



## RAPID APPEALS MODERNIZATION PROGRAM (RAMP)

### BACKGROUND INFORMATION, SCRIPT, PROCEDURAL GUIDANCE, & FAQs

**ISSUE DATE: NOVEMBER 1, 2017**

#### BACKGROUND INFORMATION

On August 23, 2017, the President signed into law, the Veterans Appeals Improvement and Modernization Act of 2017, creating a new claims and appeals process for disagreements regarding VA benefits. The new process provides streamlined choices for claimants seeking review of a VA decision. The framework for the new process features three lanes: a Supplemental Claim lane, which provides an opportunity to submit additional evidence, a Higher-Level Review lane, which consists of an entirely new review of the claim by a claims adjudicator with difference of opinion authority, and an Appeal lane that provides an opportunity to appeal directly to the Board of Veterans' Appeals (Board).

While the law will not be effective for another 18 months, in an effort to provide some of the benefits of the new law's streamlined process, VA has initiated the Rapid Appeals Modernization Program (RAMP). This initiative will allow participants the option to have their decisions reviewed in the Higher-Level Review or Supplemental Claim lanes, as outlined in the new law. Participation in RAMP is voluntary; however, Veterans can expect to receive a review of VA's decision on their claim much faster in RAMP than if they were to remain in the legacy appeals process.

The RAMP initiative is set to begin on November 1, 2017, and will run until VA fully implements the new law no earlier than February 2019.

Disabilities determined by VA to be related to your military service can lead to monthly non-taxable compensation, enrollment in the VA health care system, a 10-point hiring preference for federal employment and other important benefits. Ask your VA representative or Veterans Service Organization representative about Disability Compensation, Pension, Health Care, Caregiver Program, Career Services, Educational Assistance, Home Loan Guaranty, Insurance and/or Dependents and Survivors' Benefits.



U.S. Department of Veterans Affairs



## GUIDANCE FOR VETERANS SEEKING ADVICE ON OPTING INTO RAMP

We expect to receive a significant number of phone calls from Veterans seeking advice or encouragement as to whether the Veteran should elect RAMP. While providing Veterans factual information about RAMP based on the information provided in this document is appropriate for dissemination, VA personnel should refrain from providing recommendations to participate in RAMP, and suggesting which lane may be the best option for the Veteran to pursue.

VA personnel should encourage claimants to speak with their representative about what is the best choice.

## SUGGESTED SCRIPT

“The Veterans Appeals Improvement and Modernization Act of 2017, is designed to provide Veterans greater choice and early resolution of their disagreements with VA’s benefit decisions. While VA cannot fully implement the law until February 2019 at the earliest, in an effort to provide some of the benefits of the new law’s streamlined process, VA has initiated the Rapid Appeals Modernization Program (RAMP). RAMP allows *early* participation in the Supplemental Claim and Higher-Level Review lanes. Participation in RAMP is voluntary; however, taking advantage of this unique opportunity to use several aspects of the new process may help you avoid the delays you are experiencing in the current process.”

## FREQUENTLY ASKED QUESTIONS

### Q1. WHAT ARE THE ADVANTAGES OF RAMP?

A1: As a RAMP participant, you will benefit from:

- Early participation in the new, more efficient review process
- Potentially faster decisions and early resolution of disagreements
- Multiple review options
- The same potential effective date for your benefits regardless of the review option that you choose
- A new requirement that VA must have clear and convincing evidence to change any findings favorable to you in a VA decision



## **Q2. WILL RAMP BE FASTER THAN THE CURRENT PROCESS?**

A2: We anticipate RAMP processing times will be significantly faster than current appeal processing times. VA's goal is to process reviews under RAMP in an average of 125 days. Currently, Veterans are waiting an average of three years for a resolution of their appeal. For those appeals that are decided by the Board, on average, Veterans are waiting an average of six years from filing of their Notice of Disagreement (NOD) until the Board issued a decision.

## **Q3. WHO IS ELIGIBLE FOR RAMP?**

A3: Appellants who have a disability compensation appeal pending in one of the following stages at the time of election are eligible for RAMP:

- Notice of Disagreement (NOD)
- Form 9
- Certified to Board (not activated)
- Remand

Compensation appeals certified to the Board and "activated" through formal placement on the docket are excluded and will remain pending in the current appeals process. If you elect to participate in RAMP, VA will process all eligible appeals under the review lane you select. Veterans who have been waiting the longest in each of the above appeal stages for a resolution of their appeal will receive a letter giving them the opportunity to participate in RAMP first. Service Organizations have the ability to recommend and or submit and opt-in letter on behalf of their represented Veterans. VBA will phase more Veterans into RAMP, eventually inviting almost 350,000 to participate.

## **Q4. WHAT IF I HAVE NOT RECEIVED AN OPT-IN LETTER?**

A4: VA is phasing in RAMP by allowing Veterans with the oldest compensation appeals to opt-in first. However, Service Organizations have the ability to recommend their Veterans to participate in the program as well as advice regarding which lane might be best suited for a specific appeal. If you have not received a letter in the mail regarding RAMP, please reach out to your designated Service Organizations or your nearest



Regional Office for more information. You can also find more RAMP information in the [VBA Appeals Modernization website](#).

**Q5. WHAT WILL HAPPEN WITH MY APPEAL IF I CHOOSE NOT TO PARTICIPATE IN RAMP?**

A5: Participation in RAMP is voluntary; if you choose not to participate, your appeal will continue to be processed under the current process.

**Q6. I HAVE MULTIPLE APPEALS WITH MULTIPLE ISSUES. DO I HAVE TO CHOOSE THE SAME LANE FOR ALL OF THEM?**

A6: Yes. Under RAMP, you must choose either the Higher-Level Review lane or the Supplemental Claim lane for all compensation issues under appeal. If you remain dissatisfied with the decision you receive in one of these lanes, you will have a year to use the other lane or appeal to the Board of Veterans' Appeals for all issues addressed under RAMP to protect your potential effective date for benefits.

**Q7. WHY CAN'T I SUBMIT ADDITIONAL EVIDENCE TO THE HIGHER-LEVEL REVIEWER?**

A7: During a higher-level review, VA will take a *de novo*, or "new," look at the previous decision based on all of the evidence of record at the time that you elect to opt into RAMP. The Higher-Level Reviewer can overturn a previous decision based on a difference of opinion, or return a decision for correction. If you would like to submit new evidence in support of your compensation claim or would like VA to assist you in gathering additional evidence, we encourage you to first select the supplemental claim lane.

**Q8. WHAT LANE SHOULD I SELECT IF I HAVE NEW EVIDENCE TO SUBMIT?**

A8: You should select the supplemental claim lane. In this lane you can submit or identify additional evidence and VA has a duty to assist you in gathering evidence to support your claim. If you elect to first have a higher-level review, VA cannot accept or consider any evidence that you submit after you request a higher-level review. However, if you remain dissatisfied with VA's higher-level review decision, you will have a full year to use the supplemental claim lane or appeal to the Board of Veterans' Appeals.

**Q9. IF I DON'T WANT TO PARTICIPATE IN RAMP, DO I HAVE TO OPT-OUT OF THE PROGRAM?**



A9: No. If you do not elect to participate in RAMP, VA will continue to process your appeal in the current process. On the other hand, if you elect to participate, you must withdraw your current appeal and all further review processing will occur in the new process. You won't be able to go back to the less efficient old process. Under RAMP, VA will issue a new decision on your claim and you will have all the benefits of the new review process available to you.

**Q10. WHAT DO I DO IF I DISAGREE WITH MY RAMP DECISION?**

A10: If you disagree with the RAMP decision, you will have a full year to select another review option. RAMP has increased effective date protections over the current appeals process. This means that regardless of the review option that you choose there is no "wrong choice." If you request a higher-level review, file a supplemental claim, or appeal to the Board of Veterans' Appeals within one year after you receive a RAMP decision, the potential effective date for your benefits will be protected. You will not have the option to return to the less efficient legacy appeals process but you will have all the benefits of the new process.

**Q11. WHEN DOES THE RAMP PROGRAM START AND END?**

A11: Participation in RAMP begins in early November 2017, and runs continuously until full implementation of the new law in February 2019.

**Q12: WHEN WILL THE OPT-IN LETTER BE MAILED AND HOW FREQUENTLY?**

A12: VA is conducting RAMP by phases. Phase 1 will begin in early November with an initial mailing to 500 Veterans with the oldest compensation appeals. Subsequent and increase mailings will be conducted in regular intervals thereafter.

**Q13: I AM NOT SURE IF RAMP IS THE RIGHT CHOICE FOR MY CASE. HOW DO I DECIDE?**

A13: Although we expect RAMP participants to receive faster decisions under the more efficient process, opting in may not be appropriate for all cases. We encourage you to contact your Veterans Service Organization representative or other accredited representative to discuss which option is best for your individual case. If you do not have a representative, you can have a VA-accredited Veterans Service Organization representative, attorney, or agent help you. You can find a listing of accredited representatives at <https://www.va.gov/ogc/apps/accreditation/index.asp>.





<b>EFFECTIVE DATE FOR QUALITY REVIEW</b> <b>PURPOSES</b>	<b>CHANGE</b>
10/1/17	<ul style="list-style-type: none"><li>• Original Document Issued</li></ul>
11/1/17	<ul style="list-style-type: none"><li>• Document revised with new pilot start date</li></ul>
12/29/17	<ul style="list-style-type: none"><li>• Document revised with GUIDANCE FOR VETERANS SEEKING ADVICE ON OPTING INTO RAMP</li></ul>
01/25/2018	<ul style="list-style-type: none"><li>• Document updated to reflect revised opt-in methods: mailed invitations and working with Service Organizations</li></ul>

