DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON DC 20420

January 9, 2012

Mr. Cass R. Sunstein
Administrator
ATTN: John Kraemer and Joshua Brammer, Desk Officers
The Office of Information and Regulatory Affairs
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Sunstein:

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 13563, "Improving Regulation and Regulatory Review," and to the periodic reporting requirements set forth in Office of Management and Budget (OMB) Memorandum, "Implementation of Retrospective Review Plans," dated October 26, 2011. VA's report follows 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, in complying with this executive order and reporting requirements, 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has been on sustaining an ongoing method for identifying, updating, or simplifying significant rules that are obsolete, outdated, confusing, or that place unnecessary burdens on Veterans or their beneficiaries.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 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 Robert McFetridge, Director for Regulation Policy and Management, who may be reached at (202) 461-4932.

Sincerely,

John R. Gingrich
Chief of Staff

Enclosure

Department of Veterans Affairs Retrospective Review Plan Report

January 9, 2012

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	VA Compensation and Pension Regulation Rewrite Project	VA proposes to reorganize and rewrite its compensation and pension regulations in a logical, user-friendly format. The intent of the proposed revisions is to assist veterans, their representatives, and VA personnel in locating and	VA plans to publish a comprehensive proposed rule in 2012, which will provide the public with an additional opportunity to comment on proposed rules previously	VA believes that by reorganizing and redrafting these regulations, they will become much easier to find, read, understand, and apply. They should reduce the amount of	In January 2011, VA published the last of 20 Notices of Proposed Rulemaking (NPRMs) seeking public comment on part 5. VA	Implementation of the final regulations in part 5 will be integrated into the Veterans Benefits Administra-tion's Claims Transformation Plans in the coming years.

			understanding these regulations. The new regulations will be placed in new 38 CFR part 5.	published during the project.	time it takes to adjudicate claims and should improve accuracy. Part 5 will not alter the benefits VA provides nor alter VA claims procedures.	has drafted responses to all public comments and has made revisions to the regulation text. In early 2012, VA plans to publish a consolidated proposed rule that combines the material from the 20 prior NPRMs. This additional publication will ensure full transparency and public participation by allowing the public to see all of part 5 at one time and allow	

						them to submit any additional comments.	
Veterans Health Administration	2900-AN95		38 CFR 1.461 Sharing of Medical Information Revises rules on information sharing to facilitate transfer of medical information between treating physicians in DoD and VHA to make them more effective.	An Interim Final Rule was published on10/20/11. A Final Rule is expected to be published by 7/2012.	No costs. No collections. No change in benefits.	An Interim Final Rule was published on 10/20/11.	AN95 IF - Sharing of Patient Information between the Department of Veterans Affairs and the Department of Defense - Published 10/20/2011 @ 76 FR 65133. Comment period ended 12/19/11.
Veterans Health Administration			38 CFR 17.35 & 17.141 Foreign Medical Program Revisions will update regulations to modernize the program and incorporate new law (Caregivers legislation).	FY2014	This project may require information collections, but we are still in the very early stages of development.	Too early in development to discuss.	Workplan 2010-014 - Foreign Medical Program - Travel for other than emergent care – VHA policy in development

Veterans Health Administration	2900-AO14		38 CFR 17.36 Enrollment Revisions will update VA's medical enrollment policy to increase veteran access to VA care.	N/A. This rule was withdrawn.	Revisions to expand benefits by increasing enrollment.	N/A. This rule was withdrawn at this time due to budgetary constraints.	AO14 IF - Expansion of Enrollment in the VA Health Care System (Major Rule).
Veterans Health Administration			38 CFR 17.38 Medical Benefits Package The regulation is being updated to accurately reflect the statutory benefits that VHA provides.	Too early in development to discuss.	Too early in development to discuss.	Too early in development to discuss.	Workplan 2011-046 – VHA Medical Benefits Package – The regulation is being updated to accurately reflect the statutory benefits that VHA provides.
Veterans Health Administration	2900-AN93 Replaced by 2900-AO28		38 CFR 17.110 Copayments for Medications Regulation revision reflects a change in policy to provide a lower copayment for certain medications.	Withdrawn and replaced by RIN 2900-AO28, an interim final rule which was published on 12/20/2011.	This 1-year freeze in copayments for medications for veterans is anticipated to result in reduced revenues of $34 million in 2012.	A final rule based upon public comments will be published in 2012.	AO28 P - Copayments for Medications was effective beginning January 1, 2012.
Veterans	2900-		38 CFR 17.149-	FY2014	In very early	Too early in	AN51 P

Health Administration	AN51		17.154 Prosthetics & medical equipment Regulatory revisions represent significant changes in policy designed to improve benefits delivery, and implement new legal requirements.		stages; cannot identify what this will do at this point.	development to discuss.	(Service Dogs only) - 98 comments were received during the comment period that closed on 8/15/11. A final rule based upon public comments is being drafted. Workplan 2010-003 – Prosthetics – VHA policy is in development.
Veterans Health Administration			38 CFR 17.270-17.278 CHAMPVA Program Regulatory revisions represent significant changes in policy designed to improve benefits delivery, and implement new legal requirements.	PR: FY2012 FR: FY2013	Minor changes in benefits will be made to offer benefits in a manner similar to TRICARE, as required by law. There may be resulting costs or savings.	Still in drafting; changes in leadership at CHAMPVA have slowed work down, but we expect it to pick up early in CY2012.	Workplan 2010-004 - CHAMPVA Regulation Rewrite – VHA policy is in development
Veterans	2900-		38 CFR Parts 51 & 52	PR: FY2012	Changes will	A proposed	AN82 P - Per

Health Administration	AN82		State Home Per Diem for Nursing, Home, Domiciliary, and Adult Day Health Care Regulatory revisions represent significant changes in policy designed to improve benefits delivery, and implement new legal requirements.	FR: FY2013	simplify the manner in which benefits are administered to States. There may be resulting savings.	rule is under review in OGC.	Diem Paid to State for Care of Eligible Veterans in State Homes - in 023 Workplan 2011-002 - Update VHA Regulations to the 2012 NFPA Fire Code (38 CFR 7, 51, 52, and 59) – VHA policy is in development.
Veterans Health Administration	2900-AN79		38 CFR 60.1-60.10 Fisher Houses Regulatory revisions represent significant changes in policy designed to improve benefits delivery, and implement new legal requirements.	PR: FY2012 FR: FY2013	Revisions will change the manner in which benefits are administered. Any resulting costs or savings should be minor.	A proposed rule is under review in OGC.	AN79 P - Fisher Houses and Other Temporary Lodging
Loan Guaranty Service			38 CFR 36.4203 Eligibility of the veteran for the manufactured home	TBD	TBD	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee

			loan benefit under 38 U.S.C. 3712				Misc. Regs
Loan Guaranty Service			38 CFR 36.4204 Loan purposes, maximum loan amounts and terms	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4205 Computation of guaranty	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4206 Underwriting standards, occupancy, and non-discrimination requirements	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4207 Manufactured home standards	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4208 Manufactured home location standards	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4209 Reporting requirements	TBD	N/A	Regulation development to commence	Workplan 2011-029 - Loan

						on 1/31/2013.	Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4210 Joint loans	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4211 Amortization – prepayment	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4212 Interest rates and late charges	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4213 Capacity of parties	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4214 Geographical limits	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4215 Maintenance of records	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee

							Misc. Regs
Loan Guaranty Service			38 CFR 36.4217 Delivery of notice	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4218 Payment in full; termination of guaranty	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4219 Incorporation by reference	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4220 Substantive and procedural requirements; waiver	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4221 Delegation of authority	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4222 Hazard insurance	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs

Loan Guaranty Service			38 CFR 36.4223 Interest rate reduction refinancing loan	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4224 Refinancing existing manufactured home loan including purchase of lot	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4225 Authority to close manufactured home loans on the automatic basis	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4226 Withdrawal of authority to close manufactured home loans on the automatic basis	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2011-029 - Loan Guarantee Misc. Regs
Loan Guaranty Service			38 CFR 36.4227 Advertising and solicitation requirements	TBD	N/A	Regulation development to commence on 1/31/2013.	Workplan 2010-065 - Loan Guaranty: Advertising and Solicitation Requirements – being drafted by 26.
Vocational Rehabilitation			38 CFR 21.260 Subsistence	Regulation development to	Revisions will change	N/A	Workplan 2011-016 -

and Employment Service			Allowance Regulatory Revisions to Implement Public Law 111-377.	begin in FY 2012.	calculation of monthly subsistence overseas. Any resulting cost or savings TBD.		VR&E: Entitlement, Subsistence & Independent Living, PL 111-377
Vocational Rehabilitation and Employment Service			38 CFR 21.264 Election of payment Regulatory Revisions to Implement Public Law 111-377.	Regulation development to begin in FY 2012.	Revisions will change calculation of monthly subsistence overseas. Any resulting cost or savings TBD.	N/A	Workplan 2011-016 - VR&E: Entitlement, Subsistence & Independent Living, PL 111-377
Vocational Rehabilitation and Employment Service			38 CFR 21.270 Interval Pay Regulatory Revisions to Implement Public Law 111-377.	TBD	Revisions will change calculation of monthly subsistence overseas. Any resulting cost or savings TBD.	N/A	Workplan 2011-016 - VR&E: Entitlement, Subsistence & Independent Living, PL 111-377
Vocational Rehabilitation and Employment Service			38 CFR 21.40 Basic Entitlement Regulatory Update to Implement Public Law 110-181.	Regulation development began in FY 2012.	Revisions will allow VR&E to provide services to severely injured active duty military earlier in the transition process. No	A regulation is in early development.	Workplan 2011-045 - VR&E: Basic Entitlement and other Updates per PL 110-181

					cost or savings is anticipated.		
Vocational Rehabilitation and Employment Service			38 CFR 21.260 Subsistence Allowance Regulatory Update to Implement Public Law 110-181.	Regulation development began in FY 2012.	Revisions will allow VR&E to provide services to severely injured active duty military earlier in the transition process. No cost or savings is anticipated.	A regulation is in early development.	Workplan 2011-045 - VR&E: Basic Entitlement and other Updates per PL 110-181
Vocational Rehabilitation and Employment Service			38 CFR 21.282 Effective Date of Induction / Retroactive induction Regulatory Update to Implement Public Law 110-181.	Regulation development began in FY 2012.	Revisions will allow VR&E to provide services to severely injured active duty military earlier in the transition process. No cost or savings is anticipated.	A regulation is in early development.	Workplan 2011-045 - VR&E: Basic Entitlement and other Updates per PL 110-181
Vocational Rehabilitation and Employment Service			38 CFR 21.76 Independent Living Regulatory Update to Implement Public Law 110-181.	Regulation development began in FY 2012.	Revisions will allow VR&E to provide services to severely injured active duty military earlier in the	A regulation is in early development.	Workplan 2011-045 - VR&E: Basic Entitlement and other Updates per PL 110-181

					transition process. No cost or savings is anticipated.		
Vocational Rehabilitation and Employment Service			38 CFR 21.160 Independent Living Services Regulatory Update to Implement Public Law 110-181.	Regulation development began in FY 2012.	Revisions will allow VR&E to provide services to severely injured active duty military earlier in the transition process. No cost or savings is anticipated.	A regulation is in early development.	Workplan 2011-045 - VR&E: Basic Entitlement and other Updates per PL 110-181
Vocational Rehabilitation and Employment Service			38 CFR 21.284 Re-entrance into a program of rehabilitation	Regulation development to begin in FY 2013.	Revisions will allow previous independent living participants to re-enter services toward a vocational goal. No cost or savings is anticipated.	N/A	Workplan 2011-017 - VR&E: Entrance & Re-entrance into Rehabilitation Programs
Vocational Rehabilitation and Employment Service			38 CFR 21.198 "Discontinued" status	Regulation development to begin in FY 2013.	Revisions will allow previous independent living participants to	N/A	Workplan 2011-017 - VR&E: Entrance & Re-entrance into

					re-enter services toward a vocational goal. No cost or savings is anticipated.		Rehabilitation Programs
Vocational Rehabilitation and Employment Service			38 CFR 21.196 "Rehabilitated" status	Regulation development to begin in FY 2013.	Revisions will allow previous independent living participants to re-enter services toward a vocational goal. No cost or savings is anticipated.	N/A	Workplan 2011-017 - VR&E: Entrance & Re-entrance into Rehabilitation Programs
Vocational Rehabilitation and Employment Service			38 CFR 21.47 Eligibility for Employment Assistance "Limited" Employment Services per Circular 28-97-1 (38 USC 3117)	Regulation development to begin in FY 2013.	Changes to clarify employment and placement services authorized by 38 USC 3117 for previous participants. No cost or savings is anticipated.	N/A	Workplan 2011-018 - VR&E: "Limited" Employment Services
Vocational Rehabilitation and			38 CFR 21.40 Basic Entitlement	Regulation development to begin in FY	Changes to clarify employment	N/A	Workplan 2011-018 - VR&E:

Employment Service			"Limited" Employment Services per Circular 28-97-1 (38 USC 3117)	2013.	and placement services authorized by 38 USC 3117 for previous participants. No cost or savings is anticipated.		"Limited" Employment Services
Vocational Rehabilitation and Employment Service			38 CFR 21.370 Intraregional Travel at government expense	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing travel payments under 38 U.S.C. chapter 31. Increased efficiency is anticipated without any projected costs or savings.	N/A	Workplan 2011-019 - VR&E: Beneficiary Travel
Vocational Rehabilitation and Employment Service			38 CFR 21.372 Interregional Travel at government expense	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing travel payments under 38 U.S.C. chapter 31. Increased	N/A	Workplan 2011-019 - VR&E: Beneficiary Travel

					efficiency is anticipated without any projected costs or savings.		
Vocational Rehabilitation and Employment Service			38 CFR 21.376 Travel expenses for initial evaluation and counseling	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing travel payments under 38 U.S.C. chapter 31. Increased efficiency is anticipated without any projected costs or savings.	N/A	Workplan 2011-019 - VR&E: Beneficiary Travel
Vocational Rehabilitation and Employment Service			38 CFR 21.124 Combination course defined	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing NPWE training in combination with other training. No cost or savings are anticipated.	N/A	Workplan 2011-020 - VR&E: Non-Paid Work Experience Combination Training Rates
Vocational			38 CFR 21.299	Regulation	Revisions to	N/A	Workplan

Rehabilitation and Employment Service			NPWE defined	development to begin in FY 2013.	clarify and standardize rules for authorizing NPWE training in combination with other training. No cost or savings are anticipated.		2011-020 - VR&E: Non-Paid Work Experience Combination Training Rates
Vocational Rehabilitation and Employment Service			38 CFR 21.260 Subsistence allowance	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing NPWE training in combination with other training. No cost or savings are anticipated.	N/A	Workplan 2011-020 - VR&E: Non-Paid Work Experience Combination Training Rates
Vocational Rehabilitation and Employment Service			38 CFR 21.134 Limitation on flight training	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing flight training under 38 U.S.C. chapter 31. No cost or savings are anticipated.	N/A	Workplan 2011-021 - VR&E: Flight Training

Vocational Rehabilitation and Employment Service			38 CFR 21.290 Training and rehabilitation resources	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing flight training under 38 U.S.C. chapter 31. No cost or savings are anticipated.	N/A	Workplan 2011-021 - VR&E: Flight Training
Vocational Rehabilitation and Employment Service			38 CFR 21.240 Medical treatment, care, and services	Regulation development to begin in FY 2013.	Revisions to clarify and standardize rules for authorizing medical services under 38 U.S.C. chapter 31. No cost or savings are anticipated.	N/A	Workplan 2011-022 - VR&E: Medical Services Under Chapter 31
Education Service	2900-AO07	Post-9/11 Improvements, Fry Scholarship, and Work-Study	38 CFR Part 1 and Part 21 (subparts A, C, D, G, K, L and P) P.L. 111-377 (Post-9/11 Veterans Education Assistance Improvements Act of 2010).	A regulation is in development.	Resulting anticipated savings are: $1B in savings over 5 years and $2B in savings over 10 years.	The regulation is in OGC review.	AO07 – Post-9/11 Education Assistance Improvement Act of 2010 (Major Rule)

			The Marine Gunnery Sergeant John David Fry Scholarship (Public Law 111-32) authorizes an educational assistance for children of active duty members of the Armed Forces who die in the line of duty after September 10, 2001. The Veterans Programs Enhancement Act of 1998 eliminates the requirement that all work-study students receive an advance payment and limits VA from issuing an advance payment unless requested by the student. The Veterans Education and Benefits Expansion Act of 2001 authorizes				

			three additional work-study activities: Outreach under the supervision of a State approving agency employee; Hospital and domiciliary care in a State home; and Any activity relating to the administration of a national cemetery or a State Veterans' cemetery. The Veterans Benefits Act of 2010 extends the authority to perform certain work-study activities through June 2013 and expands the definition of "qualifying work-study activities" effective October 1, 2011, to include — Any activity of a State				

			veterans agency related to providing benefits assistance to Veterans under VA law; A position working in the Center of Excellence for Veteran Student Success, as established under part T, title VIII of the Higher Education Act of 1965; A position working in a cooperative program administered by the VA and a institution of higher learning; and Any other Veterans-related position in an institution of higher learning.				
Education Service			38 CFR 21.3001, subpart C Dependents' and	TBD	TBD	Regulation is in early development.	Workplan 2009-022 - Dependents

			Survivors' Educational Assistance Program The Veterans Benefits Act of 2003 exempts surviving spouses who remarry after age 57 from having their DEA eligibility terminated. The Veterans Benefits Improvement Act of 2004 increases the DEA eligibility period from 10 years to 20 years for a surviving spouse of a Serviceperson who died of a service connected disability while on active duty. The Veterans Benefits, Health Care, and Information Technology Act of 2006 expands eligibility for DEA to the spouse or child of a Serviceperson who				Education: Incorporation of Miscellaneous Statutory Provisions

			is hospitalized or receiving outpatient medical care, services, or treatment and is determined by VA to have a total disability permanent in nature incurred or aggravated in the line of duty and who is likely to be discharged or released from active duty for such disability.				
Education Service			38 CFR Part 21, subparts C, D, K, L Apprenticeship and on-the-job training The Veterans Programs Enhancement Act of 1998 waives the periodic wage increase requirement for on-job training programs offered by Federal, state, or local governments. The Veterans Benefits and Health Care	TBD	TBD	Regulation is in early development.	Workplan 2009-014 - Incorporation of Miscellaneous Statutory Provisions

			Improvement Act of 2000 expand the definition of educational institution to include an organization or entity that offers a licensing or certification test. The Veterans Education and Benefits Expansion Act of 2001 expand the definition of educational institution to include certain private technology entities. The Veterans Benefits Act of 2003 authorizes payment of Veterans' educational assistance benefits for certain self-employment training programs and certain entrepreneurship courses and terminated the Education Loan				

			Program. The Veterans Benefits Improvement Act of 2004 authorizes a 10 percent rate increase in the VA monthly educational assistance allowance payable to individuals pursuing an apprenticeship or on-job training program for Veterans receiving benefits under the Post-Vietnam Era Veterans' Educational Assistance Program; authorizes VA to pay educational assistance benefits to Veterans for competency-based apprenticeships; and makes technical and conforming amendments regarding the definition of a training establishment, in addition to record-				

			keeping requirements for qualified providers of entrepreneurship courses.				
Education Service			38 CFR Part 21, Subpart D Work-Study The Veterans Programs Enhancement Act of 1998 eliminates the requirement that all work-study students receive an advance payment and limits VA from issuing an advance payment unless requested by the student. The Veterans Education and Benefits Expansion Act of 2001 authorizes three additional work-study activities: Outreach services to Service members and Veterans furnished	N/A	N/A	Some provisions were Incorporated into AO07 (see above). An additional regulation is in early development.	Workplan 2009-040 - Work Study and Miscellaneous Statutory Changes in Education Provisions Workplan 2010-068 - Extension and Expansion of Authority for Certain Qualifying Work-Study Activities for Purposes of the Educational Assistance Programs of the Department of Veterans Affairs

			under the supervision of a State approving agency employee; Hospital and domiciliary care and medical treatment to Veterans in a State home when VA pays an allowance to the State for such care; and Any activity relating to the administration of a national cemetery or a State Veterans' cemetery. The Veterans Benefits Act of 2010 extends the authority to perform certain work-study activities through June 2013 and expands the definition of "qualifying work-study activities" effective October 1, 2011, to include —				

			Any activity of a State veterans agency related to providing benefits assistance to Veterans under VA law; A position working in the Center of Excellence for Veteran Student Success, as established under part T, title VIII of the Higher Education Act of 1965; A position working in a cooperative program administered by the VA and a institution of higher learning; and Any other Veterans-related position in an institution of higher learning.				
Education Service			38 CFR Part 21, subparts C, K, L Cost of Living	TBD	TBD	N/A	Workplan 2011-024 - Education

			Adjustments Montgomery GI Bill (chapter 30) - FY 2005 through present Montgomery GI Bill Selected Reserve (chapter 1606) - FY 2006 through present DEA (chapter 35) - FY 2005 through present				Service - Cost of Living Adjustments
Education Service			38 CFR Part 21, Incorporate new provisions in subparts C, D, K, L, P National Exams and other miscellaneous issues The Veterans Benefits Improvements Act of 2004 authorizes VA to reimburse claimants for the fee charged for (1) national tests for admission to institutions of higher learning and (2) national tests	TBD	TBD	N/A	Workplan 2011-026 - Education Service - Miscellaneous Amendments (advance pay, children, marriage, 14-year delimiting, references)

			providing an opportunity for course credit at institutions of higher learning. It also amends the calculation for determining entitlement charges for individuals who made additional contributions to MGIB and for licensing and certification entitlement charges under chapter 35.				
Education Service			38 CFR Part 21, Add new subpart National Call to Service The Bob Stump National Defense Authorization Act for Fiscal Year 2003 authorizes the Department of Defense (and Homeland Security for Coast Guard enlistments) to offer the National Call to	TBD	TBD	N/A	Workplan 2011-025 - Education Service - National Call to Service

			Service (NCS) program to individuals who have not previously served in the armed forces.				
Education Service			38 CFR Part 21, Add new subpart Reserve Educational Assistance Program The Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 authorizes the Department of Defense to provide educational assistance to individuals with at least 90 continuous days on active duty in support of a contingency operation after September 10, 2001.	TBD	TBD	N/A	Workplan 2011-026 - Education Service - Miscellaneous Amendments (advance pay, children, marriage, 14-year delimiting, references)
Compensation Service			38 CFR 3.156(a) New and material evidence [Response to CAVC]	TBD	Awaiting Impact Analysis.	Drafting of the reg. began on 4/1/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs

Compensation Service			38 CFR 4.2 Interpretation of examination reports [Response to CAVC]	TBD	Awaiting Impact Analysis	Drafting of the reg. began on 8/17/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.40 Functional loss	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.41 History of injury	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.42 Complete medical examination of injury cases	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on	Workplan 2011-028 - Compensation Service - Misc. Regs

						12/2/2011.	
Compensation Service			38 CFR 4.43 Osteomyelitis	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.44 The bones	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.45 The joints	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.46 Accurate measurement	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum	Workplan 2011-028 - Compensation

						was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Service - Misc. Regs
Compensation Service			38 CFR 4.55 Principles of combined ratings for muscle injuries	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.56 Evaluation of muscle disabilities	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.57 Static foot deformities	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg.	Workplan 2011-028 - Compensation Service - Misc. Regs

						began on 12/2/2011.	
Compensation Service			38 CFR 4.58 Arthritis due to strain	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.59 Painful motion	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.61 Examination	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.62 Circulatory	TBD	Awaiting Impact Analysis	The Musculoskele	Workplan 2011-028 -

			disturbances			tal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.63 Loss of use of hand or foot	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.64 Loss of use of both buttocks	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.66 Sacroiliac joint	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of	Workplan 2011-028 - Compensation Service - Misc. Regs

						the reg. began on 12/2/2011.	
Compensation Service			38 CFR 4.67 Pelvic bones	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.68 Amputation rule	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.69 Dominant hand	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation			38 CFR 4.70	TBD	Awaiting Impact	The	Workplan

Service			Inadequate examinations		Analysis	Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.71 Measurement of ankylosis and joint motion	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.71a Schedule of Ratings—musculoskeletal system	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010. Drafting of the reg. began on 12/2/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.73 Schedule of Ratings—muscle injuries	TBD	Awaiting Impact Analysis	The Musculoskeletal Forum was held on 8/10/2010.	Workplan 2011-028 - Compensation Service - Misc. Regs

						Drafting of the reg. began on 12/2/2011.	
Compensation Service			38 CFR 4.75 General considerations for evaluating visual impairment	TBD	TBD	A Forum and initial Ophthalmology Work Group Meeting are scheduled for 1/19/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.76 Visual acuity	TBD	TBD	A Forum and initial Ophthalmology Work Group Meeting are scheduled for 1/19/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.76a Computation of average concentric contraction of visual fields	TBD	TBD	A Forum and initial Ophthalmology Work Group Meeting are scheduled for 1/19/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.77 Visual fields	TBD	TBD	A Forum and initial Ophthalmolo	Workplan 2011-028 - Compensation

						gy Work Group Meeting are scheduled for 1/19/2012.	Service - Misc. Regs
Compensation Service			38 CFR 4.78 Muscle function	TBD	TBD	A Forum and initial Ophthalmology Work Group Meeting are scheduled for 1/19/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.79 Schedule of ratings-eye	TBD	TBD	A Forum and initial Ophthalmology Work Group Meeting are scheduled for 1/19/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.85 Evaluation of hearing impairment	TBD	TBD	A Forum and ENT Work Group Meeting were held from 10/11/2011-10/12/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.86 Exceptional patterns of hearing impairment	TBD	TBD	A Forum and ENT Work Group	Workplan 2011-028 - Compensation

						Meeting were held from 10/11/2011-10/12/2011.	Service - Misc. Regs
Compensation Service			38 CFR 4.87 Schedule of Ratings—Ear	TBD	TBD	A Forum and ENT Work Group Meeting were held from 10/11/2011-10/12/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.87a Schedule of Ratings—other sense organs	TBD	TBD	A Forum and ENT Work Group Meeting were held from 10/11/2011-10/12/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.88a Chronic fatigue syndrome	TBD	Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was held on 1/31/2010. Reg. drafting began on 11/21/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.88b Schedule of Ratings—infectious diseases, immune disorders and	TBD	Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was	Workplan 2011-028 - Compensation Service - Misc.

			nutritional deficiencies			held on 1/31/2010. Reg. drafting began on 11/21/2011.	Regs
Compensation Service			38 CFR 4.88c Ratings for inactive nonpulmonary tuberculosis initially entitled after August 19, 1968	TBD	Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was held on 1/31/2010. Reg. drafting began on 11/21/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.89 Ratings for inactive nonpulmonary tuberculosis in effect on August 19, 1968	TBD	Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was held on 1/31/2010. Reg. drafting began on 11/21/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.96 Special provisions regarding evaluation of respiratory conditions	TBD	TBD	A Respiratory Forum and Work Group Meeting were held from 10/13/2011-10/14/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation			38 CFR 4.97	TBD	TBD	A Respiratory	Workplan

			nutritional deficiencies			held on 1/31/2010. Reg. drafting began on 11/21/2011.	Regs
Compensation Service			38 CFR 4.88c Ratings for inactive nonpulmonary tuberculosis initially entitled after August 19, 1968	TBD	Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was held on 1/31/2010. Reg. drafting began on 11/21/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.89 Ratings for inactive nonpulmonary tuberculosis in effect on August 19, 1968	TBD	Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was held on 1/31/2010. Reg. drafting began on 11/21/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.96 Special provisions regarding evaluation of respiratory conditions	TBD	TBD	A Respiratory Forum and Work Group Meeting were held from 10/13/2011-10/14/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation			38 CFR 4.97	TBD	TBD	A Respiratory	Workplan

Service			Schedule of Ratings—respiratory system			Forum and Work Group Meeting were held from 10/13/2011-10/14/2011.	2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.100 Application of the evaluation criteria for diagnostic codes 7000-7007, 7011, and 7015-7020	TBD	TBD	A Cardiovascu-lar Forum and Work Group Meeting were held from 10/18/2011-10/19/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.104 Schedule of Ratings—cardiovascular system	TBD	TBD	A Cardiovascu-lar Forum and Work Group Meeting were held from 10/18/2011-10/19/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service	2900-AN12		38 CFR 4.110 Ulcers	TBD	No Impact	A Digestive Forum and Work Group Meeting were held from 2/2/2011-2/3/2011. The Proposed	AN12 - Schedule for Rating Disabilities; The Digestive System – Proposed Rule was published 7/5/11. Two

						Rule is being withdrawn for updating.	comments were received during the comment period that closed on 9/6/11.
Compensation Service	2900-AN12		38 CFR 4.111 Postgastrectomy syndromes	TBD	No Impact	A Digestive Forum and Work Group Meeting were held from 2/2/2011-2/3/2011. The Proposed Rule is being withdrawn for updating.	AN12 - Schedule for Rating Disabilities; The Digestive System – Proposed Rule was published 7/5/11. Two comments were received during the comment period that closed on 9/6/11.
Compensation Service			38 CFR 4.112 Weight loss	TBD	TBD	A Digestive Forum and Work Group Meeting were held from 2/2/2011-2/3/2011	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation	2900-		38 CFR 4.113	TBD	No Impact	A Digestive	AN12 -

Service	AN12		Coexisting abdominal conditions			Forum and Work Group Meeting were held from 2/2/2011-2/3/2011. The Proposed Rule is being withdrawn for updating.	Schedule for Rating Disabilities; The Digestive System – Proposed Rule was published 7/5/11. Two comments were received during the comment period that closed on 9/6/11.
Compensation Service	2900-AN12		38 CFR 4.114 Schedule of Ratings—digestive system	TBD	No Impact	A Digestive Forum and Work Group Meeting were held from 2/2/2011-2/3/2011. The Proposed Rule is being withdrawn for updating.	AN12 - Schedule for Rating Disabilities; The Digestive System – Proposed Rule was published 7/5/11. Two comments were received during the comment period that closed on 9/6/11.

Compensation Service			38 CFR 4.115 Nephritis		Awaiting Impact Analysis	An Infectious, Immune & Nutritional Forum was held on 1/31/2010. Reg. drafting began on 11/21/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.115a Ratings of the genitourinary system—dysfunctions	TBD	TBD	A Genitourinary Forum and Work Group Meeting were held from 1/27/2011-1/28/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.115b Ratings of the genitourinary system—diagnoses	TBD	TBD	A Genitourinary Forum and Work Group Meeting were held from 1/27/2011-1/28/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.116 Schedule of Ratings—gynecological conditions and disorders of the breast	TBD	Awaiting Impact Analysis	A Gynecologi-cal and Work Group Meeting are scheduled for	Workplan 2011-028 - Compensation Service - Misc. Regs

						1/24/2012.	
Compensation Service	2900-AN75		38 CFR 4.117 Schedule of Ratings—Hemic and Lymphatic Systems	TBD	TBD	A Hemic/Lymphatic Forum was held on 12/2/2009. A Final Rule is being drafted.	AN75 – Proposed Rule - Schedule for Rating Disabilities; Primary Amyloidosis (AL Amyloidosis) - was published on 10/22/2010. One comment was received during the comment period that ended 12/21/2010. The Final Rule is being drafted.
Compensation Service			38 CFR 4.118 Schedule of Ratings—Skin	TBD	TBD	A Skin Conditions Forum and Work Group Meeting are scheduled for 1/25/2012-1/26/2012,	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation			38 CFR 4.119	TBD	Awaiting Impact	An Endocrine	

Service			Schedule of Ratings—Endocrine System		Analysis	Forum was held on 12/2/2009. Reg. drafting began on 9/14/2011.	
Compensation Service			38 CFR 4.120 Evaluations by comparison	TBD	TBD	A Neurology Forum and Work Group Meeting are scheduled for 1/17/2012-1/18/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.121 Identification of epilepsy	TBD	TBD	A Neurology Forum and Work Group Meeting are scheduled for 1/17/2012-1/18/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.122 Psychomotor epilepsy	TBD	TBD	A Neurology Forum and Work Group Meeting are scheduled for 1/17/2012-1/18/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.123 Neuritis, cranial or peripheral	TBD	TBD	A Neurology Forum and Work Group Meeting are	Workplan 2011-028 - Compensation Service - Misc.

						scheduled for 1/17/2012-1/18/2012.	Regs
Compensation Service			38 CFR 4.124 Neuralgia, cranial or peripheral	TBD	TBD	A Neurology Forum and Work Group Meeting are scheduled for 1/17/2012-1/18/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.124a Schedule of Ratings—neurological conditions and convulsive disorders	TBD	TBD	A Neurology Forum and Work Group Meeting are scheduled for 1/17/2012-1/18/2012.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.125 Diagnosis of mental disorders	TBD	Awaiting Impact Analysis	A Mental Disorders Forum and Work Group Meeting were held from 1/28/2010-1/29/2010. Reg. drafting began on 1/5/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.126 Evaluation of disability from mental disorders	TBD	Awaiting Impact Analysis	A Mental Disorders Forum and	Workplan 2011-028 - Compensation

						Work Group Meeting were held from 1/28/2010-1/29/2010. Reg. drafting began on 1/5/2011.	Service - Misc. Regs
Compensation Service			38 CFR 4.127 Mental retardation and personality disorders	TBD	Awaiting Impact Analysis	A Mental Disorders Forum and Work Group Meeting were held from 1/28/2010-1/29/2010. Reg. drafting began on 1/5/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.128 Convalescence ratings following extended hospitalization	TBD	Awaiting Impact Analysis	A Mental Disorders Forum and Work Group Meeting were held from 1/28/2010-1/29/2010. Reg. drafting began on 1/5/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation			38 CFR 4.129	TBD	Awaiting Impact	A Mental	Workplan

Service			Mental disorders due to traumatic stress		Analysis	Disorders Forum and Work Group Meeting were held from 1/28/2010-1/29/2010. Reg. drafting began on 1/5/2011.	2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.130 Schedule of Ratings—mental disorders	TBD	Awaiting Impact Analysis	A Mental Disorders Forum and Work Group Meeting were held from 1/28/2010-1/29/2010. Reg. drafting began on 1/5/2011.	Workplan 2011-028 - Compensation Service - Misc. Regs
Compensation Service			38 CFR 4.150 Schedule of Ratings—dental and oral conditions	TBD	Awaiting Impact Analysis	A Dental and Oral Forum and Work Group Meeting were held from 1/25/2011-1/26/2011. Reg. drafting began on	Workplan 2011-028 - Compensation Service - Misc. Regs

						11/23/2011.	
Pension and Fiduciary Service		Rewrite of VA's improved pension regulations	Revision of 38 C.F.R. §§ 3.271-277 based upon Regulation Rewrite Project NPRM	FY 2012	TBD	Reg. development began on 11/1/2011.	
Pension and Fiduciary Service		Rewrite of VA's fiduciary regulations	Revision of 38 C.F.R. part 13	Early FY 2013	TBD	Reg. development began on 10/1/2011.	