

# US Army Physical Disability Agency

## Quality Assurance Program SOP

### 14 August 2019

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#### **Background**

The adjudication of disability cases is a complicated process entailing the application of numerous laws, directives, instructions, and regulations. This is compounded by continuous changes in these documents, the large number and variety of cases adjudicated, and the turnover of personnel. The USAPDA's Quality Assurance Program (QAP) is critical in maintaining and improving the consistency and accuracy of adjudications across the Agency.

The necessity of Quality Assurance (QA) was directly addressed in section 524 of the National Defense Authorization of FY 2013. Congress requested that the Secretary of Defense develop a plan to standardize, assess, and monitor the QAPs of the Military Departments' (MilDep) Physical Evaluation Board Liaison Officers (PEBLOs), Medical Evaluation Boards, and Physical Evaluation Boards.

Based on a review of industry best practices and the quality assurance programs of the two largest, Federal disability benefits programs (VA and the Social Security Administration), DoD developed a plan to implement a disability quality assurance program with four key functions:

- Quality Planning - Provide policy and process guidance.
- Quality Assurance - Establish evaluation criteria and measurement tools; establish protocols to conduct quality assurance reviews and a case sampling scheme.
- Quality Control - Collect and analyze data.
- Quality Improvement – Study problematic areas and issue recommendations for improvement activities.

Now fully implemented, to include the publication of DoDM 1332.18-V3 (Disability Evaluation System (DES) Manual: Quality Assurance Program (QAP), November 21, 2014), DoD's DES Quality Assurance Program seeks to 1) Standardize disability evaluation quality assurance requirements for the Military Departments; 2) Enable DoD to assess, monitor, and improve the accuracy and consistency of the determinations and decisions of Medical Evaluation Boards (MEBs) and Physical Evaluation Boards

(PEBs); and 3) Ensure that MEBs, PEBs and Physical Evaluation Board Liaison Officers (PEBLOs) properly perform their duties.

The Department of Defense developed strategic performance goals aimed at measuring the accuracy and consistency of MEB and PEB decisions, and as necessary, improving them. This led to the department’s development of 3 separate QA review programs.

Type of Review	What	Who and Why
In-process Case Review (IPR)	Internal MilDep review at various points in DES intended to support the accuracy and consistency of the decisions made by PEBs	<ul style="list-style-type: none"> <li>• Military Departments utilize internal QAPs</li> <li>• MilDeps report quarterly on process and outcomes</li> <li>• Congressional objective: Ensure <u>accuracy</u> of MEB/PEB decisions</li> </ul>
Consistency Case Review (CCR)	<p>Targeted reviews of specific issues, conditions, or high-level interest items using constructed cases.</p> <p>Compare the degree of alignment between reviewers, services, and to test themes of high-level interest</p> <p>The Physical Disability Board of Review (PDBR) has been tasked to be the “3<sup>rd</sup> party” noted to the right.</p>	<ul style="list-style-type: none"> <li>• OSD will provide government 3<sup>rd</sup> party entity themes to be tested; 3<sup>rd</sup> party entity develops constructed cases; MilDeps adjudicate</li> <li>• Government 3<sup>rd</sup> party entity assess results and provide analysis report to OSD</li> <li>• Congressional objective: ensure <u>consistency</u> of MEB/PEB decisions across the MilDeps</li> </ul>
Post-process Case Review (PPR)	MilDep reviews measuring the <u>accuracy</u> and <u>consistency</u> of MEB and PEB decisions using a DoD standardized checklist.	<ul style="list-style-type: none"> <li>• OSD established procedures in policy; provides standardization</li> <li>• Military Departments conduct reviews, submit results to OSD</li> <li>• Congressional objective: ensure <u>accuracy</u> and <u>consistency</u> of MEB/PEB decisions</li> </ul>

The Health Services Policy and Oversight (HSP&O) is the agency tasked with overseeing the military services QAPs for the DoD. As such, they set policy and publish guidance, collect and analyze data from a variety of sources (including USAPDA), and publish quarterly and annual reports on the disability evaluation system’s QAP. The

lead recipient for this report is the Assistant Secretary of Defense for Health Affairs (ASD HA).

## **USAPDA**

The Deputy Commander, USAPDA, is responsible for the implementation, maintenance, and oversight of the Agency's QAP. The Deputy Commander typically executes these actions through an appointed Quality Assurance Program Manager (QAPM) who is a member of the USAPDA advisory staff. Each PEB will identify a primary QAP POC who will be responsible for overseeing the QAP activities within their PEB.

The USAPDA's QAP helps analyze the effectiveness of and then maintain and/or improve adjudicator training as well as PEB case adjudication accuracy and consistency. Goals of the USAPDA's QAP include:

- To help improve performance, practices, and capabilities.
- To facilitate communication and sharing of best practices among PDA and PEBs.
- To serve as a working tool for understanding and managing performance, planning, training, and assessment.
- To assist with future resource needs.

It cannot be overemphasized: The QAP is designed and utilized solely for the purpose of evaluating and improving the performance of the organization. Results have no bearing on evaluation reports or personnel actions.

The Quality Assurance Program Manager is responsible for executing the USAPDA's Quality Assurance Program. The QAPM:

- Provides leadership, oversight, and subject matter expertise in the implementation and execution of the congressionally mandated QAP.
- Develops policies and procedures to comply with mandates and assists the command in maintaining and improving the Agency's PEB case adjudication accuracy and consistency.
- Is responsible for QAP data analysis and the development of QAP products for the organization.
- Develops QAP products as required by outside organizations and for providing both inter and intra-agency QAP feedback and training opportunities
- Serves as the Agency's representative with outside agencies, including the Office of HSP&O, the Physical Disability Board of Review, and the QAPs of the Air Force and Navy.
- Assists the command, through working with the Chief of Staff, the Advisory Staff, and the G3, in the development of training products based upon QAP findings and studies.

The QAPM distributes the results of the IPRs, CCRs, PPRs, and the quarterly DES QAP reports to the senior leadership of USAPDA, the Advisory Staff, the PEBs, and the G3 (operations). The G3 staff reviews these reports with input from the QAPM and other advisory staff members as required to further evaluate the findings. In order to correct identified deficiencies/trends as well as improve case adjudication accuracy and consistency, they may modify adjudicator training, arrange training, and/or direct the preparation of a product for the monthly USAPDA sustainment training.

### **MEB Review Data**

All cases received by a PEB undergo an administrative review. When this administrative review reveals that the MEB is inadequate, the case is rejected in electronic Physical Evaluation Board (ePEB) and routed back to the MTF for corrections. There is currently no mechanism within ePEB to tally these cases, so this data is collected and maintained by administrative personnel at the PEBs in their copies of the MTF Rejections Access database.

Once cases are administratively adequate, they begin the adjudication process. When during adjudication the case is found to have critical deficiencies preventing adjudication, and which the PEB is unable to resolve, the case is returned to the MTF with a memorandum requesting the MEB address the deficiencies. MTF returns are tracked in ePEB.

USAPDA includes the numbers and rates for MEB case rejections and returns as part of the quarterly data call (report) provided to HSP&O. HSP&O asked USAPDA to define the metric for success, and it is currently set at five percent or less for the total rejections and returns for all cases reviewed by the PEBs.

The PEBs are directed to email in their rejection data bases at the completion of each quarter. The data is used to complete one tab in the HSP&O's quarterly data call (see HSP&O Quarterly Data Call Section below). It is also used to provide MEDCOM's IDES Director a roll-up of the rejection data for all the Army MTFs. The QAPM assembles the individual PEB rejection data into an Excel spread sheet and sends it to the IDES Director via encrypted email.

### **In-Process Review (IPR)**

The Department of Defense defined IPRs in their Report on Disability Evaluation System Quality Assurance Program generated on 1 July 2013: "Internal Military Department case file reviews at various points in the disability evaluation process intended to support the accuracy and consistency of MEB's and PEB's decisions and the reduction of the number of board decision errors." In this document, they outlined the requirements for the IPRs:

- The Department will standardize, to the extent feasible, the Military Departments existing in-process case file reviews and require these reviews at specified points of the disability evaluation process.
- Reviews will support the MEBs and PEBs making more accurate and consistent decisions while ensuring proper execution of duties.
- Enable identification of errors or areas for improvement while a case goes through the various stages of review and determination.
- Reviews will help reduce the number of board decision errors.

These requirements were then codified and detailed in of DoDM 1332.18-V3.

Of the 3 QAP measurement tools, the IPRs are the least prescriptive and afford the most flexibility: The process and criteria are designed by the Military Service, the reviews are conducted internally, and the review may look at different aspects of PEB quality over time to allow it to best assess and improve its internal processes.

The USAPDA's goals for the IPRs are:

- Decrease errors in and improve the consistency, accuracy, and overall quality of PEB adjudication
- Identify trends in case adjudication, both within and between PEBs
- Improve adjudicator training
- Evaluate the accuracy and consistency of PEB determinations
- Address Congressional mandates and DoD requirements

The DoD policy requires the Military Departments to review and report on, at a minimum, the accurate application of disability law and policy in MEB and PEB procedures and decisions. The USAPDA meets this requirement when reporting the number of MTF cases rejected and the number of MTF cases returned as noted above under "MEB Review Data."

The in-process review (IPR) survey is designed to measure frequency (rate) of correct rule application (quality), identify types and frequency of errors (trends), and to measure administrative accuracy, adjudication accuracy, and adjudication consistency. The IPR consists of each PEB reviewing 10 randomly selected IDES cases every month. Case file selection will occur by the 5th of each month:

- By the end of the preceding month, the QAPM will notify the PEBs on which of the first five days of the tested month from which to select their cases for review.
- PEBs will pull their 10 IDES cases (excludes NDR and TDRL relook cases) for review from their signature work list.

- Age of the case (newest to oldest based on date placed) at the time of sampling is the secondary discriminator.
- If this yields less than 10 cases, the next earlier date is used to select cases.

Each case is reviewed by a senior adjudicator and a senior physician assigned by the PEB president utilizing the current version or the IPR survey. Reviews will not be assigned to individual augmentees or other personnel in a temporary status. The review is completed after the case has been voted by the 2 member IPEB and the VA ratings applied but before the DA 199 (Informal Physical Evaluation Board Proceedings) is signed by the Presiding Officer. All IPR findings are therefore addressed and corrected as necessary before the initial DA 199 is sent to the Soldier's PEBLO. This sampling point may be changed to focus on different points in the adjudication process.

Each reviewer will record the results of each case on the IPR survey. When a reviewer identifies an adjudication error, this finding will be discussed with the adjudicator(s) and changes made to the Soldier's DA 199 as required. In addition to the error in adjudication, the reviewer will annotate the remedial action(s) taken on the IPR checklist for that case. The IPRs are to be completed, scanned into a single PDF file, and forwarded via encrypted email to the QAPM by COB of the last business day of each month.

While multiple items are checked as part of the IPR survey, only three are reported to HSP&O; administrative accuracy, adjudication accuracy, and adjudication consistency.

Administrative Accuracy involves errors that require a simple administrative change. Administrative changes are defined AR 635-40 (Disability Evaluation for Retention, Retirement, or Separation), paragraph 4-25e(2), as ones that DO NOT:

- (a) Change the disability disposition.
- (b) Change a finding of unfit to fit for any condition adjudicated.
- (c) Change any VA ratings. (This excludes changes resulting from a Soldier's VA Request for Reconsideration and other changes made by the VA)
- (d) Change or delete a diagnosis or condition, to include any of multiple conditions that correspond to a specified DA Form 199 VASRD diagnostic code number.
- (e) Vacate or substantively modify a favorable administrative determination.

USAPDA reports administrative accuracy, adjudication accuracy, and adjudication consistency in their quarterly data call response to HSP&O.

- (a) Administrative accuracy: The number of cases without an administrative error divided by the total number of cases reviewed.

- (b) Adjudication accuracy: The number of cases without adjudication errors divided by the total number of cases reviewed. Adjudication errors are findings that affect the Soldier's disposition, ratings, and/or benefits.
- (c) Adjudication consistency is judged by the PEB Presidents (or their designees) when they answer the survey question "Was the adjudication of this case consistent with similar cases?" Adjudication consistency is the number of cases judged to have been consistently adjudicated divided by the total number of cases reviewed.

The HSP&O set the goals for the accuracy and consistency of DoD disability determinations at 90%, and so this is the current standard USAPDA has set for our IPRs. It needs to be noted that this is the standard for these determinations at the end of the IDES process. Internally, USAPDA has set these marks for ourselves at a much earlier point in the process.

By COB of the last business day of the month, each PEB will:

- Collate the IPR sheets (adjudicator case 1, physician case 1, adjudicator case 2, physician case 2, etc.) and scan them into a single PDF
- Send this PDF to the QAPM via encrypted e-mail

The QAPM is responsible for collecting, recording, and maintaining the IPR survey results in an Access database. He/she is responsible for identifying trends and alerting leadership as necessary to address issues identified by the IPRs. In addition, the QAPM prepares a quarterly IPR report. This report includes:

- Rates for correct adjudication of the various elements (Unfit/fit determinations, application of V1/V3, application of VA ratings, correct TDRL designation, etc.)
- Rates for adjudication accuracy and consistency
- Lists the significant errors and the corrective actions taken. This may include those errors or cases which can serve as teaching points.
- Discussion of trends

The report is distributed to the senior leadership of USAPDA, the Advisory Staff, the PEBs, and the G3 (operations). These calculations, along with the trend analysis, are forwarded to HSP&O on a quarterly basis as part of the quarterly data call.

## **Consistency Review (CR)**

OSD has identified the Physical Disability Board of Review (PDBR) as the 3<sup>rd</sup> party government entity responsible for administering these reviews. The PDBR has developed the consistency review process utilizing the requirements laid out in the Department of Defense's Report on Disability Evaluation System Quality Assurance Program generated on 1 July 2013:

- The Department will institute consistency reviews on a quarterly basis
- These will be used to inform potential revisions to training, law, regulations, and policy
- These should ultimately help to reduce variance in decision outcomes across the Military Departments
- Topics will be based on prior performance data trends and interest items of the Department
- All trained PEB personnel will adjudicate the redacted or constructed case files
- An agency external to the Military Departments will evaluate their decisions and determinations using standardized evaluation criteria (PDBR)
- Outcomes of these reviews will be analyzed to determine the degree of accuracy and consistency of decisions across the Military Departments
- These will serve as a source to reduce such variation through training or clarifying and strengthening policies, regulations, procedures, and training

Like the IPRs, these requirements were then codified and detailed in of DoDM 1332.18-V3.

Cases are reviewed/adjudicated using the DES Quality Assurance Program Post Process and Consistency Review Checklist. This checklist is designed by the HSP&O with input and direction from OSD. This checklist is periodically modified as they choose new themes or policy changes to tests. Results are entered into a share point file.

PDBR sends out the lists of case assignments at the beginning of each month. Cases are typically required to be completed by COB of the 3<sup>rd</sup> Friday of the month. The time for case completion is sometimes extended based on limited days for completion in a particular month caused by holidays, etc.

Each case is adjudicated by two PEB personnel. The case assignments are made by the PDBR at the beginning of each month. Individual reviewers are notified by e-mail when a case is ready for their adjudication. This process is sequential, with the first adjudicator needing to complete the case before the second reviewer can access it.

It is important that the quality assurance POCs at the PEBs notify PDBR (with a cc to the QAPM) of the temporary unavailability of an adjudicator, and permanent additions or deletions of adjudicating personnel as soon as they can. This should occur as soon as

the change is known and certainly before the first of the month, as this is when case assignments are sent out. There are a limited number of test cases and completion of cases is sequential so failure to notify PDBR of these changes is problematic, often resulting in late in the month case reassignments and subsequent late task completion by the affected PEB.

Results of the adjudications are reviewed by trained personnel at the PDBR. While the reviewers look at each case, the reported results are collated by Service, only looking at the results of the PEBs' adjudication and not the work of individual adjudicators. The PDBR's findings are collated and sent to HSP&O, who then uses them in the writing of their quarterly DES QAP report. USAPDA receives a copy of the PDBR's analysis of this data. The PDBR analysis is forwarded to the Deputy Commander, PEB Presidents, Advisory Staff, and the senior adjudicator and physician at each PEB. Results of the CCR as noted in the DES Quarterly QAP report are reviewed by USAPDA and PEB senior leadership, and may provide topics for discussion and/or further training sessions.

The QAPM obtains access to this PDBR CCR share point site in order to review case specifics and thereby understand the exact nature of the PEBs' consistency review case findings. This assists in reviewing the cases with leaders in the Agency, the Advisory Staff, and the G3 as applicable. However, on some occasions, the QAPM may find errors in the case or the applied rules as chosen by the PDBR, and these cases should be discussed with PDBR personnel as part of improving the DoD DES QAP. Access is obtained by getting approval from HSP&O after which PDBR will provide access to their SharePoint site.

### **Post-Process Review (PPR)**

Requirements were defined for the Military Departments in The Department of Defense's Report on Disability Evaluation System Quality Assurance Program generated on 1 July 2013:

- The Department will institute post-process case reviews of case files using standard DoD evaluation criteria and checklists
- Each Military Department will conduct the post-process case reviews using an independent internal review board (IIRB) {USAPDA is the Army's IIRB}
- The Department will establish post-process case review requirements on an annual basis
- The case file selection will be representative of the target population as determined by DoD
- The Department will conduct targeted reviews of high-level interest issues, specific conditions, and other criteria as specified by the Department or Congress.
- The Department will employ a 90% confidence level for Initial Operational Capability (IOC).

The Disability Advisory Council later raised the confidence level to 95%.

#### Case Selection

- Cases selected for review have completed PEB adjudication and have been sent to the USAPDA. They are reviewed prior to secretarial approval.
- The Operations Section randomly selects a sample of adjudicated cases based on the terminal digit of the Soldiers' social security number. The terminal digit is randomly selected each month.
- Cases do not include TDRL re-looks, nor do they include cases requiring mandatory reviews by PDA Staff IAW AR 635-40, paragraph 4-25a (1) – (7); this includes directed reviews. Because these cases are already being reviewed at USAPDA, USAPDA leadership has felt that 2 reviews by a minimum of 4 PDA staffers would be redundant. Furthermore, DoDM 1332.18 V3 deletes cases pending appeal from this review process.
- The current requirement for the Army is to review 20 cases per month: Six cases from the NCR and JBLM PEBs, and eight from the JBSA PEB due to their larger case volume.
- Ten cases (three each from JBLM and NCR plus 4 from JBSA) are selected and reviewed each of the first weeks of the month. This limits the time individual cases spend in PPR.
- Cases under review are maintained in e-PEB and placed on the HQ Review worklist with "Quality" given as the reason for review.

Each case is reviewed by two PDA personnel. The QAPM is typically the first reviewer with other PDA review staff serving as second reviewers. Reviewers evaluate each case using the "DES Quality Assurance Program Post-Process and Constructed Case Review Checklist" provided by HSP&O ("DoD Checklist"). Results are entered and maintained in an Access database file. These are used in the quarterly data and trend analysis completed by the QAPM, and in the HSP&O's quarterly data call.

Review questions from the DoD Checklist are broken down into 2 categories, adjudication process and PEB process. Adjudication process questions are those used to evaluate findings that affect the Soldier's disposition, ratings, and/or benefits. For the current checklist (January 2017), these are questions 2 and 5-13. The remaining questions are PEB Process questions, and these address issues of documentation, timeliness, and MEB performance.

A difference in the post-process review findings versus the PEB outcome as documented on the DA 199 for an item that could affect the Soldier's disposition, ratings, and/or benefits (adjudication process questions) is termed a non-concurrence: The reviewers non-concur in the sense that they do not concur that the PEB's findings are clear and/or supported by the evidence in the case file.

The QAPM notifies operations of cases without a non-concurrence after being reviewed and voted by the two reviewers, and operations then moves the case for continued processing. In the event an administrative change requirement has been noted in the review, the operations section is notified of the required correction(s), and after making the correction, moves the case for continued processing. The administrative changes are defined in AR 635-40 (Disability Evaluation for Retention, Retirement, or Separation), paragraph 4-25e(2), as ones that DO NOT:

- (a) Change the disability disposition.
- (b) Change a finding of unfit to fit for any condition adjudicated.
- (c) Change any VA ratings. (This excludes changes resulting from a Soldier's VA Request for Reconsideration and other changes made by the VA)
- (d) Change or delete a diagnosis or condition, to include any of multiple conditions that correspond to a specified DA Form 199 VASRD diagnostic code number.
- (e) Vacate or substantively modify a favorable administrative determination.

Because these non-concurrences could affect the Soldier's disposition, ratings, and/or benefits, these include not only those circumstances noted in a-e above but also those which, if validated, would be favorable to the Soldier, e.g. an increase in rating(s) or the granting of V1, V3, or V4.

When both reviewers agree on a non-concurrence, the case will be returned to the PEB for reconsideration. The QAPM prepares a memorandum discussing the potential finding/non-concurrence, uploads it into the ePEB case file, and notifies operations to return the case to the appropriate PEB.

In the event the reviewers do not agree on a potential non-concurrence, the Deputy Commander or their designee will review the case, provide the tie-breaking opinion, and the case will be actioned accordingly.

After the PEB has completed their review, they address the non-concurrence as they deem appropriate. If the PEB disagrees and seeks to explain their findings in reference to the non-concurrence, a memorandum of explanation, and additional evidence if applicable (e.g. an AHLTA note), will be uploaded into the ePEB case file, and the case returned to PDA.

In the event the review results in a change in the Soldier's disposition, ratings, and/or benefits, the Soldier will receive a revised DA 199 and make new elections. The PEB will address these elections in the routine manner.

When the case is eventually returned to PDA, it is required to undergo a mandatory review IAW paragraph 4-25a(6) of AR 635-40. The operations division will route the case to the Review worklist and select Mandatory as the reason for review. The review team will then review and action the case.

After this mandatory review, a case may be approved and complete the IDES process, returned again to the PEB, or USAPDA may perform a correction/modification. If the decision is to perform a correction/modification, the review team will obtain the concurrence of the Deputy Commander and notify the PEB via memo of the correction/modification action that was taken. The modification will be processed IAW AR 635-40, paragraph 4-25g and 4-25h.

A substantiated non-concurrence occurs when the PEB agrees that an error was made and makes changes to the DA 199, or when the USAPDA review modifies the DA 199. These may lead to a decrease in the Soldier's benefits or ratings, or lead to a change in disposition. Unresolved Soldier non-concurs, as noted on their new DA 199 elections (versus those which are the result of a PDA modification) will be reviewed by the CG, PDA.

In addition, these cases potentially will be sent to the Army Physical Disability Review Board (APDAB) for review IAW AR 635-40, paragraph 4-25f:

“4-25f: Physical Evaluation Board reconsideration resulting from USAPDA review.

In the situation described below, the CG, USAPDA, will review the case and determine whether to refer the Soldier's case to the U.S. Army Physical Disability Appeal Board for final determination.

- (a) The USAPDA returned the case to the PEB for the PEB to reconsider its findings and recommendations: and
- (b) The PEB revised its findings and recommendations; and
- (c) The Soldier non-concurred with the PEB's revised findings and recommendations with a timely statement of rebuttal; and
- (d) The subsequent USAPDA review affirmed the PEB's revised findings and recommendations.”

When this process is utilized, USAPDA will use APDAB's directed findings when issuing the DA 199.

### Post Process Review Analysis

For evaluation and reporting purposes, the 17 questions on the current DES checklist (January 2017) are divided into Adjudication Accuracy Questions and PEB Process Questions. The adjudication accuracy questions (2 and 5 - 13) evaluate issues affecting the Soldier's disposition, ratings, and/or benefits. The PEB process questions (1, 3, 4, 14 -17) address issues of documentation, timeliness, and MEB performance.

Answers of "N/A" are excluded from reports and calculations because, by definition, they are "non-applicable." Their inclusion can skew results, obscure actionable findings, and has a large effect on checklist questions that infrequently apply to reviewed cases (e.g. questions addressing presumption of fitness).

At a minimum, the four items calculated are:

- (a) Adjudication Process Accuracy: The number of findings of concurrences divided by the total number of cases evaluated for that particular question. This is also calculated as an aggregate of the adjudication process questions. An example of an individual question calculation: Of the 20 cases reviewed in one month, the VA applied 4.129 to five of them, and the PEBs failed to apply it in one case. This would give an adjudication process accuracy of 80% (4/5) for question 12. It should be noted that these are not confirmed errors in adjudication at this point as the PEB has not yet reviewed or acted on the non-concurrence. The true error rate is the Case Adjudication Accuracy and is discussed in (d) below.
- (b) PEB process execution is defined as the number of correct findings divided by the number of items evaluated. This is also calculated for the individual questions as well as an aggregate of the PEB process questions as described above.
- (c) Case Adjudication Concurrence is defined as the number of cases without an adjudication non-concurrence divided by the number of cases reviewed. Note this is different than the Adjudication Process Accuracy in (a) above because it is the number of cases and not the total number of non-concurrences. This is a separate calculation because one potential errant finding could lead to multiple non-concurrences for one case and thereby inflate the number. For example, a non-concurrence with not applying 4.129 (question 12) could also lead to a non-concurrence with disposition (TDRL vs PDR)(question 11). It should again be noted that these non-concurrences are not considered true adjudication errors unless the non-concurrence results in a change in the Soldier's disposition, ratings, or benefits after PEB review with the issuance of a new 199. The true error rate is the Case Adjudication Accuracy and is discussed in (d) below.
- (d) Case Adjudication Accuracy is the calculation used to measure the error rate, and is defined as the number of cases with substantiated non-concurrences (change in DA 199 affecting disposition, ratings, and/or benefits) divided by the number of cases reviewed. This is a trailing metric because some cases returned to the PEBs for reconsideration in one quarter are not back at USAPDA by the end of the quarter for a variety of reasons (case needed to be returned to MTF, Soldier requested formal PEB, case returned to the D-RAS, etc.) These necessary delays may lead to later adjustments to a previously published number.

While these calculations do not need to be provided to HSP&O as they do their own calculations from the raw data we provide, they may be performed so that they can be

compared with HSP&O's calculations. What is required is that the raw data, along with any trend analysis, be forwarded to HSP&O on a quarterly basis as part of the quarterly data call.

The QAPM is responsible for collecting, recording, and maintaining the PPR results in an Access database. He/she is responsible for identifying trends and alerting leadership, the Advisory Staff, and/or the G3 as necessary to address issues identified by the IPRs. In addition, the QAPM prepares an annual PPR report. This report includes:

- Rates for correct adjudication of the various elements (Unfit/fit determinations, application of V1/V3, application of VA ratings, correct TDRL designation, etc.)
- Rates for adjudication accuracy and consistency
- Lists the significant errors and the corrective actions taken. This may include those errors or cases which can serve as teaching points.
- Discussion of trends

The report is distributed to the senior leadership of USAPDA, the Advisory Staff, the PEB leadership, and the G3 (operations).

It is incumbent upon the QAPM to track cases returned to the PEBs. Not only will it allow for completion of the case record in the Post-Process Access database, but he/she needs to ensure the case continues to move through the process. Returned cases sometimes “fall of the radar” and may languish for quite some time, e.g. after a PEB has subsequently returned the case to the MTF. This tracking is accomplished by periodically reviewing these outstanding cases in ePEB, and sometimes notifying the appropriate individuals when a case appears to have stalled. In addition, the QAPM sends a list of outstanding cases to the operations at least monthly.

### **HSP&O Quarterly Data Call**

HSP&O sends out a blank quarterly data call around the end of each quarter with a suspense about 1 month hence. All of this information is used in their quarterly QAP reports and some of it is used to produce the Army slides for the QAP portion of the Disability Advisory Council's quarterly meeting. The data call is an Excel spread sheet with 4 tabs, 4 of which require input.

- a) QI Activities: These are defined by HSP&O as the ongoing activities to monitor and improve IDES processes and intermediate outcomes prior to the final PEB determination. USAPA currently has 4 such activities:

1. The PEBs' site assistance visits and other QI activities. This information is acquired from the PEBs via an email request that usually accompanies the request for their Access rejection data bases. HSP&O uses this information in their report, and it is usually just a "cut and paste" operation.
  2. USAPDA's Mandatory Reviews: Barring changes in AR 635-40, this section is static.
  3. USAPDA's Directed Reviews: These are a subset of USAPDA's Mandatory Reviews and are subject to change as case issues are identified. These cases are designated by the CG, USAPDA, or his/her designee.
  4. In-Process Review Surveys: This section is static except for reporting the quarter's IPR administrative accuracy, adjudication accuracy, and adjudication consistency as discussed in the IPR section of this SOP.
- b) Deficiency Areas & Action Plans: In the Section, HSP&O notes PEB deficiencies and ask for the Agency's plan to address the issue. This typically involves timeliness issues.
- c) In-Process Case Reviews: The Congressional objective for the In-Process reviews is to ensure accuracy of both MEB and PEB decisions during these processes. While not a true "In-Process Review", the HSP&O is using the MEB case rejection and return numbers as their metric for this portion of the QAP. To this end, USAPDA operations will provide and maintain reporting queries that will enable them or the QAPM to run reports identifying the previous month's total by PEB and by MTF:
- The number of cases returned to MTFs by MTF and PEB
  - A list by of returns to MTF containing the case ID and return code(s) for each returned case
  - The total cases received by each PEB

The QAPM manager, with the assistance of the Operations data team, needs to obtain access to the Army Workload and Performance System (AWPS). The queries for obtaining some of the required data are on AWPS.

This data, along with that obtained from the PEBs' MTF Rejection Access data bases, is used to fill out this table on the In-Process Case Reviews tab:

## MEB Case Rejections and Returns

Please provide the following metrics for {Start of Quarter - End of Quarter}

PEB	IDES cases received by the PEB	IDES cases rejected by the PEB	Percent of IDES cases rejected	IDES cases returned by the PEB	Percent of IDES cases returned	IDES cases rejected and returned	Percent IDES cases rejected and returned
National Capital Region PEB							
Joint Base San Antonio PEB							
Joint Base Lewis-McChord PEB							
Total							

- d) **Post-Process Case Reviews:** This table is for the raw data generated by the Post-Process Review portion of the QAP. The easiest way to input the data is by exporting the quarter's data into an Excel spread sheet and then copying that spread sheet into their table. Because the Access data base contains more columns of data than requested, you must first hide the extra data columns prior to exporting to Excel. The data must be imported into their table as it contains the underlying formulas for their calculations.

### **Quality Improvement Requirements and Initiatives**

The USAPDA has several ongoing case reviews:

#### **Regulatory Mandatory Reviews**

The USAPDA reviews the following PEB cases before the PEB recommendations and findings are approved for or by the Secretary of the Army or higher authority, as applicable. These mandatory reviews are listed in paragraph 4-25a of AR 635-40 and are part of the adjudication process:

1. Decision of the IPEB when a Soldier non-concurs with the PEB and provides a timely statement of appeal, the appeal does not result in revised IPEB findings, and the Soldier waived a formal hearing.
2. Decision of the FPEB when a Soldier non-concurs with the FPEB and submits a timely statement of appeal that does not result in revised FPEB findings.
3. Cases of general and MC Officers found unfit.

4. Cases in which a voting member of the PEB submitted a minority report at the last level of PEB adjudication.
5. Cases of Soldiers assigned, or previously assigned, to USAPDA or the PEBs.
6. Any case previously reviewed by USAPDA and returned to the PEB for reconsideration, rehearing, or request for additional medical information.
7. Categories of cases designated by the CG, USAPDA for review prior to final disposition of the case.

### **Directed Reviews**

As noted in number 7 above, the CG can designate categories of cases to undergo additional reviews prior to final case disposition. These cases are referred to as "Directed Reviews." Currently, the three categories which undergo these additional reviews at the PDA level are:

- All cases containing an EPTS deductions
- All cases with a disposition of separate without benefits (SWOB)
- All cases with a disposition of FIT (Presumption of Fitness cases are included)

APPROVED FOR THE COMMANDER:

//ORINGNAL SIGNED//  
JOEL R. HOLMSTROM  
COL, AG  
Deputy Commander

## **REFERENCES:**

- (a) DoD Instruction 1332.18, Incorporating Change 1, "Disability Evaluation System (DES)," May 17, 2018
- (b) Section 524 of Public Law 112-239, "National Defense Authorization Act for Fiscal Year 2013," January 2, 2013
- (c) DoD Manual 1332.18, VOL 3, "Disability Evaluation System (DES) Manual: Quality Assurance Program (QAP)," November 21, 2014
- (d) DoD Report on Disability Evaluation System Quality Assurance Program, July 1, 2013
- (e) AR 635-40, Physical Evaluation for Retention, Retirement, or Separation; 19 January 2017.