



VA Regional Office
AFGE LOCAL 520
PO BOX 1778
COLUMBIA, SC 29202
February 25, 2014

Chairmen, Ranking Members, Members of the US House and Senate Committees of Veterans Affairs

Dear Committee Members:

AFGE Local 520, the exclusive representative of the bargaining unit of VARO Columbia, SC, wants to address the issue of suspension of the local quality review, employees speak, retaliation, and desperation.

At vawatchdog.org the following information was posted.

“Quality Reviews Eliminated For Claims

In an effort to meet their self-imposed 2015 deadline, VA will now make more errors in your claims than ever before!

02/19/2014

Jim,

Today, OFO had a call and they announced that they are suspending the Quality reviews for the next 30 days to focus towards keeping claims to 125 days. They are putting the rating specialist, any MA's and folks in CO to work towards the pending work load.

You might want to check with other sources on more details.

/S/

VA Employee”

Here is confirmation.

From VBACMS
Sent: Friday, February 21, 2014 7:31 AM
To: VBACMS_vsc
Subject: QRT Reviews

The QRT reviews for individual quality were suspended February 19, 2014. All quality reviews with errors that were completed before this date need to follow our quality review process.

If there is an error on a claim reviewed prior to February 19, 2014, the error must be corrected or a reconsideration request submitted.

Assistant Veterans Service Center Manager
Columbia VA Regional Office

Here are a couple more excerpts from vawatchdog.org

“02/19/2014

Hi Jim,

In reference to Mr. Rosinski's messages: This pertains to the RVSR comment about the STAR team. He is right about the STAR team being one of the main problems as to why raters are afraid to grant any benefits.

Late this afternoon, we got an e-mail suspending ALL quality reviews so those employees can assist in the backlog.

Second to the provisional ratings that did not work so well, this is the "ALL LIGHTS GREEN" to all employees to get rid of every claim pending no matter what because no one is watching any longer.

The "clicking" based on the inadequate DBQ's and broken evaluation builders will now full speed ahead. The only difference this time is that they won't put any control in for receipt of any evidence that was not of record to be reviewed again at a later date.

Despite now having over 271,000+ appeals, **Remind your Veteran's** that they only have one year to **appeal** and that is what they must do to preserve any effective date in the event benefits are subsequently granted, in five or more years from now once they get their day in Court.

/S/

VA Employee, RVSR”

- ✓ *Hey...BVA/CAVC...You guys are sunk.*

Mandatory Overtime for Appeals Judges Next???

The #1 problem with veterans disability claims is the poor quality of the decisions that are shot out the doors every day. This has been a fact for a long time and it seems to be recognized by everyone BUT the VBA.

The quality review process hasn't been up to snuff for a long time...but it was better than nothing. Now, even that's gone as the VBA tries to make those magic numbers.

Imagine that your favorite auto manufacturer decided to eliminate all quality inspections so they could get your car to you faster.

The employees who build your car know that nobody is looking over their shoulder so they take shortcuts to meet the steeply increased production requirements...a lot of shortcuts.

Oh...they also pull in people from other parts of the company to help build your car even though they aren't trained for it. Many of those people aren't happy so they'll take their revenge on you...the customer.

The quality of the car you'd get would be similar to the quality of the decisions that your VA is handing out.

Leaders at VBA are becoming more desperate by the day. Nothing they've done has made any progress.

So...they've decided to rush to judgment on your current claims regardless of the errors. The backlog at the VBA will be eliminated and they will smugly congratulate themselves on a job well done and retire from VA.

You and the BVA and the CAVC can sort it all out at your leisure over the next decade or so.

This is the best news ever for veterans law attorneys! VBA has promised you plenty of work for many years to come.

Vets...if you have a claim pending today, please plan now to meet one of the veterans law attorneys who are featured on the pages of the VAWatchdog.

You'll need one of these lawyers, probably sooner than later."

AFGE Local 520 supports the nameless employees who contacted vawatchdog.org. We are sure they would like to speak out openly, but they fear retaliation by the VBA. Why?

The article, *Miller faults VBA 'retaliatory' tactics vs. Legion, The American Legion*, - February 19, 2014 should add context to the reason.

- "Rep. Jeff Miller, R-Fla., pulled no punches in a Feb. 14 letter sent to Department of Veterans Affairs (VA) Secretary Eric Shinseki. He accused the Veterans Benefits

Administration (VBA) of obstructing the work of an American Legion team of experts during its recent visit to the Seattle VA Regional Office.

- The Jan. 21-24 visit was part of the Legion's 15-year-old Regional Office Action Review (ROAR) program, which evaluates claims processing at VA regional offices nationwide and offers recommendations for improvement.
- Miller, chairman of the House Committee on Veterans' Affairs (HVAC), wrote that VBA's recent actions "are perceived as deliberate and retaliatory, and I caution that any obstruction to external review of VBA's work product is contrary to both transparency and government accountability; it will not be tolerated under a pretense of workload management.
- Miller mentioned the Legion's testimony in his letter to Shinseki, indicating that "VA's accuracy statistics are not consistent with the Legion's review of recently adjudicated claims; in the past year, 55 percent of claims reviewed by the Legion were identified as having errors...."
- "It's a learning process for both the VBA and the Legion," Jones said. "We go to the regional offices, help identify the best practices, identify the problems, and offer recommendations on how to make the entire process even better. But we need access to the claims files, to the claims adjudicators, and we need to do our work in tandem with the VA."

Now desperate, the VBA leadership has embarked on another ADHOC procedure called the "All Hands Surge Initiative" in order to show progress. However, it will again prove disastrous for Veterans and their survivors for a long time.

The article, *VA Claims Dept. Goes Paperless, Keloland.com, February 20, 2014*, also shows while the VBA is engaging in another ADHOC procedure, the one man public relations team of VA Assistant Secretary Tommy Sowers continues to promote a paperless system that is not "ready for prime time" or "producing results."

- A rare look inside the inner-workings at the Sioux Falls VA shows how the facility is taking a leading role in helping more veterans get benefits. The push to go paperless is cutting into a backlog of claims.
- Up until Thursday, the VA hasn't let our cameras inside the claims department because of confidentiality reasons. But now all the veterans' medical information is out of site and stored in computers, for quicker processing.
- "So what you're seeing here in Sioux Falls is really a war on paper," VA Assistant Secretary Tommy Sowers said.
- "How much time does it save when you have to look something up on Google versus look something up in an encyclopedia? That's probably the way to think about this," Sowers said.
- The old system left the Sioux Falls claims department buried in paperwork.
- "The stacks would often rise above the top of the work stations. And employees would have to sort through that every day to get what they needed," Dakotas Regional Offices Director Jim Brubaker said.

- The Sioux Falls VA processes about 300 local claims a month. Plus another 250 from backlogged VA's across the country.
- "It's a testament to the employee's efficiency and their abilities to do the job, absolutely," Brubaker said.
- The Sioux Falls VA workers are putting in 20 hours a month of mandatory overtime to catch up with the backlog.
- "So this is a high-performing, high-production area that not only does great in terms of quantity, but also quality as well," Sowers said.
- Sowers credits much of that high-performance to the military makeup of the workforce. 62-percent of the VA's employees are veterans themselves.

Purposefully, he selects a VARO according to the MMWR as of February 15, 2014 with a pending rating inventory of 1476 and the number pending over 125 days old was 44%. (Station of Origination (SOO)) The MMWR also shows that because claims have been transferred from other stations, the pending rating inventory was 2456 and the number over 125 days was 65.4%. (Station of Jurisdiction (SOJ)) However, Sioux Falls has the same amount of employees assigned to work the additional inventory.

Here is another example. The Columbia VARO office transferred 3,000 claims that needed initial development to Lincoln, NE. Therefore, as of February 15, 2014, Lincoln's rating claims pending SOO was 3,628 and the number over 125 day was 45.8. However, due to the transfer, its SOJ rating claims pending was 7450 and the number pending over 125 days was 76.1. Again, they have the same amount of employees assigned to work the additional inventory.

On January 16, 2014, the MMWR was changed to reflect the SOO and the SOJ and here is the explanation of each.

- Rating Bundle Measures - SOO: Displays national, area, and regional office-level data for Rating Bundle claims by Station of Origination. The Station of Origination (SOO) primarily represents pending claims based on geographic boundaries; typically defined by a claimant's state of residence. Only when a claim is permanently transferred from one station to another, will the SOO change.
- Rating Bundle Measures - SOJ: Displays national, area, and regional office-level data for Rating Bundle claims by Station of Jurisdiction. The Station of Jurisdiction represents pending claims at the regional office currently assigned to work the claim."

This is an example of the National queue and is "fools gold." Shifting work around the 57 VAROs with no accountability and placing additional burden on VAROs without providing the necessary staffing or the tools to produce the needed results is mismanagement at its worst.

Furthermore, AFGE Local 520 would like to address another problem associated with the scanning of documents.

As of February 24, 2014, the Columbia VARO had 6529 Veterans with documents (claims folders or documents) pending scanning. Here is the breakdown:

<u>Number of days pending</u>	<u>Total pending scanning/%</u>
50-70	1271/19.5%
30-40	2845/43.6%
20-30	1104/16.9%
15-20	1309/20.0

This is data from one of the 57 VAROs. It shows that valuable time is being lost in the scanning process. Furthermore, documents are not available when needed to process the claims. A review is needed of the scanning facilities to determine the extent of this problem.

The article, *Texas' shameful backlog on VA disability claims, Dallasnews Opinion, February 18, 2014, Paul Rieckhoff is the founder and CEO of Iraq and Afghanistan Veterans of America*, shows yet another contradiction.

- “Here in Texas, the numbers are pathetic. The Houston Regional Office has 17,400 veterans in the backlog, and the Waco Regional Office has 13,700. Out of 57 regional offices nationally, the Texas offices are 2 of the 6 worst in terms of backlogged claims.
- Of course, this is about more than numbers. This isn’t about 400,000 files stacked up, waiting for action from the VA. This is about 400,000 Americans whose lives are on hold, waiting for a broken-down system to be fixed.
- Public pressure from the veterans community led the VA to make overdue reforms that have reduced the backlog by 36 percent since March. Yet, progress has stalled and the number of veterans in the backlog has hovered around 400,000 for the past couple months. Last week it stood at 401,246.
- Celebrating getting the backlog to 400,000 would be like the Cowboys celebrating losing by 28 points instead of 40. The VA is doing a little better, but nobody in Washington should be spiking the football.”

The article, *VA Defends Bonus To Former Local Director, KWTX.com, February 16, 2014*, shows yet another side of the Waco Regional Office and a lack of accountability.

- “Carl Lowe, Director of the Waco VA Regional Office from 2000 to 2011, was one of many who collected a bonus before retiring.
- Between 2007 and 2011, the backlog within the Waco VA Regional Office became one of the worst in America.
- According to a federal database search, Lowe’s base salary was \$173,600 in 2011. Documents obtained by News 10 show that Lowe was sometimes awarded up to \$13,000 a year in bonuses.
- The Austin American Statesman first reported that Lowe accrued \$53,436 in yearly bonuses between 2007 and 2011.

- The bonuses Lowe received were defended by VA Secretary Eric Shinseki in a letter to Rep. Jeff Miller, R-Fla, who is Chairman to the Committee of Veterans' Affairs in Washington, DC.
- In the letter, Shinseki says, "to attract and retain the best leaders, VA uses all the tools available, including performance awards."
- He goes on to comment why Lowe received bonuses specifically saying, "The performance of Mr. Carl Lowe was evaluated on a measurement system that included all business lines for which he was responsible while serving as Director."
- Shinseki continues saying, "during Mr. Lowe's tenure, he set the example for going above and beyond in the area of Veteran outreach and fostered strong, collaborative relationships with a variety of internal and external stakeholders."
- McLennan County Veterans Officer Steve Hernandez was shocked by Shinseki's letter.
- "It just disappoints me the VA did not plan properly to take care of the veteran first," Hernandez said.
- "I think it's about time the VA gets reviewed and scrutinized at the federal level for the amount of money that they're giving out without oversight."

Another article, *Senator Kirk Tours Illinois Health Care System and Addresses Nationwide VA Backlog*, *eNews Park Forest*, 20 Feb 2014, shows another problem in Illinois.

- **"The Average Wait Time for Veterans Disability Claims in Illinois is 353 Days; Senator's 10-Point Plan Addresses Nationwide Processing Delays**
- DANVILLE, ILL.--(ENEWSPF)--February 20, 2014. U.S. Senator Mark Kirk (R-Ill.) today visited with veterans and Veterans Affairs (VA) officials at the Illinois Health Care System to tour the system's living facilities and to discuss the continued disability claims backlog facing veterans across the nation. The average wait time for veterans disability claims in Illinois is 353 days - the sixth-highest wait time in our country.
- "Illinois is home to more than 700,000 veterans, and for them to be stuck waiting for their benefits for almost a year is still unacceptable," Senator Kirk said. "Our state's 353-day waiting period is the sixth-highest in the nation, and our servicemen and women deserve better. With our bipartisan 10-point plan to reduce the backlog now in law, we will be holding the VA accountable for its full implementation over the months ahead."

Despite the overtime (20 hours of mandatory and all the voluntary that an employee can work), Fully Developed Claims (FDC), the other initiatives of the new organizational model, and the savior (VBMS), the VBA rating inventory is "stuck in the mud."

Furthermore, here is what is on the horizon – the completion of all provisional ratings, EP 400s which stands at 116,395 with 78,607 over 125 days old with no indication which ones are associated with provisional ratings, EP 930s (mostly associated with premature ratings decisions) which stands at 23,877 with 19,748 over 125 days old, informal FDCs waiting in the wings, the drawdown of Afghanistan, and any number of unforeseen events that could change the VBA landscape overnight.

If serving Veterans and their survivors is a bipartisan issue, the Committees need to stop punting the football and keep giving the VBA leadership a get out of jail card. Taxpayers' dollars are not "monopoly money" and Veterans and their survivors are not "pawns" on the VBA chess board.

Moreover, VBA keeps making predictions that are not based on sound management principles and making changes at every turn which only validates that their assumptions were wrong. However, employees are perplexed and Veterans and their survivors will suffer for a long time if this is allowed to continue. After 2 ½ years of this confusion, all involved should now realize this transformation was "voodoo" claims processing.

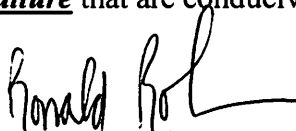
Finally, VBMS has been deployed in the regional offices for over a year now and in satellite offices since 2010 (going on four years). During that time, there has been no significant or substantial updates to assist the employees or the stakeholders (VSOs, attorneys, etc.) to make processing a claim any faster despite VBA's complete push of this system (refer to all recent Congressional hearing testimony). When will VBA slow down and actually fix some of the problems or completely stop something that is not working to fix some of the problems that continue to exist instead of creating more work for everyone involved? Mr. Tommy Sowers' report showed that the VBA went from a 12 inch paper file to seeing nothing because it was all in the computer, but what he failed to acknowledge was "out of sight" in VBA's mind, is "not out of sight" in the veteran's and employee's mind. You cannot hide behind incompetence.

An employee's summation to this equation: Not only is VBA living in a future that does not yet exist, but by the time that this system is fully up and running and some of the problems have been worked out, the leaders of VBA will be gone and most employees that wanted to help the Veteran's will no longer be around. The future that VBA is now living in will not come to fruition for 10+ or more years. There is only superficial improvement and no real progress and Congress will still be talking about this in five years and, finally, in 10 or more years, there will continue to be a history that has continued to repeat itself, yet again.

As administrator for the agency after World War II, Bradley said: "**We are dealing with Veterans, not procedures; with their problems, not ours.**"

Therefore, AFGE Local 520 will continue to safeguard the public interest and contribute to the effective conduct of public business as required by law.

We will also continue to chime in weekly on this most critical subject with objective evidence" because Veterans have earned the right to have a claims processing system that works for all of them and employees can only effectively serve them if they are provided with the leadership, processes, people systems and workplace culture that are conducive to providing timely and accurate decisions.


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