

### Non-Original (NO) Demonstration Claim

Veteran: Roger Martinez	Claim number: 6Y03XX00
DOC: 01/12/2022	EP: 020 - New

NOTE: Explain to the students that we use the VBMS Demo Candidate Roger Martinez for all demonstration claims. Explain that if they follow along during the demonstration inside of VBMS Demo that as we move through IWT they could have multiple EPs for the same Veteran. They need to focus on the development action that is being demonstrated inside of the training environment. This demonstration is about establishing (CEST) for a non-original FDC claim and the proper development steps necessary to process the claim.

The Veteran submits a VA Form 21-526EZ (SEP2019 version) on January 12, 2022. He claims service connection for a right knee injury and headaches. He identifies treatment by Dr. Quack from 2012 to Present. You check the file and discover that no actions have been taken to obtain the private medical records (PMRs) from Dr. Quack.

Of record in the Veteran's file are:

- VADS Verified Honorable service in the Navy from 08/01/1980 to 07/31/1990
- VA Form 21-526 received November 12, 2007, claiming hearing loss, tinnitus, and lumbosacral strain
- STRs show treatment for hearing loss, recurrent right knee pain, and a one-time visit for low back strain
- Rating Decision dated March 25, 2008, granting service connection for hearing loss (0%) and tinnitus (10%) and denying service connection for lumbosacral strain because the medical evidence of record does not show a current diagnosed condition or residuals of the condition treated in service.
- Notification letter to the Veteran telling him of our decision dated March 30, 2008

#### **FOR INSTRUCTORS ONLY:**

- A subsequent development letter is needed to send the Veteran VA Form 21-4142 and 4142a for Dr. Quack. The FDC Exclusion wording from Letter Creator will need to be added to the letter. Explain to the trainees that they will be given training on Letter Creator in residency and that if no development is necessary, the FDC exclusion letter would be sent directly from Letter Creator.
  - Notify the claimant that VA has excluded his/her claim from the FDC Program by sending one of the following:
    - the *FDC Writeout Letter* from the Letter Creator, or
    - if development to the claimant is required and the claim is being excluded, the relevant language from Letter Creator free texted into the subsequent development letter.

- Explain to the trainees that when the subsequent development letter is finalized, VBMS will automatically create a tracked item for the request for VA Form 21-4142 and 4142a and set the suspense for 30 days.
- This does not actually send the letter. The trainee must click on the “Here” hyperlink to go to Package Manager or Click on the Veteran tab to select Package Manager. Once in Package Manager, the letter will show as a draft format. Choose the letter, ensure the recipient info is correct and select Send Package at the top right.
- Ensure you are discussing the importance of prior claim/rating decisions review.
- VSRs are required to acknowledge a CAPRI enterprise search was required. Assume you have completed an enterprise search and no records exist. Include this in your VBMS note.
- VSRs are required to add a permanent, claim-level note in VBMS for every claim, annotating the status of examination review as well as creating the tracked item “Secondary Action Required”  
For more information refer to M21-1 IV.i.1.A.1.e -Documentation of the Status of Examination Review

- ***Example of Exam Review Note:***

*Exam Review partially complete. Exam review complete for headaches as STRs are negative. Exam review incomplete for right knee injury pending receipt of PMRs from Dr. Quack. STRs are positive for recurrent right knee pain. FDC exclusion letter sent to veteran. CAPRI Enterprise search completed – no records found*