



MUSKOGEE REGIONAL OFFICE ACTION REVIEW AFTER ACTION REPORT

Date: December 27, 2018

Background

The American Legion visited the Muskogee VA Regional Office (VARO) November 14-15, 2018. This year's focus for the Regional Office Action Review (ROAR) is the impact of National Work Queue (NWQ) and the Veterans Benefits (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. However, it is worth noting that the Muskogee VARO is one of three Regional Processing Offices that handle GI Bill education claims for veterans residing in 20 western and southern states in addition to the Philippines. The Muskogee VARO is primarily responsible for service-connected disability compensation claims for veterans residing in Oklahoma. However, under the NWQ, claims from other jurisdictions are assigned to the Muskogee RO and Oklahoma claims are routinely assigned to other stations by the same means.

Employees

The American Legion conducted interviews with 10 Veterans Service Center staff during the ROAR visit and met with senior VARO leadership regarding VARO operations. Topics included:

- NWQ
- Leadership access
- Work Credit System
- Recognition of high performance in both quality and quantity
- Employee training
- Suggestions to improve the quality of claims processing
- Case reviews of 50 randomly-selected cases rated by the Muskogee RO
- Quality review

The employees expressed general satisfaction with their employment during their interviews. They recognize the importance of their positions and are proud to be serving our nation's veterans. The greatest concerns expressed by employees at all levels were IT issues, NWQ and production standards under the Work Credit System.

Director Jason McClellan welcomed The American Legion representatives during the entrance briefing but due to a conflicting obligation was unable to attend the exit briefing. Veterans Ser-

vice Center Manager Tim Clark was out of the office the week of the visit. However, Assistant Directors Linda Lopinto and Judy Sikes along with the VSC supervisory staff were fully accessible at both meetings.

The American Legion representatives requested to meet separately with Veterans Service Center supervisors between employee interviews. All Muskogee RO staff were thoroughly professional, candid, and forthcoming. The Muskogee RO appears to be a well-run operation with a staff that cares for the veterans and the outcome of their claims.

We were impressed with the structure and approach of the Muskogee ROs utilization of specialized teams. Though some employees shared their concerns of inequities in the work credit system since dissimilar types of development actions were given the same amount of work credit. On the other hand, it seems to be a means of enhancing quality and productivity because employees can become more proficient in handling a limited number claims processing functions, e.g., requesting medical records.

Director McClellan established a process by which employees can share their concerns via a "Chat Room". The Employees who were aware of and uses the chat room shared that matters of concern in the workplace are addressed by the Director in a respectful, timely manner. Moreover, there were no significant reports of communication problems with the entire supervisory staff.

The examination scheduling program known as "EMS" was cited by a few employees as an IT program badly in need of attention. Employees find the error messages to be confusing. Of the 2 contactors with whom Muskogee works for contract exams, there is an impression that LHI staff are particularly perplexed by EMS and the other contractor - QTC - also has problems. There was a common consensus that new IT program such as EMS should be tested to ensure that all "bugs" are identified and corrected before nationwide implementation? The staff also shared that the VBMS letter generation process is not user-friendly, is time-consuming, and does not produce a completely satisfactory product. Moreover, Muskogee RO employees are frustrated by ongoing latency, functionality and reliability problems with VBMS. Obviously, these IT concerns are nationwide issues that transcend the Muskogee RO.

Training was a topic of broad discussion during this visit. The employees interviewed generally gave high marks to local training but were often not enthusiastic about some of the national



training via TMS. Several employees felt that local training could be more effective if the instructor was more enthusiastic about training and possessed teaching skills that complement their expert knowledge of the topic.

Several Muskogee RO employees expressed frustration with NWQ. The foremost concern is that the system in its current form places more emphasis on quantity than it does quality. Specifically, having to deal with claims partially developed at a VARO other than Muskogee. Employees felt the claims process would be better if they were able to work a claim at the same office until a rating decision is rendered, or at the very least have the case returned for final development.

Another issue of interest to employees is “In Process Reviews (IPRs).” The employees expressed a general preference to this process because it allows for errors discovery and correction before rating decisions are promulgated. The IPR process, they feel, reduces the risk of harm and the employee gets useful feedback that is not treated as a critical error. The Employees believe this approach to quality review enhances quality in a way that does not undermine employee morale, as traditional quality reviews have been known to do.

Quality Review

The American Legion reviewed 50 cases prior to visiting the Huntington VARO. Of the 50 cases reviewed, The American Legion found that 10 (20%) either had adjudication errors or VA failed to develop the claim properly. The Muskogee VARO agreed with the findings in 7 of the 10 cases. However, the Muskogee VARO and The American Legion respectfully disagreed with their analysis of the remaining cases, in whole or part. The final outcomes are as follows for the 50 cases reviewed:

- Cases with no errors: 40/50 (82%)
- Cases with Errors identified by The American Legion: 10/50 (50%)

The majority of the errors identified related to disability rating and inadequate Compensation and Pension (C&P) exams,

which are common errors noted by The American Legion at VAROs across the nation. Raters often find themselves in the position of having to choose between meeting their production quota and deferring a decision to afford the veteran the opportunity for a new, adequate C&P examination. This affects their production rates as deferred actions do not receive work credit. We respectfully recommend that VBA senior leadership allow reasonable work credit for deferred actions in cases where it is in the veteran’s best interest. We believe the status quo unfairly penalizes raters for doing what is right for veterans and adds substantial undue stress on RO staff.

We discussed the value and advantages of the “In Process Reviews (IPRs)” during our exit briefing. We requested that the RO and senior VBA VACO leadership seriously consider expanding the use of IPRs given the advantages it has over traditional quality reviews that are done after the rating decision. IPRs allow us to identify errors before issuing the Veteran a rating decision, and is an approach which can lead to reduced appeals. We also discussed that dissemination and application of rulings from the Court of Appeals for Veterans Claims (CAVC) and the Federal Circuit Court in a timely and consistent manner.

Conclusion

The American Legion appreciates that accommodations given for our visit and the openness of the staff and supervisors of the Muskogee 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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