

AR-1

Accountability Review Findings

Dates of Review: August 11, 2014 – August 15, 2014

Office Reviewed: Jacksonville Final Adjudication Branch

Reviewing Office: Policy, Regulations and Procedures Unit

Review Period: April 1, 2013 – March 31, 2014

Standard:	Category Name _ Response to Hearing Requests Category # _ <u>1</u> _____
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Sample Size (total # of indicators in the category that were reviewed):	256
Number of cases reviewed:	41
Number of errors in category:	3
Acceptable rating:	85%
Rating for review:	99%

FINDINGS: Describe Findings.

The response to Hearing Requests Category measures whether hearings are scheduled and conducted according to established policy and procedure.

There were 3 deficiencies noted in this category, including where the hearing representative did not fully discuss the issue during the hearing; one case where the hearing transcript was not timely sent; and one where the case file did not contain correspondence showing that the transcript was sent.

IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:

OTHER SIGNIFICANT FINDINGS:

REVIEWER(s):	DATE:
Patricia DiLeo, Angela Eaddy, Karoline Anders, Keiran Gorny, Ramona Franks, Joshua Murphy	August 22, 2014

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Dates of Review: August 11, 2014 – August 15, 2014

Office Reviewed: Jacksonville Final Adjudication Branch

Reviewing Office: Policy, Regulations and Procedures Unit

Review Period: April 1, 2013 – March 31, 2014

Standard:	Category Name _ Addressing Claimant Objections Category # <u>2</u>
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Sample Size (total # of indicators in the category that were reviewed):	132
Number of cases reviewed:	44
Number of errors in category:	13
Acceptable rating:	85%
Rating for review:	90%

FINDINGS: Describe Findings.

This Category reviews whether the claimant's objections were addressed and measures whether every objection is identified and provided a response. It also measures if the response is correct pursuant to the EEOICPA regulations, policies and procedures, as well as clearly explained.

There were 13 deficiencies noted in this category. The majority of errors consisted of objections that were not addressed. There were a couple of deficiencies where the objections were related to the Part E claim and not the Part B claim, but in one, the Hearing Representative only referred to the Part B objections and only in a general fashion, and in another because the Hearing Representative stated that the Part E claim was being remanded, when it was actually being deferred, and the objection was related to the Part B claim for skin cancer.

IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:

OTHER SIGNIFICANT FINDINGS:

REVIEWER(s):	DATE:
Angela Eaddy, Keiran Gorny, Karoline Anders, Joshua Murphy, Ramona Franks, Patricia DiLeo	August 22, 2014

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Standard:	Category Name <u>FAB Decisions</u>	Category # <u>3</u>
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Sample Size (total # of indicators in the category that were reviewed):	884
Number of cases reviewed:	52
Number of errors in category:	31
Acceptable rating:	85%
Rating for review:	96%

FINDINGS: Describe Findings.

The Final Decisions Category measures whether final decisions (FD) and medical/monetary benefits issued by the Final Adjudication Branch (FAB) are written in the proper format and that the context is correct and supported by the evidence of record. The FD must be a fair and independent assessment of the claim and must correctly apply program policies and procedures to ensure an appropriate final outcome.

Overall the Jacksonville FAB performed very well in this Category, with a rating of 96%. In this category, the following areas were reviewed: (1) Decision Correspondence; FD Introduction; Written Quality and Formatting; (2) FD – Statement of the Case; (3) FD – Findings of Fact; and (4) FD – Conclusions of Law.

There were 31 deficiencies found in this category.

Element #1: Decision Correspondence, FD Introduction, Written Quality and Formatting.

In this Element, 7 deficiencies were noted. The deficiencies involved several incorrect docket numbers on FDs; a cover letter with an address typographical error; a cover letter that did not

specify that the claim was denied; a cover letter that did not specify the Part type; and a WL denial FD preamble that not only denies a current WL claim but also a previously adjudicated WL claim. A cover letter and FD did not specify an acceptance or denial, but that the claim was “suspended”, which resulted in an deficiency in all three Elements.

Element #2: FD – Statement of the Case.

In this Element there were 5 deficiencies noted. The deficiencies included a decision with confusing statements and poor grammar; another decision where it did not include a discussion on whether HHC was medically necessary and whether the claim should be accepted or denied; another decision did not explain what a SEC meant and how it was relevant to the accepted claim; a SOC with more information than needed, and another decision where the SOC was confusing with poor sentence structure.

Element #3: FD – Findings of Fact.

There were 7 deficiencies noted in this Element. The majority of deficiencies in this element included decisions where the findings of fact were insufficient and did not support the conclusion. Another decision included findings that were not relevant to the decision.

Element #4: Conclusions of Law.

There were 12 deficiencies noted in this Element. The deficiencies included a lack of analysis to explain the conclusions; relying on legal citations and too many citations; a decision with a confusing statement pertaining to what was awarded; including more information than needed; and in one case there were no conclusions regarding acceptance or denial of the claim.

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OTHER SIGNIFICANT FINDINGS:

REVIEWER(s):	DATE:
Angela Eaddy, Karoline Anders, Keiran Gorny, Joshua Murphy, Ramona Franks, Patricia DiLeo	August 22, 2014

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Review Period: April 1, 2013 – March 31, 2014

Standard:	Category Name _ Remands	Category # __4__
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Sample Size (total # of indicators in the category that were reviewed):	225
Number of cases reviewed:	45
Number of errors in category:	2
Acceptable rating:	85%
Rating for review:	99%

FINDINGS: Describe Findings.

Review of remands measures whether a remand was necessary and appropriate based on the evidence in the file. It also measures if the basis of the remand and further action to be taken are accurately and clearly described.

There were 2 deficiencies found in this category. The remands were accurate, well written and appropriate in all manner under review. The two deficiencies were from one case in which the remand was appropriate, but the explanation in the remand was insufficient.

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OTHER SIGNIFICANT FINDINGS:

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Review Period: April 1, 2013 – March 31, 2014

Standard:	Category Name <u>Reconsiderations</u>	Category # <u>5</u>
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Sample Size (total # of indicators in the category that were reviewed):	164
Number of cases reviewed:	41
Number of errors in category:	3
Acceptable rating:	85%
Rating for review:	98%

FINDINGS: Describe Findings.

The review of reconsideration requests measures whether the formal request and receipt of new evidence are provided an appropriate response. The Jacksonville FAB performed very well in the Category.

3 deficiencies were found in the category. The deficiencies included instances in which the hearing representative did not explain why the reconsideration request was denied.

IMPROVEMENTS SINCE LAST ACCOUNTABILITY REVIEW:

OTHER SIGNIFICANT FINDINGS:

REVIEWER(s):	DATE:
Angela Eaddy, Karoline Anders, Keiran Gorny, Joshua Murphy, Patricia DiLeo	August 26, 2014