



HOUSE COMMITTEE ON
VETERANS' AFFAIRS
Chairman Phil Roe, M.D.

Veterans Appeals Improvement and Modernization Act of 2017

Background:

When a veteran files a claim for a disability they believe is caused by their military service, VA will issue a rating decision, which either grants or denies the claimed disability and assigns an evaluation of disability level. If a veteran disagrees with VA's decision, they may file an appeal with VA and move their claim through several levels of the appeals process.

Unfortunately, VA's current appeals process is broken. Between fiscal year 2015 and fiscal year 2017, the number of pending appeals increased from approximately 380,000 to 470,000 – more than a 20 percent increase. Between fiscal years 2013 and 2016, Congress appropriated nearly \$200 million more than the president's request to address the appeals backlog. Despite the infusion of resources, VA estimates that it will take at least five years just to resolve the appeals currently pending.

The Veterans Appeals Improvement and Modernization Act of 2017 would create three "lanes" for veterans' appeals, including the "Local Higher Level Review Lane" in which an adjudicator reviews the same evidence considered by the original claims processor; the "New Evidence Lane," in which the veteran could submit new evidence for review and have a hearing; and the "Board Lane," in which jurisdiction for the appeal would transfer immediately to the Board of Veterans' Appeals.

The bill would give the Secretary the authority to test the new system prior to full implementation and would allow some veterans already going through the appeals process to opt into the new system. It would also require VA to provide a comprehensive plan for how the new system will be implemented and a subsequent certification by the Secretary that the department is prepared to roll-out the reform. Lastly, the bill would require the Secretary to submit periodic reports to Congress, including information on how many appeals are pending in both the modernized system and the legacy system.

The Message:

- VA's current appeals process is broken, and the backlog of appeals is out of control.
- Veterans who experience a disability as a result of their service deserve to have their appeals decided in a timely manner.
- This new system would help VA move through the backlog of appeals so veterans waiting on their disability decision can have peace of mind.