



THE UNDER SECRETARY OF VETERANS AFFAIRS FOR BENEFITS  
WASHINGTON, D.C. 20420

FEB 20 2014

Lieutenant General Charles H. Roadman, II, M.D., Retired  
Chairman  
Veterans' Advisory Board on Dose Reconstruction  
801 North Quincy Street, Suite 600  
Arlington, VA 22203

Dear General Roadman:

Thank you for the recommendations you submitted on behalf of the Veterans' Advisory Board on Dose Reconstruction (VBDR). The Department of Veterans Affairs (VA) accepts, in principle, the VBDR's recommendations, and this letter describes VA's plan to address VBDR's recommendations.

**Recommendations for the Department of Veterans Affairs:**

**Recommendation 1:** The VA correct the problem that causes the delay in transferring Veterans' claims from the Office of Original Jurisdiction (OOJ) to the Jackson VA Regional Office (VARO).

**Response:** The Veterans Benefits Administration (VBA) is modifying Fast Letter 06-20, Centralization of Radiation Claims Processing, to state that all VAROs will refer claims for disability benefits resulting from exposure to ionizing radiation during active military service to the Jackson VARO for processing. The diseases listed at title 38, Code of Federal Regulations, sections 3.309 and 3.311, are accepted as radiogenic. For unlisted diseases, the Jackson VARO will, as necessary, initiate development. If development fails to establish confirmation of a radiogenic disability, the radiation claim and other claims will be processed to completion by the Jackson VARO. VBA's move to paperless claims processing will facilitate reducing the processing timeliness as paper claims files will not be sent to Jackson. By sending electronic files to Jackson, faster development can be initiated.

**Recommendation 2:** The Veterans Health Administration (VHA) (Office of Public Health) complete production and distribute the briefing package material to the "Big 6" Veterans organizations to inform Veterans about the atomic Veterans claim process.

**Response:** VHA's Office of Public Health put this package together and forwarded it to VA's Public Affairs Officer, who distributed it to the "Big 6" In December 2013. The package has a collection of briefing materials that are specific to Atomic Veterans.

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**Recommendation 3:** VBA conduct a focused System Technical Accuracy Review (STAR) audit of radiation claims every three years.

**Response:** On September 10, 2013, the VBA Compensation Service's Quality Assurance (QA) Staff completed a special-focus review of radiation cases finalized by the Jackson VARO between July 2011 and July 2013. The final report summarizing the findings of this review has been provided to the VBDR's sub-committee on claims.

In addition to this special-focus radiation review, the QA Staff also conducted special focus reviews of radiation claims completed by the Jackson VARO during FYs 2010 and 2008. As part of the FY 2010 review, 174 cases were reviewed with an overall accuracy rate of 86 percent. The disability most frequently granted was skin cancer (38 percent of the total number of issues granted, which is 47 of 125 grants). The FY 2008 review revealed a 90-percent accuracy rate. A total of 232 cases were reviewed. Of the 351 issues claimed due to radiation exposure, 37 percent were granted, predominantly for skin cancer.

The QA staff will complete triennial reviews to ensure ongoing quality service to radiation-exposed Veterans.

**Recommendations for VA and DTRA:**

**Recommendation 1:** The VA and Nuclear Test Personnel Review (NTPR) program provide the VBDR with a formal plan (to include staffing, Virtual Private Network (VPN) restoration, or other needed resources) to remove the backlog of claims.

**Response:**

A. Staffing

The Jackson VARO radiation team is currently staffed with eleven members, plus an Assistant Veterans Service Center Manager. The VARO plans to increase the number of staff assigned to the radiation team and will continually monitor staffing needs.

NTPR also plans to increase the number of personnel performing research.

B. VPN restoration

The NTPR-VARO Jackson VPN was reestablished on August 16, 2013.

C. Other resources

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NTPR is in the process of changing the way inquiries are handled and adjusting its method of case management. VA/Department of Justice (DoJ) inquiries will be NTPR's first priority. Unless there is an extenuating circumstance, incoming personal requests will not be accepted for detailed responses. Instead, NTPR will provide a brief response and ask whether the inquirer requires a definitive response. NTPR will aid the Veteran, or his advocate, by providing guidance on the process, copies of the appropriate references, where the Veteran or advocate should start, and information on the operations specific to the Veteran's concerns.

NTPR will invite VA and DoJ to semi-annual meetings to ensure coordinated actions. These meetings will focus on case accuracy and timely performance, including current performance, performance trends, corrective action, and related improvements. The meetings will also include an agenda item to coordinate DTRA and VA Public Affairs outreach efforts, including a written report on the effort to be reported on the public websites of DTRA and VA.

In FY13, VA made great strides in working its oldest claims. Claims pending over two years have all been processed with the exception of a few outliers. Similarly, VA is focused on claims pending over one year and has made these a priority. Radiation claims are included in both of those categories.

**Recommendation 2:** Semi-annual meetings of NTPR, VA, and DoJ include detailed reports demonstrating case accuracy and timely performance, including current performance, performance trends, corrective action, and related improvements.

**Response:** The Jackson VARO will provide a briefing paper on radiation claims processing for semi-annual meetings between NTPR/VA/DOJ, including reports on case accuracy, timely performance, current performance, performance trends, corrective action, and related improvements.

**Recommendation 3:** Semi-annual NTPR, VA, and DOJ meetings include an agenda item to coordinate any outreach efforts believed to be needed with DTRA and VA's Office of Public and Intergovernmental Affairs and a report describing the effort is written and reported on the public websites of DTRA and VA.

**Response:** VBA will work with VA's Office of Public and Intergovernmental Affairs (OPIA) with the goal of having OPIA participate in the semi-annual NTPR/VA/DOJ meetings, coordinate any agreed upon outreach efforts, and write a report on this effort to be posted on the VA's public website. The NTPR has modified its procedures for incoming personal contacts. These cases now receive a letter noting that the program provides information regarding an individual's activities and locations to VA or DOJ, as applicable. The letter

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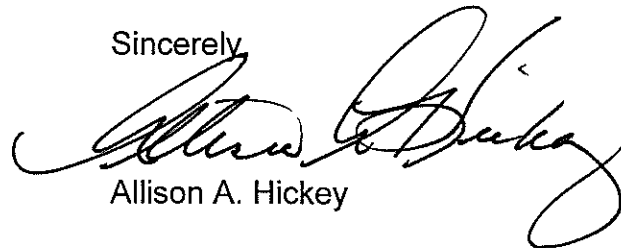
includes NTPR fact sheets, but no research is performed unless a claim is subsequently received. This initiative helps accomplish the following:

1. Encourages the caller to contact the appropriate agency to initiate a claim;
2. Eliminates a misunderstanding many callers have that they first need a letter from the NTPR program concerning participation status before initiating a claim; and
3. Enables the program to focus on, and apply limited resources to, pending compensation claims.

NTPR, VA, and DOJ agreed that their current atomic Veteran outreach efforts are appropriate at this time and no further modification to the outreach programs is planned. Outreach efforts will be addressed again at the next semi-annual program review.

VA appreciates the hard work and assistance VBDR has provided over the past nine years. VBDR's efforts have helped to improve the service we provide to Veterans who were exposed to ionizing radiation during their military service. Although the activities of the VBDR are set to terminate, your achievements will continue to guide us. Thank you for your continued support of our Nation's Veterans.

Sincerely

A handwritten signature in black ink, appearing to read "Allison A. Hickey". The signature is fluid and cursive, with a large loop at the end.

Allison A. Hickey