The Fully Developed Appeals Process Pilot Proposal
Introduction

- What is the FDA
- Background
- Contributors
Background of the Appeals Backlog

- Currently there are over 370,000 appeals pending
- Historically, 11-12% of claims decisions are appealed.
- Currently, it can take 2 years or more from filing the NOD for the decision to reach the Board
Stakeholders

• The contributors to the FDA proposal (informal workgroup) are:
  - VSOs (DAV, PVA, VFW, VVA & American Legion)
  - VBA (Veterans Benefits Administration)
  - BVA (Board of Veterans Appeals)
  - Congressional Staff on the Senate & House Veterans Affairs Committees
Reforming The Appeals Process

- The informal workgroup focused on appeals reform:
  - Quality and accuracy
  - Improved notification letters
  - Strengthening the DRO (Decision Review Officer) program
  - Creating for appeals a pilot similar to the FDC (Fully Developed Claims) program
The Current Appeals Process

The Normal or Traditional Process, 2+ Years:

**VBA:** Rating
- **NOD** (could include both formal and informal hearings +2yrs)
- **SOC**
- Form 9 (possible multiple SSOC)
- Form 8

**BVA:** Docket
- VSO Review
- BVA Review = BVA Decision
The Fully Developed Appeals Process

The FDA: Envisioned to eliminate 1000 days

VBA: Rating

NOD

SOC

Form 9

Form 8

BVA: Docket

VSO Review

BVA Review = BVA Decision
Advantages of the FDA Pilot

- Reduces workload at the AOJ
  - Eliminates additional development
  - Eliminates the SOC, VAF 9, Hearings, SSOC & VAF 8
- Reduces workload on Board
  - All hearings are eliminated
  - Fresher evidence
  - Better compilation of evidence, more complete
Advantages of the FDA Pilot

- Provides veterans with faster decisions
  - Essentially eliminates years of unnecessary waiting for the board to provide decisions to those participating in the program
  - Empowers veterans to participate in their appeals
Key Elements of the FDA Pilot

- Must be Congressionally authorized as a pilot program
- Is not appropriate for every appeal
- Participation is completely voluntary
• If I am in the appeals process right now, can I switch to an FDA?
• I have elected the FDA, 3 months later, I now have cold feet, I would like to revert to the traditional process.
• I want to participate in the program, and have a DRO hearing.
• What signifies success or failure of the program?