

AR-1

Accountability Review Findings

Dates of Review: June 1, 2020 – June 5, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 – March 31, 2020

Standard:	Category 1: Payment Processing Element 1: Form EN-20 and AOP Receipt Date
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Number of Cases Reviewed:	48
Acceptable Rating:	90%
Rating for review:	98%

Describe Findings:

The Payment Processing category identifies a random sampling of compensation payments processed within the review period and evaluates whether the district offices processed the payments in accordance with established policy and procedures.

With respect to the Denver District Office, the reviewers found six errors. Despite those errors, which involved discrepancies in document indexing or missing documents in OIS, the district office still performed admirably well, with a final score of 98%.

The specific errors identified involved one case where the OIS document identifier was incorrect on the final payment documents; four cases where there was no documentation in OIS or in ECS Notes confirming verification of the bank routing number through the Federal Reserve board (FRB) website; and one case where the Payment Memorandum, in OIS, was unclear. That Payment Memorandum described bank address information, missing on the EN-20, that the reviewer was unable to confirm, and described the EN-20 as “the claim form.”

REVIEWER(s):	DATE:
David Evans, Amy Derocher, Amrene Smith, Steven Smith, Carrie Heavrin, Raymond Murphy, Katina Johnson, Elvin Santiago, Lisa Rasmussen, Darius Radvila, Traci Murphy	June 5, 2020

AR-1
Accountability Review Findings

Dates of Review: June 1, 2020 – June 5, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 – March 31, 2020

Standard:	Category 2: Part B Recommended Decisions Element 1: Outcome and Written Quality
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Number of Cases Reviewed	43
Rating for Element 1:	96%
Acceptable Rating:	90%
Overall Category Rating:	96%

Summarize Category (or Element) Findings:
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The results of our review revealed that the Denver District Office is performing above the acceptable rating in this category, which judges the outcome and written quality of a sample of Part B Recommended Decisions (RDs). Of the 43 cases reviewed, the review team identified 11 total deficiencies.

With regard to whether the factual information was correct and consistent throughout the RD, the team identified two errors. These included one RD with an incorrect Case ID, and one case in which there was a discrepancy between the introductory paragraph and the Conclusions of Law (COL) with regard to what was benefits were being awarded.

Within the indicator questions looking at the sufficiency of the Statement of the Case (SOC), the team identified three errors. These errors included two RDs which did not discuss relevant Part B development actions taken by the CE, and one in which the SOC was not in chronological order.

In the Indicator questions pertaining to the Explanation of Findings (EOF), the team found two errors. Both findings noted RDs which did not accurately describe the Part B statutory requirements under Part B.

For the the largest number of deficiencies in this category, a total of four, the team identified RDs that were judged to have not communicated information in an understandable manner and/or contained substantial grammatical or typographical errors. With regard to understandability, the team found cases that did not provide adequate narration explaining how the CE arrived at factual findings or applied procedure standards in evaluating evidence.

AR TEAM REVIEWER(s):	DATE:
David Evans, Amy Derocher, Amrene Smith, Steven Smith, Carrie Heavrin, Raymond Murphy, Katina Johnson, Elvin Santiago, Lisa Rasmussen, Darius Radvila, Traci Murphy	June 5, 2020

AR-1

Accountability Review Findings

Dates of Review: June 1, 2020 – June 5, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 – March 31, 2020

Standard:	Category 3: Part E Causation Claims Element 1: Development and Causation Assessment Element 2: Outcome and Written Quality
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Number of Cases Reviewed	41
Rating for Element 1:	88%
Rating for Element 2:	92%
Acceptable Rating:	90%
Overall Category Rating:	91%

Summarize Category (or Element) Findings:

This category focuses on the development, causation assessment, and Recommended Decisions (RDs) issued during the rating period in a sample of Part E claims. The Denver District Office had an overall score of 91%.

With regard to Element 1: Development and Causation Assessment, the review team identified a total of 22 deficiencies. Within these, several trends were identified. These included claims that were found to be underdeveloped, such as CEs not properly developing all claimed conditions; not requesting all necessary evidence; Site Exposure Matrices (SEM) searches that were either not performed or were performed incorrectly; claims the CE should have referred to an Industrial Hygienist (IH), but did not; and cases in which the CE did not seek clarification of speculative medical opinions that lacked sufficient rationale, when necessary.

For Element 2: Outcome and Written Quality, the review team identified 23 deficiencies. With regard to trends within the Statement of the Case (SOC), the review team identified several RDs that were either missing the date of filing or provided an incorrect medical benefits acceptance date. Several other decisions were identified that did not properly discuss relevant development actions taken by the CE.

For the Explanation of Findings (EOF) portion of the RDs reviewed by the team, trends were found within RDs that lacked sufficient discussion regarding programmatic criteria required for

the acceptance of a claim. Moreover, RDs were noted for not discussing all pertinent evidence or providing sufficient written narrative to clearly explain the interpretation of case evidence in justifying the decision outcome. Finally, with regard to Conclusions of Law (COL), several RDs were noted by the team as not clearly identifying what benefits were being awarded.

REVIEWER(s):	DATE:
Amy Derocher, Amrene Smith, Steven Smith, Carrie Heavrin, Raymond Murphy, Katina Johnson, Elvin Santiago, Lisa Rasmussen, Darius Radvila, Traci Murphy	June 5, 2020

AR-1
Accountability Review Findings

Dates of Review: June 1, 2020 – June 5, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 – March 31, 2020

Standard:	Category 4: OIS Indexing Element 1: Incoming Correspondence Element 2: Outgoing Correspondence
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Number of cases reviewed	52
Rating for Element 1:	92%
Rating for Element 2:	100%
Acceptable rating:	90%
Overall Category Rating:	93%

Summarize Category (or Element) Findings:

In this category, the review team evaluated imaged correspondence received and created by the district office for clarity and appropriate classification based on pre-determined categories and subjects. The review also ensured that the imaged document reviewed was associated with the correct case file. With regard to the Denver District Office, a total of ten (10) errors were identified in this category.

All ten (10) deficiencies were found within Element 1: Incoming Correspondence, due to the incorrect category/subject classification of: *“Other Documents/Other Documents.”* Five (5) of the documents should have been indexed under the category/subject of: *“Other Inquiries/Privacy Act Records.”*

The remaining deficiencies identified included two (2) documents that should have been indexed under the category/subject of: *“Forms/EE/EN-16”*; two (2) under the category/subject of: *“Other Documents/Authorized Representative”* and one (1) where the document should have been indexed under the category/subject of: *“Forms/Words of Claim.”*

All documents reviewed in the outgoing correspondence category were indexed properly.

AR TEAM REVIEWER(s):	DATE:
Curtis Johnson, Angela Eaddy	June 5, 2020

AR-1
Accountability Review Findings

Dates of Review: June 15, 2020 - June 19, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 — March 31, 2020

Standard:	Category 5: Post Remand/Reopening Adjudication Element 1: Post Remand/ Reopening Development Element 2: Recommended Decisions – Outcome and Written Quality
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Number of cases reviewed	45
Rating for Element 1:	96%
Rating for Element 2:	97%
Acceptable rating:	90%
Overall Category Rating:	97%

Summarize Category (or Element) Findings:

This Category assesses whether the claims examiner (CE) conducted appropriate actions following a Remand Order or a Director’s Order that reopened a claim. Overall, the Denver District Office performed exceedingly well in this category. The team reviewed two elements in this category:

With respect to claim development, the team identified three errors. In two cases, the CE did not send EN-16s to claimants prior to issuing the recommended decision. In these two instances, the Final Adjudication Branch (FAB) sent the EN-16s. In another case, a claims examiner bronzed a development letter into OIS for impairment solicitation from a different case than the one reviewed. This document does not constitute the correct development in the reviewed case.

In the outcome and quality of recommended decisions, the team identified nine errors. Two cases each resulted in three development errors. In one case, the claims examiner placed the discussion of the criteria for asbestoses was in the Statement of the Case (SOC) rather than in the Explanation of Findings (EOF), the employment dates were different in the Statement of Facts and the EOF, and the claims examiner made no mention of the EN-16 or SWC/Tort in the RD.

The reviewers found additional errors in the following cases: In a survivorship case involving both a spouse and child, the word “you” is used throughout the RD, making the decision unclear as to which claimant the CE is talking about. In another case, the RD did not discuss the findings of the CMC report in the EOF as it related to increased impairment.

Summarize Other Significant Findings:
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No other significant findings.

AR TEAM REVIEWER(s):	DATE:
Karoline Anders, Kristina Green, Susan Kellner, Angie Wellborn, Debra Howard, Carrie Turjan, Valerie Whittaker, Tammy Evanchik, Betty Gambill, Patricia Padgett, Dante Silveri, Edith Adekoya, Towanda Tunsil,	June 19, 2020

**AR-1
Accountability Review Findings**

Dates of Review: June 15, 2020 – June 19, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 – March 31, 2020

Standard:	Category 6: ECS Coding Element 1: Recommended Decision Coding Element 2: Accepted Medical Condition Coding Element 3: Causation Path Coding
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Number of cases reviewed	52
Rating for Element 1:	99%
Rating for Element 2:	100%
Rating for Element 3:	86%
Acceptable rating:	90%
Overall Category Rating:	95%

Summarize Category (or Element) Findings:
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The results of this review revealed that the Denver District Office is performing above the acceptable rating in this category, which judges the accuracy of Energy Compensation System (ECS) coding as it relates to Division of Energy Employee Occupational Illness Compensation (DEEOIC) District Office ECS actions. Of the 52 cases reviewed, the review team identified 10 total deficiencies.

Regarding recommended decision coding, the review team identified two deficiencies, one in which the employment facility and verified start date findings in ECS did not match the written content in the RD. Specifically, one RD discussed two employment facilities but findings in ECS show only one, and the other RD identified a verified start date different from findings in ECS.

With respect to Accepted Medical Condition Coding, the review team found no deficiencies.

With regard to Causation Path Coding, the review team identified eight deficiencies that revealed two trends. The first trend shows missing or incorrect causation paths created in ECS. For example, one causation path created in ECS shows a Part B accepted illness negative finding when it should be positive; and another shows a Part E accepted illness based on Part B, but no

causation path created in ECS. The other trend shows missing or incorrect “Evidence Source,” updates on the causation path that indicate a Site Exposure Matrices (SEM) search and the associated SEM search date. Two cases show a SEM search without an associated SEM search date, and two cases show no SEM search update on the causation paths created in ECS.

Summarize Other Significant Findings:

No other significant findings.

AR TEAM REVIEWER(s):	DATE:
Kristina Green, Susan Kellner, Angie Wellborn, Debra Howard, Carrie Turjan, Valerie Whittaker, Bernadette Tammy Evanchik, Betty Gambill, Patricia Padgett, Dante Silveri, Edith Adekoya, Towanda Tunsil,	June 19, 2020

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Accountability Review Findings

Dates of Review: June 15, 2020 - June 19, 2020

Office Reviewed: Denver District Office

Review Period: April 1, 2019 — March 31, 2020

Standard:	Category 7: Consequential Illness Acceptances Element 1: Development Element 2: Consequential Illness Letter/RD – Outcome and Written Quality
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Number of cases reviewed	41
Rating for Element 1:	91%
Rating for Element 2:	95%
Acceptable rating:	90%
Overall Category Rating:	93%

Summarize Category (or Element) Findings:

The results of our review revealed that the Denver District Office is performing above the acceptable rating in this category, which accesses the outcome and written quality of a sample of Consequential Illness Letter Decisions. Of the 41 cases reviewed, the review team identified 10 total deficiencies.

With respect to development, reviewers identified seven errors. In one case, no claim form for the consequential condition was located in OIS. The reviewers discovered the other six errors in three cases, with two in each case. In each of these instances, the reviewers found that the physician’s opinion was lacking in explanation, or was vague or overly generalized.

With regard to the outcome and the written quality of the letter decisions, the reviewers identified three errors this element. In one case, the ICD code was not included in the letter decision and the letter decision did not clearly explain the nexus between the condition and the consequential illness.

Summarize Other Significant Findings:
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No other significant findings noted.

AR TEAM REVIEWER(s):	DATE:
Karoline Anders, Kristina Green, Susan Kellner, Angie Wellborn, Debra Howard, Carrie Turjan, Valerie Whittaker, Tammy Evanchik, Betty Gambill, Patricia Padgett, Dante Silveri, Edith Adekoya, Towanda Tunsil	June 19, 2020