



LIGHTBULB
PRESS®

VETERANS GUIDE

UNDERSTANDING YOUR BENEFITS

- Disability
- Health Care
- Education
- Job Training
- Retirement
- Buying a Home
- Insurance



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DISABILITY COMPENSATION

If you have a disability caused or aggravated by your military service, you may be entitled to monthly tax-free disability income.

To be awarded disability compensation, you must file an application using VA Form 21-526EZ, Disability Compensation and Related Compensation. To move your case along quickly, you'll want to use the Fully Developed Claims program if possible. The program requires that you:

- Provide your discharge document (DD214) or other separation papers
- Submit your military medical records, private medical records, and other evidence you have that supports your claim
- Certify that you know of no other evidence the VA needs
- Comply with any VA request for a medical exam if you're notified an exam is needed


VA
FORM
21-526EZ

The VA can, with your permission, request records and information on file with Federal government agencies. The process is quicker if you file these documents with your initial application.

You can file online, by mail, or in person at a VA Regional Office. You can find the office nearest to you by calling 800-827-1000.

If you'd like help with the form, the Regional Office can help you find an accredited representative to assist you.

 [File for Disability Compensation](https://www.va.gov/disability/eligibility)
www.va.gov/disability/eligibility

 [Track the Status of Your Claim](https://www.va.gov/claim-or-appeal-status/)
www.va.gov/claim-or-appeal-status/


FILING AN APPEAL

If your initial claim is turned down, or if you disagree with a VA decision, you can appeal within a year of the date you were notified of the decision.

To appeal, you use any one of three available options. But you can use only one option to appeal the same claim at the same time.

OPTION 1:

File a Supplemental Claim that has new and relevant evidence supporting your application for disability income, such as new medical records. Use VA Form 20-0995 for military records and VA Form 21-4142

 [Supplemental Claims Forms](https://www.va.gov/decision-reviews/supplemental-claim/#how-do-i-file-a-supplemental-claim)
www.va.gov/decision-reviews/supplemental-claim/#how-do-i-file-a-supplemental-claim

for records from a civilian provider.

If the resolution is unsatisfactory, you can move on to Option 2 or 3. Or, if you have more new evidence, you can file another Supplemental Claim and start the process again.

OPTION 2:

Request a Higher-Level Review with a senior reviewer who will decide, based on the evidence you provided initially, whether a different decision is appropriate. You can request an informal conference call to identify any errors and explain why you think the decision should change. You can't provide new evidence.



AN APPEALS TIME LINE

The average length of time you can expect to wait for a decision on your appeal varies by the option you choose.

For a Supplementary Claim or a Higher Level Review, it's about four months. Board Appeals are longer. A Direct Review takes about ten months. With an Evidence Submission case, it's about 18 months, while for a Hearing it's a little over two years.

GETTING PROFESSIONAL HELP

Finding someone who can help you file a disability claim and represent you in interactions with the VA can be a smart step, especially in the claim review process. In order to both advise you and represent you, the person must be a representative of a recognized Veterans Service Organization (VSO) or a lawyer or claims agent accredited by the VA. If you do work with an accredited person, you must let the VA know using VA Form 21-22 (for a VSO rep) or VA Form 21-22a (for a lawyer or agent).

OPTION 3:

Request a Board Appeal choosing one of three alternatives.

- **Direct Review.** No new evidence is permitted and there is no hearing.
- **Evidence Submission.** You can provide new evidence within 90 days of the VA receiving the request for Board appeal.
- **Hearing.** You can submit new evidence at the hearing or within 90 days after the hearing, though it is not required.

The hearing can be virtual from your home, a video conference at a VA location near you, or in person at the Board in Washington, DC. You pay your own travel costs if you choose the in-person alternative.

ALERT

PACT ACT OF 2022

If you meet the time and place requirements for exposure to the toxic substances laid out in the PACT Act of 2022, you should apply for benefits if you haven't already. If you applied unsuccessfully before the Act became law, you should file a Supplemental Claim. That will trigger a review that takes the new PACT Act provisions into account. Remember, too, that some of the illnesses caused by toxic substances may develop years after you were exposed.

As you would when choosing any professional to act for you, you'll want to find someone who is interested in your situation, is knowledgeable about the claims process, explains his or her approach clearly, and with whom you are comfortable.

It's a good idea to interview at least two candidates, asking them the same questions, and comparing their responses. You'll want to pay attention to the experience a candidate has had in appealing cases. You should be wary of high-pressure tactics, such as pushing you to sign a contract on the spot, talking more about themselves than about you, or suggesting approaches to game the system that seem suspicious.

VSO representatives do not accept fees to pursue benefits claims. Lawyers and claims agents usually don't charge a fee for filing an initial claims application. But they are entitled to fees to appeal a negative decision or for an extended review process. Be sure you understand the fee agreement and what a case like yours is likely to cost.

If necessary, you can register a complaint or challenge a fee you feel is unfair through the VA Office of the General Counsel.

 [Help with Filing](https://www.va.gov/disability/get-help-filing-claim/)
www.va.gov/disability/get-help-filing-claim/

A FINAL APPEALS OPTION

If you disagree with the Board decision, and you have new evidence to support your position, you can either file another Supplemental Claim or appeal to the US Court of Appeals for Veterans Claims. The Court must receive your Notice of Appeal (NOA) not later than 120 days after the Board mailed a notice of its decision to the address it has on file for you.