



WILMINGTON REGIONAL OFFICE ACTION REVIEW AFTER ACTION REPORT

Date: May 21-22, 2019

Discussion

The American Legion visited the Wilmington, Delaware VA Regional Office (VARO) May 21-22, 2019. This year's focus for the Regional Office Action Review (ROAR) continues to be the impact of the National Work Queue (NWQ) and the Veterans Benefits Administration (VBA) work credit system on the adjudication of veterans' claims.

The purpose of this visit was to review the service-connected disability compensation claims processing function. Before the implementation of NWQ, the Wilmington, Delaware VARO was primarily responsible for service-connected disability compensation claims for veterans residing in Wilmington, Delaware. However, under the NWQ, claims are assigned to ROs based on the capacity and workload. The NWQ has drastically changed the way claims are processed; a change not fully embraced by employees across the ROs.

Wilmington, Delaware is also under the jurisdiction of the Philadelphia Regional Office which presents its own set of challenges which will be discussed later in this report.

This writer encountered a highly professional and courteous leadership team consisting of Will Denchak, Assistant Veteran's Service Center Manager (based in Philadelphia, overseeing Wilmington, Delaware) and Robert Flemming, Officer In Charge Wilmington, Delaware Regional Office (RO). The visit began with a briefing by Will Denchak regarding overall service center operations in the Wilmington Regional Office, leadership structure and relations with the VAMC in which the Wilmington Regional Office is co-located.

The acting Director for the Philadelphia Regional Office and several key members of the Philadelphia leadership team were included in the briefing via conference call, however, due to schedule conflict, the acting Director was only able to brief Human Resources authorized Full Time Equivalent (FTE) (21) and the plan to hire an additional staff member.

This writer was then given a tour of the facility and was able to briefly speak with employees as we toured each area. The following information was provided during the briefing:

As of **May 17, 2019**, the Wilmington RO received 190 new claims and 40 adjustment claims (rating increases, etc.) The Wilmington RO does not work appeals and is not staffed to do so. Instead, the Philadelphia RO (which Wilmington RO currently reports to) has been provided with staffing resources to address Delaware appeals.

In FY 2018, the Wilmington RO adjudicated 2,726 new claims with 11,335 issues rated. The RO completed a total of 1,981 Non-Rating claims. **As of May 17, 2019 average time in queue Fiscal Year To Date (broken down by cycle) is Initial Development (IDEV) 2.39 days, Supplemental claims (SUPP) 2.44 days, Ready For Decision (RFD)/Award (AWD)/Authorizations (AUTH) 2.76 days and Non Rating 2.67 days.**

The top three adjudication categories where the RO identified errors in FY18 were:

Rating issue based: Exam Related Errors (B2), Improper Evaluations (C2) and Effective Dates (D1).

Rating issue based errors explained:

- (B2) VA exam needed but not requested or an exam was ordered but a necessary medical opinion was not requested.
- (C2) Improper evaluations and incorrectly assigned rating percentages, with a majority of errors with regards to the assigned evaluations of musculoskeletal disabilities.
- (D1) Intent to file errors, instances where a standard form was received within 1 year of the intent to file and when intent to file was not applied correctly to the effective date.

Authorization claim based: Dependency (DepDec1a) and Benefit Entitlement (Admin Awd 1a); had no other category with more than one error reported throughout the last 12 months of reviews.

Authorization claim based errors explained:

- (Dep Dec 1a) Inaccurate entitlement of Veteran's dependents; not obtaining all required evidence or evidence of record not properly considered.
- (Admin Awd 1a) Reduction benefits most frequently stemmed from reduction and termination of benefit effective dates, mostly related to notification window after predetermination notice.

To correct these errors, the Wilmington RO:

Assigned the stations' Quality Review Staff (QRS) to locally review both individual and Systematic Technical Accuracy Review (STAR) reviews for the station. The station Quality Review Staff reviewed the error with the applicable employee to address the issue. Also, as reviews are completed, trends data is compiled, and targeted training is provided to the staff to address noted challenges. Additionally, TMS courses are



also used in order to supplement noted training challenges.

The Wilmington RO provided current workload information in response to our request. The average length of experience for the Rating Veteran Service Representatives (RVSR) is 7.2 years and Veteran Service Representatives (VSR) is 7.6 years. It was also noted by this writer that Wilmington does not have a high attrition rate as the experience level for both the RVSR's and VSR's is above average in comparison to other RO's visited.

This writer was afforded the opportunity to interview five Veterans Service Center staff during the ROAR visit. Topics included:

- NWQ
- Leadership access
- Timeliness and accuracy of information
- Production standards and Work Credit System
- Employee training
- Emphasis on quality vs quantity
- Case reviews of 50 randomly-selected cases rated by the Wilmington RO
- Quality review of the 50 randomly-selected cases rated by the Wilmington RO
- Collaboration with The American Legion Department Service Officer (DSO) for the state of Delaware

Employee Interviews – Summary of Findings:

The visit to the Wilmington RO afforded this writer the opportunity to interview a total of five RO employees. During the course of the interviews, several themes emerged which will now be discussed in detail.

All of the employees interviewed expressed that the Veteran and their family members being granted all benefits to which they are entitled is the number one priority when they report for work. Employees were service minded, veteran focused and personally fulfilled.

Wilmington RO employees expressed that it was rewarding to be able to “grant, talk to, help and get out into the community” in order to find all benefits the veteran and family members qualify for. Employees expressed personal fulfillment in statements such as “I enjoy helping veterans. I am a veteran. I like satisfying veterans”

Employee Sentiment

Overall, RO employees felt valued based on the actions of supervisors displayed. They also expressed sentiments such

as “I think the coaches really want to help and do what they can. I look at them kind of like putty being squished between two rocks (alluding to the challenge of Wilmington RO under the jurisdiction of Philadelphia). Some feel the pressure of the standards and expressed “I don't feel like a member of the team because everything is numbers driven. I feel that we don't have what's needed as it relates to resources.” For instance, it was noted that the Philadelphia RO has an Employee Assistance Program (EAP) but, Wilmington does not. The EAP representative has only visited Wilmington once. This could be an avenue of support for the Wilmington employees.

There is visible frustration and concern expressed by employees as it relates to the Philadelphia Regional Office. The general sentiment is that “Wilmington gets dumped on” as it relates to the inordinate amount of TBI and ALS cases received. Employees expressed that Philadelphia needs to be “all in or all out” and “give us the resources we need” as it relates to staffing. “Management can also show a little empathy sometimes.”

Employees expressed the need to be heard as it relates to issues concerning the National Work Queue, although they realize that most times resolutions of NWQ issues are not able to be handled at the RO level.

One front line employee expressed wanting to be treated equal to those who work claims. “I would like to be treated equal to my peers.....I feel that I am the face of this office..... Since I'm the only one in the front, it is sad when I hear a veteran say “I'll come back another time when it's not crowded.” This sentiment relates to the issue of staffing.

Another staffing issue relates to the equity of responsibilities such as why a GS-12 is reporting to a GS-12. Additionally, outreach is often not consistent due to staffing constraints.

Standards

Employees expressed the concept of unrealistic expectations as it relates to standards. Often, employees are forced to choose quantity over quality. Employees overall expressed that there is not enough time to complete tasks. Additionally, employees feel they are not adequately given credit for all of the work that is done working a claim. RVSR's are no longer given credit for deferrals which they feel is unfair, as deferrals take time. Additionally, as mentioned earlier in this report, case distribution is perceived to be unfair (high amount of TBI/ALS cases). As noted, these are special cases which require much more than the 30 minute timeframe which is set as a standard to successfully complete a claim.

Employees also notice the amount of rework required when



claims are received from other stations. Employees expressed having to begin over again because development actions were missed and/or tracked items were entered that were made up simply to “get points” and “move the claim forward at any cost”. Having to constantly do rework takes time and prevents employees from being able to meet standards.

Employees expressed the inability to take breaks and lunch in order to “make points.” This creates physical and mental stress on the employees processing and adjudicating claims.

Work Credit System

Employees overall sentiment is that the work credit system is neither fair nor balanced. “Things are always different, and things are always changing.” Another stated, “so much is asked of you as far as quality. Some things need more credit. Some of the cases are claiming 20 things. One claim can take you more than 3 hours. Some things being claimed are more extensive.” Employees expressed frustration with trying to “apply common sense to a system that isn’t sensible.”

As mentioned earlier in this report, RVSRs don’t receive credit for deferrals which does not seem fair to employees. Employees further state that Veterans Affairs Central Office (VACO) employees who call errors have no understanding of the time it actually takes in the development and adjudication of claims.

Employees also provided recommendations that they believe would actually benefit the claims process overall:

- Get rid of deferrals or use them for what they were intended to do
- Credit needs to be “revamped” to actually reflect the work that’s being done or totally take the credit system away all together
- Have employees from VACO actually work claims for one year and see if they achieve an unrealistic quality rate of 98%

Training

Employees overall expressed the training received locally in the Wilmington RO is thorough and “fabulous.” “We have monthly RVSR training with our RQRS which is awesome”

Employees expressed frustration with training provided from the Philadelphia office stating “If we have questions, the answers come two weeks after we ask them.” Most of the training received from Philadelphia is through Lync and required by VACO. The concerns identified by employees is the inability to ask questions live and the tendency of those providing training to read word for word from the powerpoint slides. One other frustration expressed relates to the

trainers conducting training are not working claims on a daily basis or have never worked claims at all.

Employees also expressed disappointment with how the Appeals Management Act (AMA) training was conducted and implemented and do not feel comfortable working these claims. At the date of the visit, employees were beginning to be on standard for AMA claims. This seemed unfair considering employees believed VACO had more than enough time to implement the AMA training properly vice two weeks before national release.

Employees expressed overall that keeping training at the local level handled at the Wilmington RO would be better. “When we did our own training, it was much better quality. When they (Philadelphia) took control of it, it’s not good.” “Instructor led training is not classroom based because I cannot ask questions.”

Employees believed that more seasoned employees should receive more detailed training by actually teaching how to do a task step by step.

Employees suggested it would be helpful to determine what training the employee actually needs. Have the Quality Review Team (QRT) conduct training for one entire day.

Quality of Work Across Regional Offices

Employees expressed that they don’t feel stations are held to the same standard. This belief is based on the type of work that is distributed by the NWQ. “I feel that people are doing anything to get rid of cases. Whatever they can do to just move it out of their que, that’s what they do.” “The deferral system is out of control. Things are so vague and you are trying to search and find what it is the deferral is asking me to do.”

Employees expressed that overall, the Wilmington RO does not receive a good mix of claims. “Wilmington receives a lot more complex claims. I can recall receiving four ALS claims in one week. There is not fairness in the distribution across offices.” STRs are also not being reviewed which is creating rework. There is also the issue of claims that have been in another stations queue for more than two days that get sent to Wilmington. The employee to whom the case is routed to is then expected to quickly work the claim which is perceived as unfair.

An example of unfair distribution is explained by an employee below:

“For example: For this office, I do TBI’s. I might get three. These should be evenly distributed. CO goes in does what they want to do. They take claims that have been on another



station for over time in queue without holding the other station accountable. No provision is being made in these instances.”

Employees expressed the overall trend in increasing punitive errors as a way to “increase” or “improve” production. The exact opposite is occurring. In the words of one employee, “by increasing punitive errors, people don’t learn by errors, it’s been proven not to work. It’s unrealistic to me that they think further punitive errors is going to make you do better. It makes you much less proficient rather and undermines everything that they want to do. Positive reinforcement works much better.”

Employees also noticed the monthly trend of WATR’s being inoperable monthly.

Timeliness of Information

Employees agreed overall that timely and accurate information is not received. This sentiment is in alignment with the issue of training from the Philadelphia office which was discussed earlier in this report.

Employees did not feel that they could accomplish their work without errors based on the current standards. In the words of one employee, “The interesting thing is they can have errors in their programs but we can’t have errors.”

A major concern expressed is the issue of AMA implementation which was discussed earlier in this report. “With AMA, they knew for 18 months what was happening. We were only given ten days to learn it.” Employees were then placed on standards for AMA 90 days later which they feel is unfair. Additionally, there is still information being released concerning AMA which continues to change from week to week.

Leadership and employee relations

Employees expressed overall that they are comfortable raising issues although they realize that most issues raised are beyond the scope of local management. Systemic issues and the issue of demanding and unrealistic standards are handled at VACO so there is a sense of despondency related to what management is actually able to address.

Additional comments:

I think Wilmington should be its own station. We are different here than in Philadelphia.

It’s disappointing that our congressmen don’t and won’t come into this building. They’ll go into the hospital but they won’t bring them here. Unless FTE’s change, that’s not going to change. Has taken three years for them to recognize the need for additional Legal Administrative Specialist (LAS). The

coach (OIC) is doing more than an average coach.

It’s just the standards and the quality. It’s just frustrating when you’re held to these standards and other federal entities are not. Example: Are Veterans Health Administration (VHA) employees held to these standards? There’s got to be a different type of standard.

I just feel like we are pressured to do all this and what kind of service are we giving to our veterans. That’s when you question what are they here for? Because the changes they’re making don’t seem that way (that they are for the veteran) Wouldn’t you rather I take my time to work a case and make sure it is accurate rather than rush through and do a disservice to the veteran.

Building Issues

Philadelphia is not good for Union meetings. Major hurdles are that we keep getting acting Directors. Issues and how they’re being addressed sometimes cause problems. This Director is trying to have a working relationship with the union. However, he is only temporary. We continue to start all over again because we don’t have a permanent director.

Wilmington used to be a stand-alone RO. Since being under the direction of Philadelphia we feel like we are a neglected step child. We are left out, forgotten about or nothing is done. There is no funding for Wilmington. When it comes to FTE’s, Philadelphia says they are intertwined. We don’t get replacements. That cycle has continued for years.

You give us a task we get it done. The morale right now is extremely low. People barely want to come in here anymore due to being under the leadership of Philadelphia. Continuous changing of Directors causes issues.

Quality Review

Pending receipt.

The American Legion Department Service Officer at the Wilmington, RO

This writer was able to meet with The American Legion Department Service Officer Mr. Joseph Haughton who is co-located in the Wilmington, RO. Mr. Haughton is the only staff member in the office and thus can only assist veterans who live in the state of Delaware by appointment. Mr. Haughton explains that since funding for his position is through the state of Delaware, he is limited to assisting veterans from Delaware only. Both he and the Wilmington RO leadership have identified this as a barrier and requested assistance from National Veterans Affairs & Rehabilitation Division in resolution of this issue. Mr. Haughton is also in dire need



of at least one service officer and one secretary, even if on a volunteer basis and only part-time.

Conclusion

The American Legion appreciates the accommodations given for our visit and the openness of the staff and supervisors of the Wilmington RO. On behalf of The American Legion, I thank you and your staff for your hospitality and support during our ROAR visit.

Respectfully Submitted by,

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