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July 1, 2020

The Honorable Paul R. Lawrence
Under Secretary for Benefits
U.S. Department of Veterans Affairs
810 Vermont Avenue NW
Washington, DC 20420

RE: Rescission of the Veteran Service Officer (VSO) 48-Hour Review Policy

Dear Mr. Under Secretary:

The undersigned Attorneys General, write to express our strong concerns regarding the recent decision by the Department of Veterans Affairs (VA) to rescind its decades-old policy of allowing accredited Veteran Service Officers (VSOs) a 48-hour period to review claims decisions prior to promulgation. The VA's internal procedures manual describes the purpose of VSO review as identifying any clear errors or matters of clarification that require significant discussion, and/or correction *prior* to promulgation.¹ The process for correcting those errors *after* promulgation is often lengthy and time consuming, and typically results in an increase in otherwise unnecessary appeals being filed in an already overburdened appeals system. Such appeals invariably result in further delays in veterans receiving the benefits they have already earned.

No less troubling is the VA's decision to implement this policy change in the midst of the ongoing COVID-19 crisis, when the VA, VSOs and veterans are already struggling to execute the existing process while working from remote locations utilizing reduced resources. Implementing a policy change of this significance, right now, would only lead to more confusion and frustration in the claims process.

We urge the VA to postpone any change to this long-standing policy until the VA, VSOs and veterans can have more thorough discussions regarding the VA's reasons for the change, the implications it will have on VSOs and veterans, and whether there are alternative solutions that do not call for complete elimination of this critical quality review.

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Phone: (202) 326-6000
<https://www.naag.org/>

¹ M21-1 VA Rater Handbook, Part I, Chapter 3, Section B, Paragraph 3(a) VSO Review of Rating Decisions (last visited online on May 8, 2020).

Sincerely,



Kwame Raoul
Illinois Attorney General



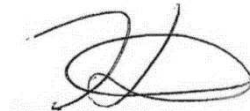
Kevin G. Clarkson
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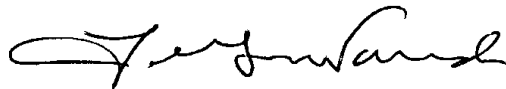
Xavier Becerra
California Attorney General



William Tong
Connecticut Attorney General



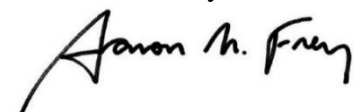
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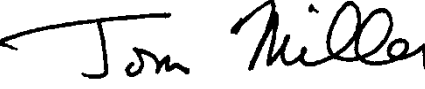
Phil Weiser
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Kathleen Jennings
Delaware Attorney General



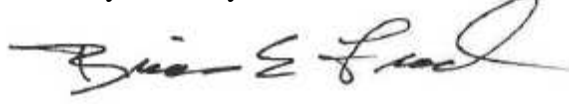
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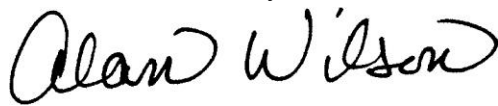
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North Dakota Attorney General



Mike Hunter
Oklahoma Attorney General



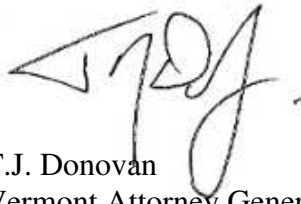
Josh Shapiro
Pennsylvania Attorney General



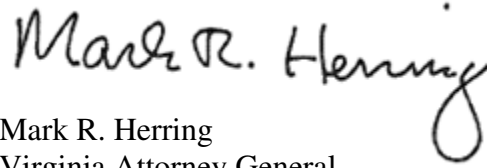
Peter F. Neronha
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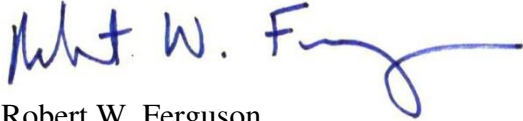
Sean Reyes
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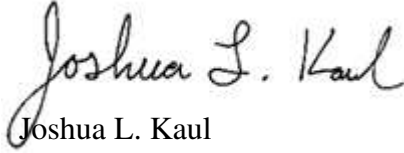
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