CONGRESSIONAL TESTIMONY

STATEMENT BY

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Chairman Luttrell, Ranking Member Pappas, and Members of the Disability Assistance and Memorial Affairs Subcommittee:

The American Federation of Government Employees, AFL-CIO (AFGE) and its National Veterans Affairs Council (NVAC) appreciate the opportunity to testify at today's subcommittee hearing titled "Is the Veterans Benefits Administration Properly Processing and Deciding Veterans Claims?" My name is Linda Parker-Cooks, and I am the President of AFGE Local 138, representing the Veterans Benefits Administration (VBA) Regional Office (RO) in Detroit, Michigan. I have also previously served as the District 7 Representative for the NVAC, representing Michigan, Illinois, and Wisconsin. I am a 20-year U.S. Army veteran, having attained the rank of Sergeant, First Class/E-7, and am a service-connected disabled veteran. After my military service, I have continued to serve my fellow veterans at VBA for the past 18 years and currently serve as a Decision Review Officer (DRO) and am a Certified VBA Elite Master Instructor.

On behalf of the 304,000 Department of Veterans Affairs (VA) employees AFGE represents, including thousands of frontline workers at the VBA, over 50 percent of whom are veterans themselves, it is a privilege to offer AFGE's views on how the VBA trains its employees and assures quality claim processing.

I want to especially thank Chairman Luttrell, Ranking Member Pappas, and DAMA staff for welcoming and valuing the perspective of frontline employees in this subcommittee and holding today's hearing.

Training for Quality

VBA faces many challenges in effectively training its workforce to process veterans'

claims accurately and efficiently. Today, I want to highlight several of these issues and offer

specific changes that would better enable VBA employees to serve veterans.

In-Person vs. Virtual Training

For decades, VBA had in-person "challenge training" for VBA claims processors in

Baltimore, Denver, and other locations as needed to train Veteran Service Representatives (VSR)

and Rating Veteran Service Representatives (RVSR). This training lasted several weeks and was

intensive and interactive, allowing employees to immerse themselves in their new positions and

prepare them to effectively process veterans' claims. Specifically, trainees benefitted from

having certified instructors whose sole job was to train and mentor employees. Additionally,

employees had the opportunity to work with the actual technology they were going to use as

claims processors and ask questions of the people best equipped to answer them. Furthermore,

by having claims processors from all over the country go to one of the challenge training

locations, VBA was able to build consistency throughout the different regional offices.

Unfortunately, since the pandemic, in-person Challenge Training has been replaced by

inferior training, which has led to worse results and excessive employee turnover.

Virtual In-Person (VIP) and Classroom Training

In place of in-person Challenge Training, VBA has utilized Virtual In-Person (VIP) and

Classroom Training to train claims processors. The Instructor-led Web Training (IWT) and

classroom training, specifically for RVSRs, are structured to provide too much information too

soon and only require the trainee to listen. The training does not test how well these trainees have

grasped what was taught. As a result, when trainees complete this new training, they are unable to apply learned concepts correctly.

This new training utilizes three phases: Instructor-led Web Training (IWT), Classroom Training, and Informal Assessment. AFGE would like to identify challenges to IWT and Classroom Training and propose changes that will improve this training to enable claims processors to better serve veterans.

Challenges with IWT

Failure to Teach the Basics

The primary problem with IWT is that new employees undergoing the training are not yet prepared for the IWT training as they have not mastered, or in some cases been introduced to, the basics of VBA. External trainees completing IWT do not understand the VA claims process or VA language, which is an alphabet soup unto itself, but is critical to understand for claims processors to do their job.

Beyond basic conversancy, external trainees are not trained on what End Products (EPs) are, and as a result, they do not know what a completed, accurate claim is supposed to look like nor if they are complete or incomplete. Similarly, another gap in training that new employees in VBA have no exposure to is how to work with an Intent to File (ITF) and the rules related to duplicate ITFs, expired ITFs, or incomplete ITFs.   Inadequate training on all of these basic principles is setting up trainees to fail and is harmful to the veterans they serve.

Lack of Hands-on Experience

One of the most critical flaws of IWT is its lack of hands-on experience with the actual tools that claims processors will use in their jobs to process claims. In particular, trainees who are not already working for VBA do not have access to the Veterans Benefits Management

System (VMBS) VBMS-Core until after IWT. Even in training, there is no VBMS Core Demo for them to practice reviewing claims in IWT. Instead, IWT only provides e-cases in PDF format. Only after weeks of IWT are new claims processors allowed to see what the e-folder looks like in the interface they will have to use.

IWT also fails to teach claims processors how to perform basic critical functions, such as uploading VA Medical Center records that are either identified by a veteran on the application or found through Capri enterprise search. These records, if relevant to a decision, must be uploaded into VBMS. This is a common everyday function for RVSRs.

External and internal trainees coming out of IWT do not know if they can grant or deny service connection. This is because trainees are not trained on all the pathways of service connection and the elements of service connection needed for each pathway to grant service connection. Employees are also not pre trained on the elements required to grant on a direct basis, secondary basis, aggravated basis or on a presumptive basis, with each failure being a critical error on a performance evaluation.

Trainees coming out of IWT also do not know how to analyze a claim and review evidence, as there is no training class for this. One of the most time-consuming parts of the RVSR position is reviewing evidence and understanding what the evidence says about each element to see if the VA can grant or deny under each pathway for service connection. Trainees are not taught in the system that they need to review any exams, VAMC records, private DBQ/records, and what this evidence says about having a current diagnosis. They have only seed PDF examples in IWT.

In addition to this education gap, trainees have only seen PDF examples on several other essential functions, but they have not been shown how claims processors must go to the service

treatment records to look for a qualifying event, injury, or disease that had its onset during a veteran's service. This is also true for reviewing a personnel file to see what location the veteran served in or what type of job they did in service, and to see what this evidence shows about a qualifying event, injury, or disease. There is also a gap on how to review available medical opinions and causation to establish a link between the claimed issue and an in-service event or injury.

Recommendations to improve IWT

To improve IWT and make it more useful and comprehensive for new employees, employees in IWT training must have access to VBMS-Core and review claims in the system instead of looking at PDFs. Additionally, IWT or a class preceding IWT must prepare trainees to do the following: (1) Master the basics of VBA, including learning the claims process, VA terminology, EPs, complete /incomplete claims, ITF rules, and proper claims forms; (2) Review claims in VBMS-Core for more hands-on experience. The purpose is to get these trainees into VBMS-Core and start reviewing the information in the e-folder.

AFGE recommends that the current class size of 100 be lowered to no more than 35. Smaller groups allow for a more interactive environment and more questions to be addressed during presentations. After the presentation, it is recommended that a "case application" or fact pattern be given to help students understand the concept, particularly for routine claims that VSRs and RVSRs will commonly encounter.

Classroom Training

Following IWT, trainees shift into several weeks of classroom training to further refine their skills. AFGE urges VBA to be more strategic and reorder its curriculum to allow trainees to better retain the information. Currently, classes are taught in a haphazard order, instead of

sequenced to enhance the building of concepts. For example, vision is taught on the first day of the classroom sessions. The slides include questions on higher levels of Special Monthly Compensation (SMC), which trainees have not been taught yet. Higher level SMC is taught later in the classroom but is supposed to be taught before peripheral nerves and diabetes. Higher level SMC is often granted based on multi-body system conditions like diabetes, Parkinson's, and MS that attack multiple systems of the body. Nerve evaluations are often involved in SMC and higher-level SMC decisions. Teaching higher-level SMC before teaching peripheral nerves or introducing the concept of a multi-body system condition makes little sense and confuses trainees. Instead, VBA should reorder the classes, so that we teach nerves, diabetes, and then higher-level SMC, which allows trainers to reference the classes were just taught, reinforce the concepts from the previous days, and teach them more complex applications of higher-level SMC concepts.

Post IWT Classroom Training

Following the completion of IWT and classroom training, there are still significant gaps on critical issues claims processors will need to perform their duties successfully. AFGE would like to identify several components of training that are not explicitly taught during VBA's mandated training that would improve claims processors' confidence, performance, and, hopefully, retention.

Weighing Evidence

There is no training class on weighing evidence. Claims processors will be required to weigh evidence against other evidence and to conclude why more value was assigned to specific evidence in their decisions. Trainees must work through examples and practice developing narratives to justify their decisions. Beyond the basic weighing of evidence, trainees require

better instruction on whether the evidence in front of them is enough to make an informed decision or whether all the evidence in the claim file is necessary for a determination.

Trainees also need a deeper review on how to conduct a pre-rating review for duty to assist. They do not understand that they cannot deny service connection or an increased evaluation without the duty to assist being met. This also relates to the lack of training related to exams, and educating employees whether the exams that have already been conducted are sufficient to make a decision. Having the opportunity to look at several examples of what is sufficient in several different claims would help employees better learn this material.

Due Process

VBA must improve its training on veteran due process. There is currently no training on Clear and Unmistakable Errors (CUEs). RVSRs will have to call CUEs as they start to work on live claims. This means being taught how to make these decisions and how to enter them in VBMS-R. They will have to understand when due process rules apply and when they do not. These decisions can be time-consuming for new decision-makers, and they need to learn what needs to be in their narrative of the decision and how to correct prior errors. A clear solution would be to review cases and have RVSR trainees practice decisions in VBMS-R Demo. This will help RVSRs avoid critical errors in the future.

Due Process issues also apply to reductions for which there is currently no training. Since RVSRs are required to address even unclaimed reductions in their decisions, they should be provided training on reductions to help them understand when due process rules apply and when they do not. Review cases and have them do decisions in VBMS-R Demo to practice. This will help avoid critical errors.

Denials of service connection

Unfortunately, not every claim is eligible for service-connected benefits under the law. These are highly sensitive decisions to make, and there is no training on how to appropriately write the narrative to the veteran when making a denial. Denial narratives have a lot of notification requirements that should also be compassionate while denying a veteran. This is something that should be prioritized for the benefit of veterans.

Supplemental Training

As a result of the current curriculum and schedule of VIP and classroom training, regional offices have been forced to provide supplemental training to fill in the learning gaps and the lag in starting the national training following onboarding. The lag in the national training could be anywhere from two to six weeks. AFGE strongly recommends standardizing this supplemental training, which currently varies between each RO, with some ROs providing exemplary training, while others provide little to none. With the VBA relying on the idea that each employee, regardless of station, is trained the same way in fundamentals, it makes sense to use the best practices of ROs to ensure all trainees are receiving the training they need.

One example of an RO that has greatly expanded local supplemental training is my facility, the Detroit Regional Office. At the Detroit RO, there are several different ways for new and experienced claims processors to improve their skills and understand changes to the claims process. One program at the Detroit Veteran Service Center conducts a listening group with VSR and RVSR trainees separately, bi-weekly, with an allotted time of one hour. The meeting is held with the Veterans Service Center Manager (VSCM) or Assistant Veterans Service Center Manager (AVSCM) over the trainees. The leadership solicits a handful of trainee volunteers to provide feedback on the training they are receiving. This listening session is intended to offer suggestions and solutions to any challenges they are experiencing in the training class.

The RO also holds 30-minute VSR Trainee Fireside Chats where Quality Review Team (QRT), Authorization Quality Review Specialists (AQRS) and VSR mentors host a weekly call. The RO also holds similar RVSR Trainee Fireside Chat where the QRT, Rating Quality Review Specialists (RQRS) and RVSR mentors host a weekly call. These calls are for any VSR or RVSR in the post-classroom phase of the VIP training curriculum only. These are informal spaces for any VSR or RVSR in VIP training.

Additionally, the RO holds Roundtables for VSRs and RVSRs where QRT, AQRS, and RQRS provide monthly training on pressing issues or as needed if a common problem is arising. All of these programs benefit employees by allowing them to increase their skill base and confidence and ownership of their own performance. They also benefit the Regional Office by improving performance and retention and facilitating employee integration into the organization and collaboration with employees. This leads to a better process for employees and allows them to better serve veterans.

This is especially true as VBA has spent significant resources on training instructors but often does not assign them to classes leaving many idle. VBA's current Employee Learning Inspires True Excellence (ELITE) Master Instruction Certification Program consists of self-paced training, examination, and an in-person or virtual two-day practicum. Upon completion, employees are certified for three years. Recertification criteria include a minimum of 12 hours of instruction per year and a re-examination practicum. VBA continues to certify instructors; however, many of these employees are not being utilized. This untapped pool of more than 700 certified instructors could allow VBA to increase the number of training sessions per year. VBA must better leverage its resources to train its growing workforce and help trainers to retain their certification.

Additionally, following up on the June 26, 2024 Subcommittee hearing titled "Examining Shortcomings with VA's National Work Queue Veterans Benefits Claims Management System," these discrepancies in training further underscore the need for more standardized training, and the benefits of keeping claims in one RO through the duration of the claims process.

Specialized Training

PACT Act Training

VBA is up to version three of its standing operating procedures manual, which was recently updated in June 2024. The PACT Act training primarily consists of prepared PowerPoint presentations in the Talent Management System (TMS) and self-review of the ever-changing Standard Operating Procedure. This training is not interactive and feels like it exists to check the box more than actually help the workforce process claims. Additionally, while there are constant changes, VBA does not consistently grant employees excluded time from their production quotas to learn this material but expects them to read and process it on their own time. As PACT Act claims have been processing for several years, AFGE again urges VBA to consult with AFGE to understand the problems frontline claims processers are facing and what training would be helpful to improve this training.

Military Sexual Trauma Claims

Prior to the implementation of the Military Sexual Trauma (MST) Operations Center (MSTOC) in San Juan, Puerto Rico, MST claims were being processed by eight regional offices. Once the MSTOC in San Juan was operational, it was the only RO processing MST claims, with claims processors in the other ROs returning to other claims. Despite this expertise in other facilities around the country, in response to the recent surge of MST claims, in April 2024, approximately 230 employees at the Roanoke Regional Office were tasked to assist the San Juan

Office. In lieu of obtaining assistance from the employees who previously worked these claims and required little to no training, VBA chose an office requiring in-depth training and a steep learning curve. Utilizing the already trained employees would have allowed for a faster reduction of the MST claims inventory.

However, because they were using claims processors largely unfamiliar with MST claims, to minimize the claims processing errors, VBA suspended the individual quality reviews and increased the in-process reviews of all claims for the Roanoke employees and any new employees assigned to the MSTOC. In doing so, an increase in quality review specialists is required to assist the MSTOC's quality review personnel. These employees were obtained from the original eight regional offices previously designated to process MST claims, which again begs the question of why they did not utilize the workforce who already knew how to process these claims.

Utilizing the Innovation of Frontline Workers

VBA is always looking for innovative ways to provide earned benefits to veterans, family members, survivors, and caregivers faster and more equitably. What better means of assessing how processes can be improved than soliciting valued information from those on the ground level doing the work? For example, the development of a tool, the Rating Analysis Tool (RAT), that assists Rating Veterans Service Representatives (RVSRs) in reviewing evidence in VBMS-Core in an efficient sequential order and answering questions from a quality perspective that leads the RVSR to make a more accurate decision to enter in VBMS-Rating as quickly as possible. The RAT was developed by Amanda Thompson, a Rating Quality Review Specialist in Detroit, Michigan. Since the implementation of training on the use of the RAT more than a year ago, the trainers have seen an improvement in the quality of RVSR decisions and timeliness.

Mrs. Thompson provided an in-person demonstration of the RAT to VBA senior leadership in May 2024. The functionality of determining elements met and not met is unavailable in VBMS-Rating. The RAT assists with determining the elements for each decision type, and if it was embedded into VBMS-Rating, it would resolve that missing functionality and become available for all RVSRs to utilize. VBA would be well served to allow its employees to innovate and collaborate to better assist employees serve veterans.

Conclusion

I hope that my testimony today leads the subcommittee to conduct further oversight of Training and Quality in the claims process. AFGE hopes that VBA considers this testimony and the straightforward proposals made today to help improve the training and quality of claims processors across the nation. AFGE and the NVAC stand ready to work with the House Veterans Affairs Committee and VBA to reach this goal. Thank you, and I look forward to answering your questions.