

APPEALS MANAGEMENT CENTER AMC

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Appeals Management Center

OBJECTIVES

- Where is the AMC?
- What is its purpose?
- Common reasons for remands
- Time delays due to remands
- Role of MOPH - remands

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WHERE IS THE AMC?

- ◆ The AMC is in Washington DC
- ◆ Brokers work - Cleveland

WHAT'S ITS PURPOSE?

- ◆ Receives appeals from BVA
- ◆ Develops, Examines, furnishes notice
- ◆ Grants with rating decision
- ◆ Supplemental Statement of the Case

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COMMON REASONS FOR REMANDS

- ◆ Request VAX, medical opinions
- ◆ VA/private medical records
- ◆ Social Security Records
- ◆ VCAA Notice

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CASES NOT SENT TO AMC (4%)

- Personal hearing requested at RO
- Vet represented by private attorney
- Benefits other than C&P (educ./CH 31)
- “Egregious errors” of RO (e.g. No VCAA, ignored Vets request for treatment records)

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TIME DELAYS CAUSED BY BVA

- A remanded case is typically delayed at least 18 months before returned for final adjudication
- If remanded a second time – additional 18 months
- BVA remand “confers on the veteran or other claimant, as a matter of law, the right to compliance with the remand orders.” *Stegall v. West*

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HOW TO AVOID A BVA REMAND

■ *Before case is certified to BVA:*

- ◆ Ask for VAX/opinion
- ◆ All needed medical records received
- ◆ Request SSA records if needed
- ◆ Resolve VCAA notice issues

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ROLE OF MOPH AND REMANDS

- Ensure strict compliance with BVA Remand
- Point out legal errors in SSOC/Reconsideration
- Review/Sign Ratings
- Request additional development if needed
 - ◆ New VAX
 - ◆ New VA opinion
 - ◆ VA/Private records

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ROLE OF MOPH AT AMC

- Inter-relationship between AMC/BVA/NSOs
 - ◆ Cases returned to BVA for final adjudication
 - ◆ Communication with NSOs to further case Development
 - ◆ Cases identified for private medical opinion

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