BVA

OBJECTIVES

- Purpose of BVA
- Composition of BVA
- MOPH & BVA
- Basic BVA/MOPH statistics
BVA

- BVA established under 38 USC Ch 71
- Located Washington, DC
- Makes the final VA decisions on those appeals which question the VA Secretary’s decision under 38 USC 511
BVA

- Composed of
  - Chairman – Appt by President
  - Vice-Chairman – Appt by VA Secretary BVA
  - Veteran Law Judges (VLJ) – 60
  - Staff Attorneys – Approx 300
  - Administrative staff – Approx 200

- Four decision teams – geographic
  - Deputy Vice-Chairman
BVA

MOPH Staff

- Howard Hood – BVA Appeals Manager
  - Rick Foster – BVA Legal Assistant
- General duties of Appeals Manager
  - Review all MOPH cases coming to BVA
    - Initial, BVA remands and Court remands
  - Conducts hearing at BVA
BVA

MOPH Staff

- **Specific Duties**
  - Informal Hearing Presentation (IHP)
  - F1-11 Hearing Memorandum
  - Hearings
  - Reviews Independent Medical Opinions
  - Answers questions – clients – NSOs
BVA

MOPH Staff

- **Specific Duties**
  - Advancement on the docket
  - Age 75
  - Terminal illness
  - Extreme financial hardship
- **CANNOT** discuss a case with a VLJ
BVA

BVA STATISTICS

- Appeals filed – Form 9
  - FY 2009  51,481
  - FY 2010  57,925
  - FY 2011  66,000 (Projected)

- NODs/Appeals Pending as of March 1, 2011
  - Nationwide  330,219
  - Pending BVA  30,180
### BVA APPEALS PENDING BY SERVICE ORGANIZATION

*(EOM Feb 2011)*

<table>
<thead>
<tr>
<th>Organization</th>
<th>Pending</th>
<th>Days</th>
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<tbody>
<tr>
<td>American Legion</td>
<td>8,964</td>
<td>394</td>
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<tr>
<td>AMVETS</td>
<td>88</td>
<td>178</td>
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<tr>
<td>DAV</td>
<td>10,837</td>
<td>317</td>
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<tr>
<td>MOPH</td>
<td>205</td>
<td>167</td>
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<tr>
<td>VFW</td>
<td>2,274</td>
<td>200</td>
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<tr>
<td>Nationwide</td>
<td>31,024</td>
<td>297</td>
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## APPEALS PROCESSING TIME

<table>
<thead>
<tr>
<th>STAGE</th>
<th>Responsible Party</th>
<th>Processing time</th>
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<tbody>
<tr>
<td>NOD - SOC</td>
<td>AOJ</td>
<td>243 days</td>
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<tr>
<td>SOC – Form 9</td>
<td>Appellant</td>
<td>42 days</td>
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<tr>
<td>Form 9 - Certification</td>
<td>AOJ</td>
<td>609 days</td>
</tr>
<tr>
<td>Certif. – BVA Decision</td>
<td>BVA</td>
<td>212 days</td>
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<tr>
<td>Remand</td>
<td>AOJ</td>
<td>493 days</td>
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APPEALS PROCESSING TIME

- NOD to BVA Decision 36 months
- Average Remand 14 months
- TOTAL TIME 42 MONTHS 4.2 YEARS
# BVA DISPOSITIONS (FY 2010)

<table>
<thead>
<tr>
<th></th>
<th>Allowed</th>
<th>Remand</th>
<th>Denied</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MOPH</strong></td>
<td>155</td>
<td>189</td>
<td>148</td>
<td>9</td>
<td>501</td>
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<tr>
<td></td>
<td>30.9%</td>
<td>37.7%</td>
<td>29.5%</td>
<td>1.8%</td>
<td>1%</td>
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<tr>
<td><strong>NO Representation</strong></td>
<td>987</td>
<td>1,668</td>
<td>1,826</td>
<td>95</td>
<td>4,576</td>
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<td></td>
<td>21.6%</td>
<td>36.5%</td>
<td>39.9%</td>
<td>2.1%</td>
<td>9.3%</td>
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<tr>
<td><strong>TOTAL BVA Disposition</strong></td>
<td>13,211</td>
<td>20,829</td>
<td>13,788</td>
<td>12,99</td>
<td>49,127</td>
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<td></td>
<td>26.9%</td>
<td>42.4%</td>
<td>28.1%</td>
<td>2.65</td>
<td>100%</td>
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MOPH NSO Annual Training
Spring 2011  Orlando, FL