

**Appeals Modernization Act and Decision Review
Options Communications Toolkit**



Appeals Improvement and Modernization Act of 2017 (AMA)

This toolkit is designed to provide resources to help you communicate effectively about the *Veterans Appeals Improvement and Modernization Act of 2017 (AMA)* and decision review options.

VA's way of handling appeals changed when the *Veterans Appeals Improvement and Modernization Act of 2017*, known as the Appeals Modernization Act, or AMA, was fully implemented on February 19, 2019. This act was one of the most significant statutory changes to affect VA and claimants in decades.

AMA replaced what we now refer to as the "legacy" appeals system by creating a system with three decision review options for claimants to choose from when they disagree with a benefits decision. The system is simple, timely and fair to claimants, offering them greater choice in how they resolve disagreements with VA decisions.

Talking Points

Intended for speaking engagement of various lengths for any representative of the Department of Veterans Affairs, these messages detail information regarding AMA to enhance customer understanding and promote awareness of AMA and decision review options.

Elevator Pitch (High Level, 15-second overview)

- AMA was fully implemented on February 19, 2019, and is **more efficient, timely, transparent, and fair** for claimants seeking a faster resolution to their disagreement with a VA decision on a claim.
- Under AMA, **claimants are given a choice** of one of three decision review options to have a disagreement reviewed: as a supplemental claim with new and relevant evidence, through a higher-level review (HLR) of the evidence in the prior decision, or by appealing directly to the Board of Veterans' Appeals.
- VA aims to process these decisions within an average of 125 days for a supplemental claim or an HLR, and within an average of 365 days for the Board's direct review. The Board aims to process the evidence submission docket within an average of 550 days and the hearing docket within an average of 730 days.
- AMA is an example of VA's **continued commitment to improving delivery of benefits and services to Veterans, claimants, and their families**. It was developed as a result of collaboration between Congress, VA, Veterans Service Organizations, private representatives, and other stakeholders to improve Veterans' experience.

Key Messages

- **AMA is simple, timely, transparent, and fair, and enables earlier resolution of disagreements with VA decisions.**
 - VBA's goal for decisions under the HLR and supplemental claims is 125 days on average.
 - The Board of Veterans' Appeals (Board) goals are 365 days on average for the direct review docket, 550 days on average for the evidence submission docket, and 730 days on average for the hearing docket.

- **AMA provides greater choice for Veterans and includes three decision review options:**
 - **Higher-Level Review:** Conducted by Decision Review Operations Centers (DROC).
 - A higher-level reviewer will conduct a *de novo*, or “new” look at the previous decision based on the evidence considered in the previous decision.
 - Higher-level reviewers may overturn previous decisions based on a difference of opinion or may identify an error in VA’s duty to assist and return the decision for correction.
 - New evidence will not be considered in an HLR decision.
 - Claimants may request at the time of application, a one-time informal telephone conference to discuss concerns with the initial decision and to identify perceived errors. Formal hearings are not available for HLRs.
 - **Supplemental Claim:** Conducted at a regional office.
 - Claimants must identify or submit new and relevant evidence to support their claim.
 - VA will assist in developing evidence, including making reasonable attempts to obtain evidence identified by the claimant.
 - **Appeal to the Board:** Claimants may opt to appeal a decision directly to the Board of Veterans’ Appeals (Board). The Board offers a choice between three review options, also referred to as dockets:
 - Direct Review: Claimants have no new evidence and do not want a hearing.
 - Evidence Submission: Claimants have new evidence, but do not want a hearing.
 - Hearing: Claimants want to testify before a Veterans Law Judge and may have new evidence.

Frequently Asked Questions (FAQs)

Learn more about AMA and decision review options by reviewing the frequently asked questions (FAQs):

[Frequently Asked Questions About Decision Reviews | Veterans Affairs \(va.gov\)](#)

AMA Resources

- [VA Decision Reviews And Appeals | Veterans Affairs](#)
 - General information
 - Claim forms and filing higher-level review online
 - Choosing a decision review option chart
 - Fact sheet, brochure, infographic, and other resources
 - FAQs
 - Check claim status
 - Get help from a Veterans Service Officer or accredited representative
- [Stakeholder Tools – Office of Administrative Review \(va.gov\)](#)
 - AMA Communications Toolkit
 - AMA Outreach Materials
 - AMA Review Selection Toolkit
 - Informal Conference Fact Sheet
 - SOC/SSOC Opt-In Outreach Materials
 - Improving the Customer Experience Training