



DEPARTMENT OF VETERANS AFFAIRS
Office of the General Counsel
Washington DC 20420

MAY 14 2012

Mr. John Kraemer, Desk Officer
The Office of Information and Regulatory Affairs
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

In Reply Refer To:

Dear Mr. Kraemer:

The Department of Veterans Affairs (VA) submits the enclosed report on VA's Plan for Periodic Review of Existing Regulations, in response to Executive Order (E.O.) 13563, "Improving Regulation and Regulatory Review," the reporting requirements set forth in Office of Management and Budget (OMB) Memorandum, "Implementation of Retrospective Review Plans," dated October 26, 2011, and the President's recent executive order, "Identifying and Reducing Regulatory Burdens." VA's report continues to follow OMB's suggested template for agency retrospective review plan reports.

VA's mission is to administer benefit programs, provide health care, and perform mortuary services for America's Veterans. Consequently, VA's focus has been on sustaining an ongoing method for identifying, updating, or simplifying significant rules that are obsolete, outdated, confusing, or that place unnecessary burdens on Veterans or their beneficiaries. VA has engaged in several major regulation rewrite projects in the past to accomplish these goals and we will continue to do so in the future. The two major rewrite projects currently in progress that share some of the retrospective review goals of EO 13563 are the Compensation and Pension Regulation Rewrite Project and VA's Schedule for Rating Disabilities Project. Neither retrospective review project is expected to result in significant economic savings, but both retrospective reviews will improve the administration of benefits for veterans. We are monitoring the progress of these major efforts and have deleted all other regulatory actions from our report that were merely updating existing regulations to maintain currency.

The Office of Regulation Policy and Management in VA's Office of General Counsel completed this action for the Department. If you have any questions, please contact me or Janet Coleman, Chief, Regulations Special Projects, Office of Regulation Policy and Management, who may be reached at (202) 461-4937.

Sincerely,

Robert C. McFetridge

Director

Office of Regulation Policy and Management

Enclosure

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Agency/ Admin	RIN/OMB Control No.	Title of Initiative/ Rule/ICR	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits (please quantify, to the extent feasible, and also specify baseline, time horizon, and affected groups)	Progress updates and anticipated accomplish- ments	Notes
Office of the General Counsel	2900-AO13, proposed rule	VA Compensation and Pension Regulation Rewrite Project	VA has reorganized and rewritten its compensation and pension regulations in a logical, user-friendly format. The intent of the Rewrite Project is to assist veterans, their representatives, and VA staff in locating and understanding these regulations. The new regulations will be placed in part 5 of 38 CFR, and become effective for claims	TBD. VA's leadership is considering the best way to integrate the Regulation Rewrite Project with VA's current priority effort to reduce and eliminate the claims backlog. VA has already published 20 proposed rules and received public comments.	None. The new part 5 will not alter the benefits VA provides nor alter VA claims procedures. By reorganizing and redrafting these regulations they will become much easier to find, read, understand, and apply. The new reorganization and redrafting should reduce the amount of time it takes to adjudicate VA	Pending approval, AO13 will be submitted for OMB review. Publication and implementation of the final rule may be delayed in order to integrate the Rewrite Project with VA's Claims Transformation Initiative, which is designed to eliminate VA's claims backlog.	

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			filed after a certain date, TBD. Part 5 eventually will replace part 3 of 38 CFR, when these current regulations are no longer required to adjudicate claims.	Tentatively, VA may publish this consolidated rule in 2012, which will provide the public with an additional opportunity to comment on all of the proposed part 5 regulations.	claims and should improve accuracy. The publication of AO13 will enhance public participation by allowing the public to see all of the rewritten provisions at one time, review VA's responses to all previous comments, and provide a final opportunity for any additional comments.		
Compensation Service	2900-AO19, proposed rule	Schedule for Rating Disabilities—Hemic and Lymphatic	AO19 (The Hematologic and Lymphatic Systems) proposes to amend the portion of the VA Schedule for Rating Disabilities that addresses the hematologic and lymphatic systems. The intended effect of this change is to incorporate medical advances that have occurred since the	Publish the proposed rule NLT Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	AO19 currently is being reviewed in VA's Office of General Counsel. A public forum with subject-matter experts was held in Washington, DC in Dec. 2009.	

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			last revision of these regulations, update medical terminology, add medical conditions not currently in the Rating Schedule, and refine criteria for further clarity and ease of rater application.				
Compensation Service	2900-AO44, proposed rule	Schedule for Rating Disabilities—Endocrine	AO44 (The Endocrine System) proposes to revise the portion of the VA Schedule for Rating Disabilities that addresses the endocrine system. The intended effect of this change is to update medical terminology, add medical conditions not currently in the Rating Schedule, revise the criteria to reflect medical advances since the last revision of these regulations, and clarify the criteria.	Publish the proposed rule NLT Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	AO44 currently is being reviewed by staff offices in VA's Veterans Health Administration. A public forum with subject-matter experts was held in Washington, DC in Dec. 2009.	
Compensation		Schedule for Rating		Draft a proposed rule by Dec 2013.	None. Updated rating schedules will	A public forum with subject-	

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Service		Disabilities— Mental Disorders			benefit veterans by applying the latest medical information for disability adjudications.	matter experts was held in Washington, DC in Jan. 2010.	
Compensation Service		Schedule for Rating Disabilities— Musculoskeletal		Draft a proposed rule by Dec 2013.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in Washington, DC in Aug. 2010.	
Compensation Service		Schedule for Rating Disabilities— Dental and Oral Conditions		Draft a proposed rule by Dec 2013.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in Scottsdale, Arizona, in Jan./Feb. 2011.	
Compensation Service		Schedule for Rating Disabilities— Genitourinary		Draft a proposed rule by Dec 2013.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in Scottsdale, Arizona, in Jan./Feb. 2011.	
Compensation Service		Schedule for Rating Disabilities— Infectious Disease,		Draft a proposed rule by Dec 2013.	None. Updated rating schedules will benefit veterans by applying the latest medical information	A public forum with subject-matter experts was held in Scottsdale,	

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		Immune Disorders, and Nutritional Deficiencies			for disability adjudications.	Arizona, in Jan./Feb. 2011.	
Compensation Service		Schedule for Rating Disabilities—Digestive		Draft a proposed rule by Dec 2013.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in Scottsdale, Arizona, in Jan./Feb. 2011.	
Compensation Service		Schedule for Rating Disabilities—Cardiovascular		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in New York City in Oct. 2011.	
Compensation Service		Schedule for Rating Disabilities—Respiratory		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in New York City in Oct. 2011.	
Compensation Service		Schedule for Rating Disabilities—Impairment of Auditory Acuity		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability	A public forum with subject-matter experts was held in New York City in Oct. 2011.	

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					adjudications.		
Compen- sation Service		Schedule for Rating Disabilities—Neurological Conditions and Convulsive Disorders		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in New York City in Jan. 2012.	
Compen- sation Service		Schedule for Rating Disabilities—Gynecological Conditions and Disorders of the Breast		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in New York City in Jan. 2012.	
Compen- sation Service		Schedule for Rating Disabilities—Skin		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in New York City in Jan. 2012.	
Compen- sation Service		Schedule for Rating Disabilities—Organs of Special Sense (Eye)		Draft a proposed rule by Dec 2014.	None. Updated rating schedules will benefit veterans by applying the latest medical information for disability adjudications.	A public forum with subject-matter experts was held in New York City in Jan. 2012.	
Compen- sation		(New) Schedule for Rating		Draft a proposed rule by Dec 2013.	None. A new rating schedule in this area	A public forum with subject-	

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Service		Disabilities— Rheumatology			may benefit veterans by applying the latest medical information for disability adjudications.	matter experts was held in Scottsdale, Arizona, in Jan./Feb. 2011.	
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