

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 17<sup>th</sup> 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has been on sustaining an ongoing method for identifying, updating, or simplifying significant rules that are obsolete, outdated, confusing, or that place unnecessary burdens on Veterans or their beneficiaries.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,

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John R. Gingrie Chief of Staff

Enclosure

Agency/Admin	RIN/OMB Control No.	Title of Initiative/ Rule/ICR	<b>Brief Description</b>	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	published during	time it takes to	has drafted
	regulations. The new	the project.	adjudicate	responses to
	regulations will be		claims and	all public
	placed in new 38 CFR		should improve	comments
	part 5.		accuracy. Part	and has
			5 will not alter	made
			the benefits VA	revisions to
			provides nor	the regulation
			alter VA claims	text. In early
			procedures.	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

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.	them to submit any additional comments. 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
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.	12/19/11. 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	2900-	38 CFR 17.110	Withdrawn and	This 1-year	A final rule	AO28 P -
Health Administration	AN93	Copayments for Medications	replaced by RIN 2900-AO28, an	freeze in copayments for	based upon public	Copayments for Medications
	Replaced	Medications	interim final rule	medications for	comments	was effective
	by	Regulation revision reflects a change in	which was published on	veterans is anticipated to	will be published in	beginning January 1,
	2900-	policy to provide a	12/20/2011.	result in	2012.	2012.
	AO28	lower copayment for certain medications.		reduced revenues of \$34 million in 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 –
Veterans Health Administration Veterans	2900-	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. 38 CFR Parts 51 & 52	PR: FY2012 FR: FY2013 PR: FY2012	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. A proposed	Prosthetics – VHA policy is in development. Workplan 2010-004 - CHAMPVA Regulation Rewrite – VHA policy is in development

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

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.	transition process. No cost or savings is anticipated. 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

Vocational Rehabilitation and Employment Service	38 CFR 21.376 Travel expenses for initial evaluation and counseling	Regulation development to begin in FY 2013.	efficiency is anticipated without any projected costs or savings. 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 Veterana Banafita
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
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.	Education: Incorporation of Miscellaneous Statutory Provisions
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	

periodic wage   increase requirement   for on-job training   programs offered by   Federal, state, or local   governments.   The Veterans Benefits   and Health Care	for on-job trainin programs offere Federal, state, o	tment ed by al nent in or le line is narged n uch K, L and ng ct of ement ig d by	TBD	Regulation is in early development.	Workplan 2009-014 - Incorporation of Miscellaneous Statutory Provisions
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Improvement Act of	
2000 expand the	
definition of	4
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,ISubpart D Work- StudyThe 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 	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 Educationa Assistance Programs of the Departmen of Veterans Affairs

		under the supervision		
		of a State approving		
		agency employee;		
		-g,,,,		
		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		
1		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		
1		definition of "qualifying		
}		work-study activities"		
		effective October 1,		
	) }			
}		2011, to include —		

	T	r	г	r	
	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	38 CFR Part 21,	TBD	TBD	N/A	Workplan
Service	subparts C, K, L	1			2011-024 -
	Cost of Living				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)

Education Service	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. 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
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	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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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	TBD	Awaiting Impact Analysis	The Musculoskele	Workplan 2011-028 -
	measurement			tal Forum	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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal Forum was held on 8/10/2010. Drafting of the reg.	Workplan 2011-028 - Compensation Service - Misc. Regs

Compensation Service	38 CFR 4.58 Arthritis due to strain	TBD	Awaiting Impact Analysis	began on 12/2/2011. The Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal Forum was held on 8/10/2010. Drafting of	Workplan 2011-028 - Compensation Service - Misc. Regs

Compensation Service	38 CFR 4.67 Pelvic bones	TBD	Awaiting Impact Analysis	the reg. began on 12/2/2011. The Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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	Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal 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 Musculoskele tal Forum was held on 8/10/2010.	Workplan 2011-028 - Compensation Service - Misc. Regs

				Drafting of the reg. began on 12/2/2011.	Workplan
Compensation Service	38 CFR 4.75 General considerations for evaluating visual impairment	TBD	TBD	A Forum and initial Ophthalmolo gy Work Group Meeting are scheduled for 1/19/2012.	2011-028 - Compensation Service - Misc. Regs
Compensation Service	38 CFR 4.76 Visual acuity	TBD	TBD	A Forum and initial Ophthalmolo gy 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 Ophthalmolo gy 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 Ophthalmolo gy 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 Ophthalmolo gy 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 TB Ratings for inactive nonpulmonary tuberculosis initially entitled after August 19, 1968	BD	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 TE Ratings for inactive nonpulmonary tuberculosis in effect on August 19, 1968	BD	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 TB Special provisions regarding evaluation of respiratory conditions	BD	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 TB	BD	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	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/Lymph atic 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 TE Schedule of Ratings	BD 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 TB Schedule of Ratings dental and oral conditions	BD 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

Reg. development began on
began on
11/1/2011.
Reg.
development
began on 10/1/2011.