

September 12, 2002

CHANGES IN COMPENSATION AND PENSION (C&P) APPEALS PROCESSING

1. PURPOSE: This Veterans Health Administration (VHA) Directive informs medical centers of changes in Compensation and Pension (C&P) appeals policy regarding the processing of examinations requests. *NOTE: This change has been coordinated with appropriate Veterans Benefits Administration (VBA) and Board of Veterans Appeals' (BVA) officials.*

2. BACKGROUND

a. Previously, BVA Regional Office (RO) developed C&P appeals cases. Specifically, BVA remanded C&P appeals cases to the appropriate RO to obtain C&P examinations and develop the cases. The RO would request C&P examinations from the medical facilities and the medical facilities would complete the examinations and return them along with the claims folders to the responsible ROs and the ROs would return the completed examinations and claims folders to BVA.

b. An amendment to Title 38 Code of Federal Regulations (CFR) 19.9 directed BVA to develop C&P appeals cases rather than remanding them to the ROs. In response to this amendment, BVA established the Case Development Unit and charged it with assuming the development of C&P appeals. BVA now interacts directly with the medical facilities rather than the ROs.

3. POLICY: It is VHA policy that VHA medical facilities interact directly with BVA in processing examinations requests from the BVA Case Development Unit.

4. ACTION: The medical center Director, or designee, is responsible for ensuring that the examination report and the claim folder associated with C&P appeal examination requests from the BVA Case Development Unit are returned, in an appropriate and timely manner, directly to BVA. Medical facilities are to forward Examination reports and claims folders to the address noted on the purple "COVERS" transmittal sheet attached to claims folders that the medical facilities received through the United States mail from the BVA Case Development Unit.

NOTE: The folders are not to be returned to BVA through the RO.

5. REFERENCES

a. VA Claims Processing Task Force Report to the Secretary of Veterans Affairs October 3, 2001.

b. Title 38 CFR 19.9.

6. FOLLOW-UP RESPONSIBILITY: Health Administration Services (163) is responsible for the content of this directive. Questions may be referred to (202) 273-8301. Questions concerning a BVA examination request may be referred to (202) 565-5624.

THIS VHA DIRECTIVE EXPIRES AUGUST 31, 2007

VHA DIRECTIVE 2002-050
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7. RESCISSION: This VHA Directive will expire August 31, 2007.

Robert H. Roswell, M.D.
Under Secretary for Health

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