

June 2, 2010

CHANGES IN COMPENSATION AND PENSION EXAMINATION REPORTS

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides policy for making changes in Compensation and Pension (C&P) Examination Reports.

2. BACKGROUND

a. The Automated Medical Information Exchange (AMIE) package is the official communication mechanism between VHA and the Veterans Benefits Administration (VBA) for completed VHA C&P examination reports. The Compensation and Pension Record Interchange (CAPRI) application provides a graphical user interface (GUI) as a front-end for the AMIE application to aid in easily finding and viewing C&P examination requests and examination reports in AMIE. Examinations may be documented directly in the CAPRI GUI, or through a Text Integrated Utility (TIU) progress note copied into AMIE. **NOTE:** *While AMIE is used to transmit C&P examination reports to VBA, the official patient record of the examination report resides in TIU.*

b. VHA clinical and VHA contracted staff communicate C&P Examination findings to VBA through AMIE and CAPRI. Once released by VHA, VBA retains a copy of the examination report and uses that copy to adjudicate Veterans' disability claims. The VBA copy of the examination report is contained in the Veterans claim file (whether electronic or paper).

c. VBA has a custodial relationship to the C&P examination reports. Since disability rating decisions may be made based on existing documentation, any changes made to a C&P examination report must be coordinated with the appropriate VA Regional Office for action to ensure consistency (see subpar. 4b).

d. Changes to existing documentation are made in accordance with the Privacy Act and Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule; however, a critical communication gap exists because VBA is not electronically alerted to changes made to examinations in AMIE and CAPRI after the original version of the completed examination is available. **NOTE:** *Communication with VBA is critical since changes to examination reports may significantly affect the outcome of a disability rating decision.*

3. POLICY: It is VHA policy that any changes to C&P examination reports must be transmitted to VBA using the official communication mechanism, AMIE and CAPRI. **NOTE:** *This requirement applies to all C&P examinations whether they reside in TIU or AMIE and CAPRI. If an examination is modified in TIU, it must also be modified in AMIE and CAPRI in order to ensure that the updates are transmitted to VBA.*

4. ACTION: Each VHA Facility Director is responsible for ensuring:

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VHA DIRECTIVE 2010-024

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a. **Appropriate Storage.** C&P examination reports must be stored within VA's electronic health record. When these reports are stored in TIU, a copy must additionally be placed in AMIE and CAPRI for transmittal to VBA. If a C&P examination report has been released to VBA through AMIE and CAPRI, any subsequent changes made to the report in TIU must be transmitted to VBA requiring that changes to the examination report need to be made in AMIE and CAPRI. Whether the report resides only in AMIE and CAPRI, or in TIU and AMIE, a copy of any changed examination must be sent to all third party (non-VA) requestors who have previously received the original document prior to amendment.

b. **Changes are Appropriately Made.** Administrative corrections or updates (e.g., date of birth, etc.) made to C&P examination reports must be processed by the Chief, Health Information Management, Privacy Officer, or qualified designee. These changes must be minor and not affect the results or findings of the clinical examination. Prior to any administrative correction, the Chief, Health Information Management, Privacy Officer, or qualified designee, must ascertain whether this report has been disclosed to the patient or other third-party and if notification to these individuals would be required. Any changes made to a C&P examination report must be coordinated with VBA and the appropriate VA Regional Office for action to ensure consistency.

c. **Amendments are Appropriately Completed**

(1) A request from a Veteran to amend a C&P examination report must be in writing and submitted to the Privacy Officer at the VHA health care facility that performed the examination. Upon receipt, the VHA Privacy Officer, or designee, notifies the VBA Privacy Officer that an amendment request has been received. Amendment requests are processed by VHA for all C&P examinations in accordance with VHA Handbook 1605.1. VHA uses standard letter templates to notify the Veteran whether the request for amendment has been granted or denied. The VHA Privacy Officer, or designee, forwards a completed amendment packet to the VBA Privacy Officer, or designee. VHA and VBA are both responsible for providing all parties, to whom they have previously released the C&P examination report, a corrected version of the report.

(2) If a request from a Veteran to amend a C&P examination report is received by the Department of Veterans Affairs Regional Office (VARO), the request must be forwarded immediately to the attention of the Privacy Officer at the VHA health care facility that performed the examination. The corresponding Privacy Officer can be located through <http://vaww.vhaco.va.gov/privacy/Documents/VHACOPOList.doc>. **NOTE:** *This is an internal VA site not accessible to the public.* The time frame for processing a request begins once the VHA Privacy Officer has received the request.

c. **Addenda are Appropriately Completed.** On occasion the original author, or other clinicians, need to addend a completed C&P examination record in TIU that has been released to VBA through AMIE and CAPRI (i.e., a laboratory value may return late or a mistake may be detected in the original report). The addendum must be processed according to local policy, signed, and reported to the Chief, Health Information Management, Privacy Officer, or qualified designee, through a locally-established process. The Chief, Health Information Management,

Privacy Officer, or qualified designee, ensures AMIE and CAPRI is updated with the addendum and VBA is provided with a corrected copy of the report, which includes the new information.

5. REFERENCES

- a. VHA Handbook 1605.1.
- b. Privacy Act of 1974.
- c. HIPAA Privacy Rule, Title 45 Code of Federal Regulations Parts 160 and 164.
- d. VHA Handbook 1907.01.

6. FOLLOW-UP RESPONSIBILITY: The VHA Office of Health Data and Informatics (19F) is responsible for the contents of this Directive. Questions may be directed to (502) 241-2822.

7. RECISSION: VHA Directive 2004-014 is rescinded. This VHA Directive expires June 30, 2015.

Robert A. Petzel, M.D.
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