



Breaking The Backlog

A Commonsense Plan *for* Northern Michigan Veterans

**Dr. Dan Benishek
Michigan's First District**



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“Making sure our veterans have timely access to the benefits they have earned should be a top priority of Congress.” - Dr. Dan Benishek



Dr. Benishek meets with World War II veterans from Northern Michigan on a recent “Honor Flight” to Washington.

Summary

The Problem:

Michigan's veterans are not receiving their benefits in a timely manner. Currently, 66 percent of VA disability compensation claims are backlogged (over 125 days old). In the Detroit Regional VA Office, which processes disability claims for Michigan veterans, the average time it takes to complete a claim is 15 to 18 months.¹ Dr. Benishek believes we can do better than this. As a doctor for 20 years at the Oscar G. Johnson VA Medical Center in Iron Mountain, Dr. Benishek has an intimate awareness of the VA health system and is committed to making it work better for all of our nation's heroes.

The Solution:

■ Making A Seamless Transition...

Dr. Benishek believes that soldiers leaving the military must have a seamless transition into the VA system. To achieve this, Dr. Benishek wants to see better education of soldiers' on their benefits, the VA to have immediate access to soldiers' medical records, and veterans be automatically enrolled in the VA medical system upon leaving the military.

■ Simplifying and Streamlining...

Dr. Benishek believes we can streamline the process by adopting 21st Century solutions. As long as a disability claim has been filed with the help of a certified Veteran Service Officer, and the evidence is determined to be adequate, the VA should immediately disburse benefits for simple disabilities, while continuing to develop the rest of the claim that may require additional evidence.

■ Improving Access for Our Veterans...

As a VA doctor for two decades, Dr. Benishek believes solving the backlog is all about improving access for our veterans. A veteran should be able to navigate the VA system in the least burdensome manner. Since the majority of backlogged claims are appeals, appeals hearings via video conferencing should be expanded. Throughout the claims process, the veteran should be able to check the status of his claim electronically.

¹ Source: U.S. Department of Veterans' Affairs, <http://www.vba.va.gov/REPORTS/mmwr/index.asp>

The Problem

“As a doctor who worked in a VA hospital for 20 years, I know firsthand the important need for our veterans to get timely access to the benefits they deserve. It is inexcusable that our nation’s heroes have to wait so long for their claims to be processed.” – Dr. Dan Benishek

Michigan’s veterans are not receiving their benefits in a timely manner. Currently, 66 percent of VA disability compensation claims are backlogged (over 125 days old).¹ In the Detroit Regional VA Office, which processes disability claims for Michigan veterans, the average time it takes to complete a claim is 15 to 18 months.² Dr. Benishek believes we can do better than this. As a doctor for 20 years at the Oscar G. Johnson VA Medical Center in Iron Mountain, Dr. Benishek has an intimate awareness of the VA health system and is committed to making it work better for all of our nation’s heroes.

Secretary Eric K. Shinseki has established much needed goals for the Veterans Benefits Administration to meet in the future. By 2015, the VA has promised that all claims will be completed within 4 months and with a 98 percent accuracy rate.³ These goals are firm and admirable. But how will the VA achieve these standards? Dr. Benishek believes that by enacting a series of commonsense reforms we can begin to ease the backlog and allow our veterans timely access to the benefits they have earned.

66%

of VA disability compensation claims are backlogged.¹

15-18

months is the average time it takes to complete a VA claim.²

897,566

the number of backlogged claims nationally in April 2012.³

Making A Seamless Transition

■ Commonsense Proposals:

Dr. Benishek believes the VA must have a soldier's entire medical history prior to him separating from active duty. Moreover, servicemembers should be automatically enrolled in the VA health care system prior to transitioning to civilian life. Additionally, servicemembers should be thoroughly educated about the VA health care system, as well as the VA benefits to which they are entitled. This requires making the Transition Assistance Program mandatory, which will educate members of the military about the evidence needed to process a disability claim, and tips to filing a claim accurately.



Better education of soldiers' on the benefits they are eligible for.



The VA should have immediate access to soldiers' medical records.



Veterans should be automatically enrolled in the VA upon leaving the military.

■ The Plan In Action:

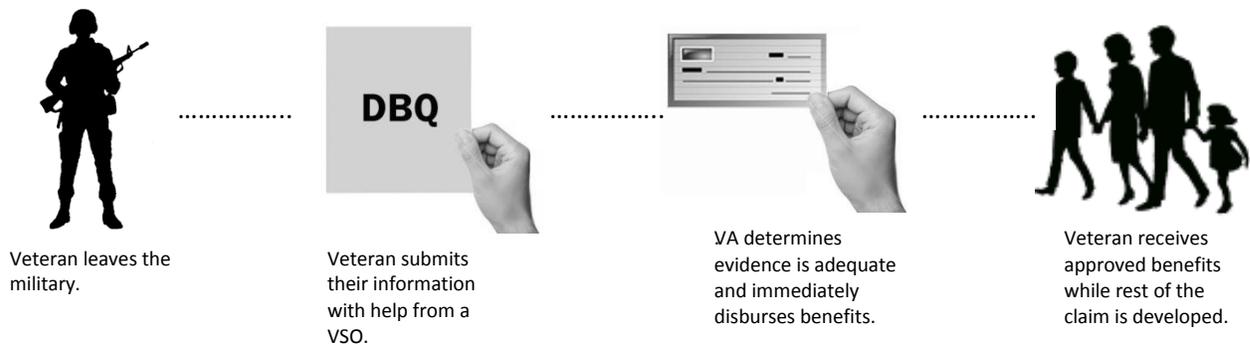
Six months before leaving active duty, a First District soldier takes a mandatory course during which they are given an overview of the VA benefits he or she may be eligible for, the disability claims process, as well as best practices to ensure the veteran submits an initial claim that is complete and accurate. When he or she files an initial claim, the VA already possesses his medical record and military history so they have a better idea of what health problems the veteran may have.

Simplifying and Streamlining

■ Commonsense Proposals:

Dr. Benishek believes a veteran should receive immediate benefits for straightforward claims. The VA can accomplish this by streamlining the entire claims process by continuing to fully digitize records and automate ratings with the use of Disability Benefits Questionnaires. As long as a disability claim has been filed with the help of a certified Veteran Service Officer, and the evidence is determined to be adequate, the VA should immediately disburse benefits for simple disabilities, while continuing to develop the rest of the claim that may require additional evidence. The VA must also simplify all communications to veterans, including the “Duty To Assist” form, to ensure the veteran knows the exact information needed to complete their claim.

...Streamlining the System...



■ The Plan In Action:

A Northern Michigan veteran takes a Disability Benefits Questionnaire (DBQ) to his private physician for a medical examination. Upon completion, the veteran files the DBQ with the VA. The VA assigns a temporary rating for all disabilities for which there is evidence, and immediately disburses benefits appropriate for that rating. The VA continues to assist the veteran in collecting medical evidence for more complicated disabilities, and reassigns a rating once all disabilities are fully developed.

Improving Access for Veterans

■ Commonsense Proposals:

As a VA doctor for two decades, Dr. Benishek believes solving the backlog is all about improving access for our veterans. A veteran should be able to navigate the VA system in the least burdensome manner. This should begin before the veteran even files an initial claim. He should be given the option of filing a claim at any VA Regional Office if the office he would normally be required to utilize has been identified as an underperforming office. Since the majority of backlogged claims are appeals, appeals hearings via video conferencing should be expanded. These can be scheduled within 30 days after an appeal is filed, and they also would reduce travel time and costs. The veteran would be free to elect an in person hearing if this is more comfortable. Throughout the claims process, the veteran should be able to check the status of his claim electronically.



Veterans should be able to file a claim at any VA Regional Office.



The VA should expand appeals hearings via video conferencing.



Veterans should be free to elect a personal hearing if it is more comfortable.

■ The Plan In Action:

A veteran in the U.P. elects to file a disability claim out of the Milwaukee, WI Regional Office, since it is closer than Detroit. While the claim is being developed, he can check the status of his filing via a VA website. If a veteran wishes to appeal his claim, he can elect to have an appeals hearing by teleconference at a nearby VA facility.

Important Veterans Legislation

Important Veterans legislation supported by Dr. Benishek to help ease the backlog problem:

■ **H.R. 2053: “Veterans’ Disability Claims Efficiency Act of 2011”**

This bill allows the Secretary of Veterans Affairs (VA), in the case of a disability claim with multiple conditions, to assign an interim disability rating for the condition(s) that can be assigned without further development and to continue development of the remaining condition(s). This legislation requires an interim disability rating to remain in effect unless the Secretary later assigns an increased rating for such condition. Prohibits the continuation of such rating if the rating was based on fraud or the condition improves.

This bill directs the Secretary to establish a process for the rapid identification of initial claims for disability compensation that should, in adjudication, receive priority in the order of review. Requires the Secretary to identify whether claims have the potential of being adjudicated quickly, the claims qualify for priority treatment, and a temporary disability rating could be assigned for such claims. Authorizes the Secretary to provide priority based on the effect such priority would have on a claimant.

■ **H.R. 3245: “Efficient Service for Veterans Act”**

This legislation directs the Secretary of Veterans Affairs (VA) and the Secretary of Defense (DOD) to jointly ensure that certain VA readjustment counseling centers have access to the Defense Personnel Record Image Retrieval and the VA/DOD Identity Repository Systems.

■ **H.R. 1647: “Veterans’ Choice in Filing Act of 2011”**

This bill directs the Secretary of Veterans Affairs to carry out a two-year pilot program to permit a qualifying veteran filing a claim for Department of Veterans Affairs (VA) benefits to submit such claim to any VA regional office. This bill includes as a qualifying veteran one who, except for the pilot program, would be required to submit such claim to one of five VA regional offices selected by the Secretary based on below-average performance.

This legislation requires reports from the Secretary to Congress on: (1) the five below-average offices selected by the Secretary; and (2) the pilot program, including recommendations on the allocation of resources among the regional offices.

Notes

¹ U.S. Department of Veterans' Affairs, <http://www.vba.va.gov/REPORTS/mmwr/index.asp>

² Detroit Regional VA Center, <http://www.detroit.va.gov/>

³ U.S. Senate Committee on Veterans' Affairs, http://veterans.senate.gov/hearings.cfm?action=release.display&release_id=4f4ad067-1825-45d6-a127-ef2864a25301