholder events and conferences to provide training and information to stakeholders and Veterans about the AMA process. Similarly, VBA leadership has given numerous media interviews and conducted online events to build interest in, and support for, the new system. The Chairman reorganized the Board's website to provide clear and understandable information on the appeals processes. In addition, the Board hired a VSO/Stakeholder Liaison to coordinate and assist VSOs and various stakeholders with AMA. Continuing education and partnership with VSOs and advocates to assist Veterans in reviewing their options and submitting their decision review requests will further aid in a better understanding of the AMA system. Nationwide outreach efforts by both the Board and VBA explained and clarified the AMA system so that representatives and other stakeholders better understand the new law and related implications.

Risk: New VHA capabilities, enhancements and procedures need to be socialized with external and internal VHA stakeholders.

Mitigation: VHA is engaging with internal and external stakeholders, as necessary.

14. Timeline for Policy Updates (Section 3(b)(14))

Risk: Revising existing AMA policies and/or procedures after full implementation of the law would affect business systems, forms and, possibly, notification letters.

Mitigation: VA will provide advance notice and strategic coordination with partners, all business lines and program offices on any revisions to procedures and policies to ensure successful implementation of any future changes.

Risk: Updated VHA policies are not currently published.

Mitigation: VHA program offices have provided the affected workforce interim guidance.

15. Timeline for Promulgating Regulations (Section 3(b)(15))

Risk: VHA does not have final AMA regulations.

Mitigation: VHA published its proposed Appeals Modernization regulation AQ44(P) in February 2020 and is working to publish the final rule. VHA will continue to process health benefits claims and appeals in accordance with AMA statutory authorities.

16. Outline of "Opt-In" Circumstances (Section 3(b)(16))

VA has no updates from prior reports.

17. Key Goals and Milestones for Reducing Legacy Inventory (Section 3(b)(17))

Risk: The Board may receive a large number of legacy appeals in a short time with a corresponding increase in AMA appeals that could result in a delay in reducing the number of pending legacy appeals and impact the processing of AMA appeals.

Mitigation: The Board significantly increased the number of personnel over the past 3 years to adjudicate legacy and AMA appeals. Additionally, the Chairman reorganized the Board structure to put more personnel in Veteran-facing positions that directly deliver results to Veterans and their families. The Board works closely with VBA, VHA and NCA to monitor legacy workload (case receipts, pending remand inventory, etc.) in each Administration, in different queues, to adjust workload and workforce processes, as needed. The Board also utilizes an algorithm to prioritize Advance on the Docket, legacy and AMA direct review appeals.

Risk: VBA may not be able to eliminate the non-remand legacy appeals inventory until FY 2021, due to appeals processing interruptions caused by the COVID-19 pandemic (e.g., inability to conduct in-person hearings at an RO, conduct in-person compensation examinations and request Federal records from external organizations).

Mitigation: VBA continues to identify and implement measures to assist Veterans and other claimants in the processing of benefit claims and legacy appeals during the pandemic, including utilizing telehealth and acceptable clinical evidence examinations, where appropriate, and providing multiple avenues to conduct formal hearings (e.g., substituting an informal conference in lieu of a formal hearing for legacy appeals and providing virtual hearings as a substitute for formal hearings) for both claims and legacy appeals.

Risk: VHA may be unable to resolve legacy inventory in a timely manner.

Mitigation: VHA is actively monitoring legacy appeal inventory and will realign resources, as necessary.

IV. Pilot Programs to Test Assumptions

(a) *AUTHORIZATION.—*

(1) *IN GENERAL.—The Secretary of Veterans Affairs may carry out such programs as the Secretary considers appropriate to test any assumptions relied upon in developing the comprehensive plan required by section 3(a) and to test the feasibility and advisability of any facet of the new appeals system.*

(2) *REPORTING REQUIRED.—Whenever the Secretary determines, based on the conduct of a program under paragraph (1), that legislative changes to the new appeals system are necessary, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives notice of such determination.*

VBA's Test Program: RAMP

VA launched RAMP in November 2017 to allow eligible Veterans with pending appeals early opportunities to use the new review processes the AMA established. On February 15, 2019, VA discontinued accepting new RAMP elections postmarked after that date in advance of AMA becoming fully effective on February 19, 2019. As of June 30, 2020, over 73,000 Veterans with 88,561 appeals elected to participate in RAMP. These Veterans received decisions much faster than in the legacy appeals system. VA completed HLRs in an average of 124 days and supplemental claims in an average of 175 days. Under RAMP, VA paid out over \$ 511 million in retroactive benefits. As of June 2020, there are 73 RAMP claims left to process. VBA expects to resolve these claims in FY 2020.

The Board adjudicated appeals arising from RAMP as early AMA appeals in a phased-in approach that allowed the Board to identify and address potential issues and risks related to AMA implementation. Since AMA implementation on February 19, 2019, appeals that arise from RAMP are treated as AMA appeals.

Appendix A – Board of Veterans’ Appeals Outreach

FY-Quarter	Outreach Date	Outreach/Communication Activities
FY 2019-Quarter 4	Jul 27, 2019 <i>VSO</i>	VA participated in DAV Chapter #10 Information Seminar.
FY 2019-Quarter 4	Aug 12, 2019 <i>Stakeholder</i>	The Chairman provided remarks at the National Association of State Directors of Veterans Affairs Conference in Omaha, NE.
FY 2019-Quarter 4	Aug 14, 2019 <i>Stakeholder</i>	VA hosted a teleconference with 4-Corners staff regarding virtual tele-hearings.
FY 2019-Quarter 4	Aug 20, 2019 <i>VSO</i>	The Chairman provided remarks at the National Association of State Women Veterans Coordinators Conference.
FY 2019-Quarter 4	Aug 22, 2019 <i>VSO</i>	The Chairman provided remarks on Appeals Modernization at the Idaho Division of Veterans Services.
FY 2019-Quarter 4	Aug 24, 2019 <i>VSO</i>	VA leadership participated in The American Legion’s 101st Annual National Convention.
FY 2019-Quarter 4	Sep 11, 2019 <i>Media</i>	VA issued a press release: VA Achieves Historic Goal Delivering More Than 90,000 Appeals Decisions to Veterans in FY 2019, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5312 .
FY 2019-Quarter 4	Sep 13, 2019 <i>Stakeholder</i>	VA leadership participated in the National Organization of Veterans Advocates Fall Conference. The Chairman spoke on a panel and discussed Appeals Modernization.
FY 2019-Quarter 4	Sep 25, 2019 <i>VSO</i>	The Chairman participated in a television interview with Government Matters where she discussed Appeals Modernization.
FY 2020-Quarter 1	Oct 3, 2019 <i>VSO</i>	The Chairman’s representative attended the PA Department of Military & Veterans Affairs training session and spoke about Appeals Modernization.
FY 2020-Quarter 1	Oct 6, 2019 <i>VSO</i>	The Chairman provided remarks at the Florida Department of Veterans’ Affairs training.
FY 2020-Quarter 1	Oct 9, 2019 <i>Media</i>	VA issued a press release: VA Board of Veterans’ Appeals Makes History with Record Breaking Year in 2019, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5332 .
FY 2020-Quarter 1	Oct 15-18, 2019 <i>VSO</i>	The Chairman’s representative spoke at the Oregon Department of Veterans Affairs about Appeals Modernization.
FY 2020-Quarter 1	Oct 25, 2019 <i>VSO</i>	The Chairman’s representative provided remarks at the New Jersey Association of Veterans Service Officers training.
FY 2020-Quarter 1	Oct 29-30, 2019 <i>VSO</i>	The Chairman spoke about Appeals Modernization at the Arizona Department of Veterans Services Conference.
FY 2020-Quarter 1	Oct 29, 2019 <i>Media</i>	VA issued a press release: VA Finalizes Plan to Resolve Legacy Appeals by the End of 2022, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5345 .
FY 2020-Quarter 1	Nov 19, 2019 <i>Stakeholder</i>	VA provided 4-Corners staff a briefing on the Legacy Appeals Resolution Plan.
FY 2020-Quarter 1	Nov 19, 2019 <i>Stakeholder</i>	The Chairman met with U.S. Senator Michael Bennett (CO) to discuss Virtual Hearings, and how Veterans in Colorado could benefit from this emerging technology.

FY 2020-Quarter 1	Dec 3, 2019 <i>Media</i>	The Board released a Blog on Vantage Point regarding Virtual Hearings, available at: https://www.blogs.va.gov/VAntage/68964/veterans-see-virtual-hearings-board-veterans-appeals-early-2020/ .
FY 2020-Quarter 1	Dec 4, 2019 VSO	The Chairman's representatives provided remarks at the Texas Veterans Commission training.
FY 2020-Quarter 1	Dec 9, 2019 <i>Media</i>	VA issued a press release: VA Board of Veterans' Appeals Plans Virtual Hearings in 2020, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5372 .
FY 2020-Quarter 2	Jan 14, 2020 VSO	The Board hosted a quarterly VSO meeting for co-located VSOs. Representatives from VBA also presented.
FY 2020-Quarter 2	Jan 21, 2020 <i>Media</i>	VA issued a press release regarding resolution of legacy appeals, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5385 .
FY 2020-Quarter 2	Jan 22, 2020 <i>Stakeholder</i>	The Chairman and VBA provided an introductory brief on appeals to new Senate Veterans' Affairs Committee staff.
FY 2020-Quarter 2	Jan 28, 2020 <i>Stakeholder, VSO</i>	While in Arizona, the Chairman met with Senator McSally's staff, as well as local state VSOs (AZ Dept. of Veterans Services, American Legion, United AZ Veterans). The Chairman gave an update on appeals, and the Board.
FY 2020-Quarter 2	Feb 10, 2020 VSO	VSO Briefing on FY 2021 Budget - hosted by VACO.
FY 2020-Quarter 2	Feb 24, 2020 VSO	The Chairman spoke about the Board of Veterans' Appeals and Appeals Modernization at the NACVSO Leadership and Legislative Summit.
FY 2020-Quarter 2	Feb 26, 2020 VSO	The Chairman spoke to NASDVA about the Board of Veterans' Appeals and Appeals Modernization, including virtual tele-hearings.
FY 2020-Quarter 2	Mar 2, 2020 <i>Media</i>	VA issued a press release regarding VLJ employment, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5396 .
FY 2020-Quarter 2	Mar 9, 2020 VSO	The Chairman spoke at the American Legion's 2020 Conference about the Board of Veterans' Appeals, and Appeals Modernization.
FY 2020-Quarter 2	Mar 25, 2020 VSO	The Chairman participated with other VA Senior Officials and the Secretary of Veterans Affairs in an Intergovernmental Affairs Conference call for a COVID-19 briefing update surrounding core service delivery functions as the Department continues preparation/response to the pandemic.
FY 2020-Quarter 2	Mar 31, 2020 VSO	The Board hosted a VSO update call where the Board gave COVID-19 updates and did a deep dive into the Board's virtual tele-hearing plan.
FY 2020-Quarter 3	Apr 2, 2020 <i>Stakeholder</i>	The Chairman presented to VHA's Federal Recovery Consultants and gave a brief overview of the Board, appeals and Appeals Modernization.
FY 2020-Quarter 3	Apr 3, 2020 <i>Media</i>	VA issued a press release regarding extending financial, benefits and claims relief to Veterans, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5412 .

FY 2020-Quarter 3	Apr 8, 2020 <i>Media</i>	VA issued a press release regarding appeals production, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5414 .
FY 2020-Quarter 3	Apr 30, 2020 <i>VSO</i>	The Chairman hosted a VSO briefing for the Florida Dept. of Veterans Affairs (FDVA) via the virtual hearing room. She discussed Board updates related to COVID-19 and demonstrated how easy/accessible virtual tele-hearings are. The Board received feedback from FDVA.
FY 2020-Quarter 3	May 1, 2020 <i>Media</i>	VA issued a press release regarding expanded access to virtual tele-hearings, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5436 .
FY 2020-Quarter 3	May 6, 2020 <i>Stakeholder</i>	The Chairman and VBA's Under Secretary for Benefits participated in a briefing with Rep. Steube regarding appeals processing times, and how appeals modernization is helping Veterans.
FY 2020-Quarter 3	May 7, 2020 <i>Media</i>	VA issued a press release regarding the Department's plan on returning to pre-Covid-19 operations, available at: https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5443 .
FY 2020-Quarter 3	May 7, 2020 <i>VSO</i>	The Chairman presented to the New York State Division of Veterans' Services and gave an update on appeals. The Chairman also discussed virtual tele-hearings and encouraged representatives to choose this option.
FY 2020-Quarter 3	May 7, 2020 <i>VSO</i>	The Chairman hosted a VSO briefing for the Texas Veterans Commission (TVC) via the virtual hearing room, discussed Board updates related to COVID-19 and demonstrated how easy/accessible virtual tele-hearings are. The Board received feedback from TVC.
FY 2020-Quarter 3	May 15, 2020 <i>Stakeholder</i>	The Chairman presented to the Judge Advocate General LLM (Master of Law) group (in conjunction with CAVC). She gave a brief Board overview and discussed legacy appeals and AMA appeals.
FY 2020-Quarter 3	May 21, 2020 <i>Media</i>	The Chairman participated in an interview with Government Matters, where she discussed the Board's response to COVID-19 and Appeals Modernization.
FY 2020-Quarter 3	Jun 9, 2020 <i>Media</i>	The Chairman participated in an interview with the Partnership for Public Service where she discussed the Board, Appeals Modernization and the Board's response to COVID-19.
FY 2020-Quarter 3	Jun 17, 2020 <i>Stakeholder</i>	The Chairman presented to the Federal Circuit Bar Association where she discussed the Board's relationship with CAVC, to include Appeals Modernization updates.
FY 2020-Quarter 3	Jun 19, 2020 <i>Stakeholder</i>	The Chairman hosted a VSO briefing for the Minnesota Department of Veterans Affairs through the virtual hearing room, discussed Board updates related to COVID-19 and demonstrated the ease of accessibility of virtual tele-hearings.