

# Do you disagree with your VA decision?



U.S. Department  
of Veterans Affairs

Choose VA

This guide will help you understand how the modernized decision review process enables Veterans to seek faster resolution of their disagreement with a VA decision. The Appeals Modernization Act establishes a new decision review process for disagreements with VA decisions that is timely, transparent and fair.

## *The Decision Review process has changed.*

As of February 19, 2019, you can choose one of three new options to have your disagreement reviewed: as a supplemental claim, through a higher-level review, or by appealing directly to the Board of Veterans' Appeals. If you continuously pursue your claim through one of the new decision review lanes, your effective date remains protected.

### **Option 1: A Supplemental Claim**

You are adding or identifying new evidence that is relevant and supports your claim. VA will assist you in gathering the evidence. A reviewer will look at all the evidence and determine whether it changes the decision. You will receive a decision within approximately 125 days from the date you filed your Supplemental Claim.

### **Option 2: Higher-Level Review**

You want another review of the same evidence by a senior reviewer. The senior reviewer will take another look at the evidence already in your file and determine whether the decision can be changed based on a difference of opinion or an error that VA made. No additional evidence may be submitted, but you and/or your representative may speak with the reviewer on the phone to tell them why you think the decision should be changed. You will receive a decision within approximately 125 days from the date you filed your Higher-Level Review.

### **Option 3: Appeal to the Board**

This option allows you to appeal directly to the Board of Veterans' Appeals. You can choose between three options:

- Direct Review: you do not want a Board hearing and do not want to submit any additional evidence in support of your appeal.
- Evidence Submission: you want to submit additional evidence in support of your appeal, which you must submit within 90 days from the date your appeal was filed, but you do not want a Board hearing.
- Hearing with a Veterans Law Judge: you want a Board hearing and have the opportunity to submit additional evidence in support of your appeal within 90 days after the hearing.

## HOW CAN I FIND MORE INFORMATION ON APPEALS MODERNIZATION?

**Call** 800-827-1000 to speak with a VA representative

**Visit us online** at <https://www.va.gov/decision-reviews> to see what review option is best for you

*If you have a VA accredited representative, contact them for more information on Appeals Modernization*

## HOW DO I CHECK THE STATUS?

**Go** to <https://www.va.gov/claim-or-appeal-status> to check the status of your appeal

## HOW DO I GET STARTED?

Consult your decision notice letter for the required forms and ways to submit your request for review.

For a **Supplemental Claim**, complete

**VA Form 20-0995, Decision Review Request: Supplemental Claim**

<https://www.vba.va.gov/pubs/forms/VBA-20-0995-ARE.pdf>

For a **Higher-Level Review**, complete

**VA Form 20-0996, Decision Review Request: Higher-Level Review**

<https://www.vba.va.gov/pubs/forms/VBA-20-0996-ARE.pdf>

**Send or fax** the forms for

**Supplemental Claims or Higher-Level Reviews** to:

Department of Veterans Affairs

Claims Intake Center

P.O. Box 5235

Janesville, WI 53547-5235

Fax: 844-531-7818

To **Appeal to the Board**, complete

**VA Form 10182, Decision Review Request: Board Appeal**

**(Notice of Disagreement)**

<https://www.va.gov/vaforms/va/pdf/VA10182.pdf>

**Send or fax** the form to:

Board of Veterans' Appeals

P.O. Box 27063

Washington, DC 20038

Fax: 844-678-8979

## OTHER QUESTIONS YOU MAY HAVE

### Can someone help me with my request for review?

Yes, VA recognizes and accredits attorneys, claims agents, and Veterans Service Organizations (VSOs) representatives to assist VA claimants with their benefits claims. VSOs and their representatives are not permitted to charge fees or accept gifts for their services. Only VA-accredited attorneys and claims agents may charge you fees for assisting in a claim for VA benefits, and only after VA has issued an initial decision on the claim and the attorney or claims agent has complied with the power-of-attorney and the fee agreement requirements. For more information on the types of representatives available, or how to change your representative, **visit** <https://www.va.gov/decision-reviews/get-help-with-review-request>

Contact your local VA office for assistance with appointing a representative or **visit** <https://www.ebenefits.va.gov/ebenefits/manage/representative>

### What happens if I do not submit my request for review on time?

If you do not request a review option of an initial claim decision within the required time limit, you may only seek review through the following options:

- File a Supplemental Claim along with new and relevant evidence to support your issue(s). Where a Supplemental Claim is filed after the time limit to seek review of a decision, the effective date for any resulting award of benefits generally will be tied to the date that VA receives the Supplemental Claim
- File a request for revision of the decision based on a clear and unmistakable error in the decision