

THE ULTIMATE GUIDE TO WINNING YOUR VA CLAIM





VA CLAIMS AND APPEALS PROCESS

As a veteran of the U.S. Military, you may be entitled to certain veterans' benefits. These benefits could include health care, pensions, education, training, insurance, employment aid, or housing aid. Some benefits assist with transitioning back to everyday life, while other benefits provide compensation for a disability suffered while serving your country. If you believe you are entitled to these benefits, but are not currently receiving them you should file a claim. Whatever the situation, you should not be afraid to file for benefits you feel you deserve.

HOW DO YOU FILE A VA CLAIM?

The VA claim process begins when you file an application (VA Form 21-526), which can be found on our Veterans Forms Page on our website at lawyers4veterans.com. You can also file your initial claim at your local VA office or medical facility, or online through the VA at ebenfits.va.gov. If you need assistance when filing your claim, a representative from the VA or from a service organization can help you. Once the form has been completed, the VA will begin processing your claim.

WHAT ARE THE CLAIM STAGES FOR A VA CLAIM?

After you have filed your VA Form 21-526, the VA will process your claim in three stages.

Development - During the development stage, the VA will request information regarding your claim. This can include military records (DD-214) and any medical evidence that supports your claim. At this time, the VA may also request that you undergo a medical examination called a Compensation and Pension Exam (C&P).

Decision - During the decision stage, the VA will evaluate all the relevant information and evidence that has been gathered and make a decision regarding your claim. If the rating official finds that some relevant information is missing, your claim will be pushed back into the development stage.

Notification - Once the claim has made it to the final stage, the rating official's decision will be reviewed. Once a decision has been made, a notification letter detailing your decision will be sent to you.

WHAT PAPERWORK IS NEEDED TO FILE A VA CLAIM?

After you submit your application, you will need to submit a number of additional documents. These could include parts of your military records, certain proof of dependency, and any medical evidence. The VA will use military records to establish if you are an eligible veteran and a connection exists between your current disability and military service. You may need to provide deployment orders if you are trying to prove you were exposed to certain environmental hazards.

THE VA APPEALS PROCESS

Under the new VA appeals process, a veteran has 3 options (or lanes) after receiving an unfavorable decision on an initial VA compensation claim.

Higher Level Review Lane - in this lane, you will be requesting that the VA issue another decision based on a higher level of review by a DRO (Decision Review Officer) at the Regional Office. You are not allowed to submit new evidence to support your claim, and the decision will be based on the same evidence available at the time of prior decision.

Supplemental Claim Lane - in this lane, you are allowed to submit new and relevant evidence. This is also the only lane where the VA has a duty to assist you in gathering evidence to support your claim. You will keep the same effective date for your claim as the initial submission date. You can also submit a Supplemental claim after receiving an unfavorable denial from the higher-level review process, The Board or after receiving a denial from the Court of Appeals for Veterans Claims.

Appeal Lane - in this lane you can directly appeal your case to the Board following an initial decision from the RO, or an unfavorable decision from the higher-level review or supplemental claim lane. When selecting this lane, you are allowed to skip to the second level review and select one of three dockets: the direct docket, evidence docket and the hearing docket.

What are the 3 dockets?

Direct Docket - selecting this docket you are stating that you do not want to submit additional evidence to the Board and you do not want a hearing before a Veterans Law Judge. The Board will use the evidence that was in your file when the appealed decision was issued. The VA has set a 365 day goal for issuing decision for the direct docket lane, which is projected to be the fastest of all options.

Evidence Docket - selecting this docket allows you to submit additional evidence without a hearing. In this lane you can submit additional evidence to the Board with their Notice of Disagreement (NOD) and within the 90 days following their NOD.

Hearing Docket - selecting this docket will allow for a hearing before a Veterans Law Judge. You can do so via videoconference or a hearing in front of the Board in Washington, D.C. This docket is projected to take the longest.

FAQ

What if I don't have the necessary paperwork to submit a claim?

If you do not have access to all the documents the VA request, it is okay. The VA carries a significant portion of the obligation because they have a duty to assist you in locating information relevant to your claim. The VA may request a copy of your paperwork from the National Archives and Records Administration (NARA).

Can I switch lanes in the Appeals process?

Yes, you can change your request for a certain review option several times throughout the VA claims process. You can switch lanes at the Regional Office Level, meaning you can change prior to the VA issuing a decision on your claim so long as the change happens within the one-year period following the dates of decision. You can also switch lanes at the Board of Veterans' Appeals Level, meaning you are able to switch dockets at the Board level by modifying your Notice of Disagreement. However, if you have already submitted new evidence or testified at a Board hearing, you cannot switch dockets to take advantage of a faster direct docket. Your request to modify MUST be made within 1 year of the rating decision, or 60 days after the NOD is received by the Board.

Can I have multiple appeals pending in different lanes at the same time?

Yes, you can select different review options for each issue on appeal. For example, if you receive a rating decision on two different conditions, you can choose to appeal those claims in whichever lane is most appropriate for each condition.

How long will the VA take to decide my claim?

- Supplemental Claims: VA's goal is an average of 125 days.
- Higher-Level Review: VA's goal is an average of 125 days.
- Appeals to the Board of Veterans' Appeals: The VA's goal varies depending on the docket:
 - Direct Docket: VA's goal is within 365 days.
 - Evidence Docket: The VA claims that this docket may take longer than 365 days.
 - Hearing Docket: This docket is projected to take the longest and may take longer than 365 days.

TIPS FOR A WINNING VA DISABILITY CASE

1. Document ongoing problems, even if they are minor from the start of the issue.
2. Utilize statements from family, friends and those you served with. These statements can corroborate the timeline and incident.
3. Seek treatment consistently.
4. Get a complete copy of your claims file, including service treatment records and post-service treatment records. You can do so through milConnect, through mail/fax with an SF180, or in person at the National Personnel Records Center.
5. Have your own medical expert evaluate you and provide a written opinion as to whether your current conditions are related to service.
6. Understand the basics of the claims and appeals process.
7. Keep the VA updated with your updated contact information, including your address, dependency status and bank information.
8. Attend your C&P exams and obtain a copy of the report.
9. Don't accept "No" for an answer. A high percentage of first time application for VA disability benefits are denied, don't give up!
10. Hire an advocate to help.

TESTIMONIALS

Veterans Help Group changed my life forever. It was a long process but they were successful in getting me my 100% VA disability rating. There were times that I thought this would not happen but they kept a positive outlook and guided me through this process like no one else could. You could not ask for a more professional person and team to help you. I will be in debt to them as long as I live. I just hope I can pay it forward half as much to the next veteran. Thank you everyone at the company God bless. Five stars is not enough of a rating I wish I could give 1000 stars!!! – **R. Crowson**

My VA Settlement, as a result of Veterans Help Group and my advocate's hard work, exceeded all my expectations. They are a professional advocacy that cares about veterans. They are diligent hard working and determined to win your case no matter how long it takes. I received a positive decision regarding compensation that took them a far shorter time than it would have taken me if I had continued to pursue it on my own. I would recommend them to any veteran experiencing issues with VA. I am grateful and blessed to have had them as my representative. – **Valentino**

Thank you so very much for assisting me in my VA claim. Your company helped me to receive my VA benefits and to maximize them. I could not have done this without your help. Your company stepped in and fought on my behalf, and it was well worth the process. Words cannot express how grateful I am for all your company has done for me. – **R. Miller**

Words are just not enough, to express the gratitude that I feel towards the Veterans Help Group's staff and advocates. I was awarded my 100% VA settlement as a result of their hard work and dedication. They have given me rest from my stress and are truly an asset to the group. Thank you so much for a job well done!! – **M. Cruz**

ABOUT US

At Veterans Help Group our goal is to make every veteran's experience personal to their circumstances. Our professional team is dedicated to altering living conditions for veterans for the better. Through our professional and volunteer work, we actively seek to improve the lives of veterans. If you want to find out more about what our team can do for you, contact us today.

WE MAKE IT AS EASY AS 1,2,3.

AND YOU WON'T PAY A PENNY UNLESS WE WIN YOUR CASE!

- **WE INVESTIGATE** - We start with a one-on-one consultation to learn about your case. We gather all the necessary documentation and evidence we'll need to win your case.
- **WE TAKE ACTION** - We build a strategy based on over 30 years of successfully winning cases. We then work directly with the VA on your behalf, following through, and communicating with you every step of the way.
- **WE FIND THE RESOLUTION** - We have a 95% success rate in winning cases. We continue to work through the red-tape and battle the VA if necessary until we get the resolution you deserve.

REPRESENTING VETERANS ACROSS THE USA

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