

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012  
Office Reviewed: Final Adjudication Branch – Denver  
Reviewing Office: Policy, Regulations and Procedures Branch  
Review Period: May 1, 2011 – April 30, 2012

Standard:	Category Name: <b>POST-RD OBJECTIONS</b>	Category #: 1
	Element Name: <b>Hearings</b>	Element #: 2

Sample Size (total # of indicators in the element that were reviewed):	90
Number of cases reviewed:	15
Number of Indicator with Yes (passed)	82
Number of Indicators with No (errors)	2
Acceptable rating:	85%
Rating for review:	98%

### **FINDINGS:**

The Denver Final Adjudication Branch (FAB) performed very well in the Element of Post-RD Objections Hearing. The two deficiencies noted were instances where the representative failed to mail two hearing transcripts to the claimants within the established 7 days timeframe. Based on the evidence in the case file both transcripts were mailed more than 7 days after receipt in the FAD.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012  
Office Reviewed: Final Adjudication Branch – Denver  
Reviewing Office: Policy, Regulations and Procedures Branch  
Review Period: May 1, 2011 – April 30, 2012

<b>Standard:</b>	<b>Category Name: FAB DECISIONS</b> <b>Element Name: Decision Correspondence; FD Introductions; Written Quality &amp; Formatting</b>	<b>Category #: 2</b> <b>Element #: 1</b>
------------------	---	---

Sample Size (total # of indicators in the element that were reviewed):	238
Number of cases reviewed:	34
Number of Indicator with Yes (passed)	176
Number of Indicators with No (errors)	3
Acceptable rating:	85%
Rating for review:	98%

### **FINDINGS:**

The Denver FAB performed very well in the Element of Decision Correspondence; FD Introductions; Written Quality and Formatting. The three deficiencies noted that three Final Decision (FD) Introductions that did not specifically state which Part (Part B or E or both) of the Act was being adjudicated.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

It was noted that some of the final decisions were well written, easy to follow, and well explained.

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012

Office Reviewed: Final Adjudication Branch – Denver

Reviewing Office: Policy, Regulations and Procedures Branch

Review Period: May 1, 2011 – April 30, 2012

<b>Standard:</b>	<b>Category Name: FAB DECISIONS</b>	<b>Category #: <u>  2  </u></b>
	<b>Element Name: FD - Statement of the Case</b>	<b>Element #: <u>  2  </u></b>

Sample Size (total # of indicators in the element that were reviewed):	306
Number of cases reviewed:	34
Number of Indicator with Yes (passed)	165
Number of Indicators with No (errors)	2
Acceptable rating:	85%
Rating for review:	99%

### **FINDINGS:**

The Denver FAB performed very well in the Element of Statement of the Case. The two deficiencies noted includes one case file with a physician's note diagnosing chronic bronchitis yet the FD noted that it was insufficient to support the claim for chronic bronchitis. There was no explanation or discussion for this finding. Another FD failed to mention that a development letter was sent to the claimant, even though one was sent.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012  
Office Reviewed: Final Adjudication Branch – Denver  
Reviewing Office: Policy, Regulations and Procedures Branch  
Review Period: May 1, 2011 – April 30, 2012

<b>Standard:</b>	<b>Category Name: FAB DECISIONS</b>	<b>Category #: <u>  2  </u></b>
	<b>Element Name: Claimant Response to the RD</b>	<b>Element #: 3</b>

Sample Size (total # of indicators in the element that were reviewed):	48
Number of cases reviewed:	16
Number of Indicator with Yes (passed)	40
Number of Indicators with No (errors)	2
Acceptable rating:	85%
Rating for review:	95%

### **FINDINGS:**

The Denver FAB performed very well in the Element of Claimant Response to the RD. The two deficiencies noted included one FD quoting all the objections yet the decision did not address/discuss them. Another FD indicated that the objection was non-specific, when in fact it stated that the claimant was going to submit further medical evidence.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012  
Office Reviewed: Final Adjudication Branch – Denver  
Reviewing Office: Policy, Regulations and Procedures Branch  
Review Period: May 1, 2011 – April 30, 2012

<b>Standard:</b>	<b>Category Name: FAB DECISIONS</b> <b>Element Name: FD - Findings of Fact</b>	<b>Category #: <u>  2  </u></b> <b>Element #: 4</b>
------------------	---	--

Sample Size (total # of indicators in the element that were reviewed):	170
Number of cases reviewed:	34
Number of Indicator with Yes (passed)	152
Number of Indicators with No (errors)	2
Acceptable rating:	85%
Rating for review:	99%

### **FINDINGS:**

The Denver FAB did extremely well in the Element of Findings of Fact. The two deficiencies include one case file which contained physician's notes indicating a diagnosis of chronic bronchitis yet the Statement of the Case indicates that these notes were insufficient for a diagnosis without stating why; then the Findings of Facts reflected that there was no diagnosis of chronic bronchitis. Another case had two findings of impairment awards for a completely separate condition other than the condition that was being adjudicated in the present claim. The current claim was for an award, not impairment. The inclusion of those two prior awards had nothing to do with the claim being adjudicated.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012

Office Reviewed: Final Adjudication Branch – Denver

Reviewing Office: Policy, Regulations and Procedures Branch

Review Period: May 1, 2011 – April 30, 2012

<b>Standard:</b>	<b>Category Name: FAB DECISIONS</b>	<b>Category #: <u>  2  </u></b>
	<b>Element Name: FD - Conclusions of Law</b>	<b>Element #: 5</b>

Sample Size (total # of indicators in the element that were reviewed):	204
Number of cases reviewed:	34
Number of Indicator with Yes (passed)	116
Number of Indicators with No (errors)	1
Acceptable rating:	85%
Rating for review:	99%

### **FINDINGS:**

The Denver FAB did extremely well in the Element of Conclusions of Law. The one deficiency is that the Conclusions of Law has three pages devoted to the SEC. Since this claim was based on a NIOSH dose reconstruction, this was unnecessary.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/12/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012  
Office Reviewed: Final Adjudication Branch – Denver  
Reviewing Office: Policy, Regulations and Procedures Branch  
Review Period: May 1, 2011 – April 30, 2012

---

Standard:	Category Name: FAB DECISIONS	Category #: <u>2</u>
	Element Name: Remands, in any FAB decision which is, or includes, a remand	Element #: 6

Sample Size (total # of indicators in the element that were reviewed):	132
Number of cases reviewed:	22
Number of Indicator with Yes (passed)	85
Number of Indicators with No (errors)	0
Acceptable rating:	85%
Rating for review:	100%

### **FINDINGS:**

The Denver FAB excelled in the Element of Remands. No deficiency was noted.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

One of the Remand Orders clearly explained and delineated the actions the District office should take and another was well written based on the explanation of the evidence received.

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012  
Office Reviewed: Final Adjudication Branch – Denver  
Reviewing Office: Policy, Regulations and Procedures Branch  
Review Period: May 1, 2011 – April 30, 2012

Standard:	Category Name: FAB DECISIONS	Category #: <u>2</u>
	Element Name: Benefit Procedures	Element #: 7

Sample Size (total # of indicators in the element that were reviewed):	24
Number of cases reviewed:	12
Number of Indicator with Yes (passed)	18
Number of Indicators with No (errors)	0
Acceptable rating:	85%
Rating for review:	100%

### **FINDINGS:**

The Denver FAB excelled in the Element of Benefit Procedures. No deficiency was noted.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012

# AR-1

## Accountability Review Findings

Dates of Review: July 9 – July 13, 2012

Office Reviewed: Final Adjudication Branch – Denver

Reviewing Office: Policy, Regulations and Procedures Branch

Review Period: May 1, 2011 – April 30, 2012

<b>Standard:</b>	<b>Category Name:</b> <u>RECONSIDERATIONS</u>	<b>Category #:</b> <u>3</u>
	<b>Element Name:</b> Reconsiderations	<b>Element #:</b> 1

Sample Size (total # of indicators in the element that were reviewed):	40
Number of cases reviewed:	8
Number of Indicator with Yes (passed)	27
Number of Indicators with No (errors)	0
Acceptable rating:	85%
Rating for review:	100%

### **FINDINGS:**

The Denver FAB excelled in the Element of Reconsiderations. No deficiency was noted.

### **IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:**

### **OTHER SIGNIFICANT FINDINGS:**

<b>REVIEWER(s):</b>	<b>DATE:</b>
Jonathan Sprague, George Jordan, Joshua Murphy	7/13/2012