

(3) Trainee Handouts

TRAINING FOR VSO LESSON THREE REFERENCE MATERIALS

PREREQUISITE TRAINING	Prior to this training you should have completed the <i>Tour of the C&P Website</i> lesson.
PURPOSE OF LESSON	<p>Introduce you to VSR reference materials (including VA laws, regulations, manuals, and directives), as well as the tools for accessing those references (including <i>WARMS</i> and the Intranet), so that by the end of this lesson you will be able to:</p> <ul style="list-style-type: none">▪ Competently discuss the importance of developing a good working knowledge of the manuals and CFRs.▪ Correctly list the main topics found in M21-1, Parts 1 through 7, and the Manual Rewrite.▪ Properly cite a reference under 38 CFR, M21-1, and M21-1MR.▪ Competently demonstrate <i>WARMS</i> system skill, including opening the applications, selecting an index, performing a subject search, and retrieving reference documents.▪ Competently demonstrate your reference retrieval skills using both <i>WARMS</i> and the <i>Publications</i> page on the C&P Intranet to successfully complete the practical exercises in your student handouts.
TIME REQUIRED	8 hours
INSTRUCTIONAL METHOD	Lecture, participatory discussion, instructor demonstration, and group practical exercise.
MATERIALS/ TRAINING AIDS	<ul style="list-style-type: none">▪ Computer with <i>WARMS</i> and Intranet access▪ <i>Precedence Chart of VBA References Trainee Handout</i>▪ <i>VA Directives Overview Trainee Handout</i>▪ Review Exercise

(3) Trainee Handouts

TABLE OF CONTENTS

References.....	3
Precedence Chart of VBA References.....	4
VA Directives Overview: The Regulations.....	5
VA Directives Overview: The Manual.....	6
M21-1MR – Background information.....	8
Structure of the M21-1MR.....	9
VA Directives Overview: Fast Letters and VBA Circulars.....	10
Learning About VBA References Review Exercise.....	11
Publications Practice Exercise.....	12
Scavenger Hunt Review Exercise.....	Er
ror! Bookmark not defined.	

(3) Trainee Handouts

REFERENCES

- Title 38 US Code
- 38 Code of Federal Regulations Part III
- M21-1, All Parts
- M21-1MR
- C&P Fast Letters
- VBA Circulars
- VSR Handbook
- Medical EPSS
- Intranet User Guide
- C&P Intranet Home Page
- TL 05-03, Manual Rewrite

(3) Trainee Handouts

PRECEDENCE CHART OF VBA REFERENCES

**The CONSTITUTION of
The UNITED STATES of AMERICA**

Established

The CONGRESS

which passes bills about veterans which when signed into law by

The PRESIDENT

are codified as

Title 38 United States Code (U.S.C.)

which is interpreted by VA in

38 Code of Federal Regulations (C.F.R.)

from which policy & procedural instructions are given in

DIRECTIVES

MANUALS

VBA FAST LETTERS

NOTE: The Court of Appeals for Veterans Claims (in CAVC case decisions) and VA General Counsel (in GC Opinions) will refine the interpretation of Title 38 U.S.

(3) Trainee Handouts

VA DIRECTIVES OVERVIEW: THE REGULATIONS

38 CFR: The Regulations

The citations in Part 3 of 38 CFR (*Code of Federal Regulations*) follow a logical numerical sequence from 38 CFR 3.1 through 38 CFR 3.2600. All you need to do is subtract the "3." from the citation and you will see that they are numbered from "1" through "2600".

If you are looking for 38 CFR 3.203, you are seeking the two hundred and third regulation in Part 3. 38 CFR 3.203 would then be found after 38 CFR 3.57 (the fifty seventh regulation) but before 38 CFR 3.557 (the five hundred and fifty seventh regulation).

(3) Trainee Handouts

VA DIRECTIVES OVERVIEW: THE MANUAL

(3) Trainee Handouts

The Manual

M21-1 is the *procedural guide of adjudication*.

Part I is the historical perspective of our operations. In 1992, M21-1 was converted from a manual and three appendixes to a seven part manual with three appendixes. As each succeeding part was published, the older portions were rescinded. All Appendixes belong to Part I. The changes for Part I, Appendix A, B & C and the consolidated index for all seven parts are updated as changes to Part I.

Appendix A is the code book for ratings.

Appendix B is the book of rate tables, both current and historical.

Appendix C is the code book for adjudication processing.

Part II is *Clerical Procedures*. This is the guide to initialize and track both claims and folders.

Part III is *Clerical and Authorization Procedures*. This part, often referred to as the Development Guide, helps you to identify and secure claims and evidence. It also has instructions for processing speciality certificates, eligibility statements and burial/plot-internment allowances.

Part IV is *Authorization Procedures*. This part tells you how to work authorization cases.

Part V is *Computer Procedures*. This part is the guide to doing case work in the computer.

Part VI is *Rating Procedures*. This part guides the rating board and you in its functions.

Part VII is *Direct Services Activities*. This part deals with Public Contact activities.

M21-1 MR is the *Manual Rewrite*. The M21-1 manual is being rewritten. As each section or part is rewritten and pronounced ready for release the sections or parts listed above will be rescinded. This is a work in progress and some sections have already been replaced. Sections already replaced include:

Part I Chapter 1: Duty to Assist

Part I Chapter 2: Due Process

Part I Chapter 3: Power of Attorney

Part I Chapter 4: Hearings

Part III Chapter 1: Claims Processing Improvement

Part V: Pension and Parents' DIC

Part VII: Burial Benefits

Part VIII: Accrued Benefits

(3) Trainee Handouts

M21-1MR – BACKGROUND INFORMATION

Compensation and Pension Service continues to rewrite and reorganize the M21-1 procedural manuals in Information Mapping® style. Information Mapping® is a method of presenting information clearly and concisely. Additionally, Information Mapping® allows electronic users to quickly access the most current information. The Information Mapped M21-1MR chapters that have already been issued are:

- Part I, Chapter 1: Duty to Assist
- Part I, Chapter 2: Due Process
- Part I, Chapter 3: Power of Attorney
- Part I, Chapter 4: Hearings
- Part I, Chapter 5: Appeals
- Part III, Subpart i, Chapter 1: CPI
- Part III, Subpart ii: Initial Screening and Determining Veteran Status
- Part III, Subpart iii: General Development and Dependency Issues (Chapters 1-4)
- Part III, Subpart iv: General Rating
- Part IV, Compensation, DIC, and Death Compensation Benefits
- Part V, Pension and Parents DIC Benefits; Subpart i, Eligibility and Development
- Part V, Subpart ii: Rating
- Part V, Subpart iv: Pension Maintenance Centers
- Part VI - Chapter 18 Benefits
- Part VII - Burial Benefits
- Part VIII - Accrued Benefits
- Part IX, Subpart i - Ancillary Benefits
- Part IX, Subpart ii - Special Benefits
- Part X - Matching Programs
- Part XI - Fiduciary Program

For additional information on the organization of the M21-1MR, refer to the slides from the PowerPoint presentation that provides the organization of the M21-1MR.

(3) Trainee Handouts

STRUCTURE OF THE M21-1MR

The Information Mapped M21-1MR has a different structure from M21-1. In addition, each structure has a new numbering convention. The table at the top of the following page shows the new structure and numbering convention for the M21-1MR.

Structure	Numbering Convention	Example 1	Example 2
Part	Uppercase Roman numeral	Part <u>I</u> - Claimants Rights and Responsibilities	Part <u>V</u> - Pension and Parents' DIC Benefits
Subpart <i>Note: Not all Parts have Subparts</i>	Lowercase Roman numeral		Subpart <u>iv</u> - Pension Maintenance Centers
Chapter	Arabic numeral	Chapter <u>1</u> . Duty to Assist	Chapter <u>2</u> . Pension Maintenance Center (PMC) Procedures
Section <i>Note: Not all Chapters have Sections</i>	Uppercase letter	Section <u>A</u> . Description of General Information	
Topic	Arabic numeral	<u>2</u> . Description of Duty to Assist Criteria	<u>1</u> . Jurisdiction of Cases
Block	Lowercase letter	<u>d</u> . Duty to Obtain Examinations or Medical Opinion	<u>a</u> . Type of Work Performed by the PMCs

Each specific block of content within the M21-1MR can be referenced by stringing together the numbering conventions. Example 1 above Duty to Obtain Examination or Medical Opinion, is I.1.A.2.d for part I, chapter 1, section A, topic 2, block d. The reference for example 2 Type of Work Performed by the PMCs is V.iv.2.1.a for part V, subpart iv, chapter 2, topic 1, block a.

(3) Trainee Handouts

VA DIRECTIVES OVERVIEW: FAST LETTERS AND VBA CIRCULARS

Fast Letters and VBA Circulars

Fast Letters are the system in which adjustments to current procedures are issued. They introduce new laws before they become regulations. They adjust guidance from the manual with pending changes. Often they are the only procedural guide for a law that is *temporary*, i.e. limited to a two year application. They also co-ordinate action between divisions in a regional office.

NOTE: Fast Letters replaced VBA Circulars beginning in 1995 and serve the same basic purpose. There are still some circulars that have not been rescinded which are available on the C&P homepage under Publications. The last issuance of circulars was in 1998.

Fast Letters are numbered as follows: YY - ##

The first number is the calendar year in which the fast letter was issued and the second number is the number of the fast letter. So Fast Letter 00-92 is the nintey-second fast letter of 2000.

VBA Circulars are numbered as follows: 20 - YY - ##

The first number represents to whom the circular is addressed.

20 – Applies to more than one element at a time	
21 -- C&P issues	26 -- Loan Guaranty
22 -- Education issues	27 -- Veterans Services
23 -- Administration	28 -- Vocational Rehabilitation
24 -- Finance	29 – Insurance
25 -- Personnel	

The second number is the calendar year in which the circular was issued and the third number is the number of the circular. So VBA Circular 21-88-2 is the second circular of 1988 for C&P issues and VBA 20-90-15 is the fifteenth circular of 1990 for more than one element.

VBA Circulars remain active until rescinded. They can be *self rescinding*, they can *rescind each other*, or they can be *rescinded by a manual change*.

(3) Trainee Handouts

LEARNING ABOUT VBA REFERENCES REVIEW EXERCISE

1. List the “main topic” in each of the M21-1 Parts 1 through 7.

Part I _____

Part II _____

Part III _____

Part IV _____

Part V _____

Part VI _____

Part VII _____

2. List at least four titles of subject matter you would find in the Manual Rewrite:

3. Write out the citation for the following reference: Section A of the 151st regulation of the 3rd part of the 38 CFR.

4. Write out the citation for the following reference: Section 1, point A of the 10th Chapter of the 4th part of the M21-1.

5. What year was FL 01-12 distributed?

6. Which business line is VBA Circular 20-94-7 addressed to?

(3) Trainee Handouts

PUBLICATIONS PRACTICE EXERCISE

Instructions: Use the Publications page on the C&P Internet to find the answers to the following questions. To get full credit, you should be able to provide the correct answer as well as the path you took to get there.

1. What is the topic of 38 CFR 3.156?
2. What important information is found in Appendix C of M21-4?
3. According to M21-1 IV 11.01 b (1), what four types of situations will require facts and circumstances from the service department and an administrative decision?
4. How many fast letters were issued in 2004?
5. Find and cite the reference for the Manual Rewrite chapter called “Duty Status and Eligibility for Reservists”.
6. According to the chapter cited in number 5, what are two types of programs in which members serve full-time in operational or support positions but are never formally called to active duty, but their service can still be considered Active Duty for purposes of establishing eligibility to VA benefits? Cite your reference.
7. According to M21-1, Part II, when can the VID screen be used as acceptable evidence of service?
8. What was the rate for a veteran with a spouse receiving 30% compensation as of 12-01-04?