

DISABILITY COMPENSATION

What is disability compensation?

A **monthly tax-free payment** to veterans who got sick or injured while serving in the military or whose service made an existing condition worse. In some cases, the veteran's condition may have had onset after service ended but was related to their service. The veteran may qualify for VA disability benefits for physical conditions (like a chronic illness or injury) and mental health conditions (like PTSD) that developed before, during, or after service.

Who is eligible?

Veterans who have a service-related disability or illness and whose discharge is honorable or under honorable conditions.

What documentation is needed to apply?

Before the veteran begins the application for disability compensation, it is recommended that all relevant documentation to support the claim is gathered. This documentation includes:

- ★ **Discharge/separation paperwork** (DD-214 or equivalent)
- ★ **All private medical records** (doctor's notes, x-rays, medical test results, etc.) related to the disability(ies) that you are requesting, including diagnosis of the disability(ies) and when it(they) began or worsened
- ★ **Supporting statements** you would like to provide from family members, friends, clergy members, law enforcement personnel, or those you served with that can tell the VA more about your claimed condition and how and when it happened or how it got worse
- ★ **Military service and medical records**, if available. *If these are not available to you, the VA will request them if they are not already in possession of them.*
- ★ **Bank account information** for direct deposit. *If this information is not supplied, the VA will request it and it will delay your claim. If your disability is approved and you are rated at least 10% disabled, your first deposit should be received within 15 days of decision.*

Intent to File

If this documentation is not readily available, the veteran should file an **Intent to File a Claim for Compensation and/or Pension, or Survivors Pension and/or DIC** form (VA Form 21-0966). This form protects the veteran's filing date if the completed application is received **within one year** from the date the VA receives the Intent to File form – and if rated at least 10% disabled the veteran will receive retroactive compensation back to the date the Intent to File form was received by the VA.



What evidence is needed to apply?

There are three key pieces of evidence that veterans need to provide to be rated for a service-connected disability:

- ☑ **Qualifying event that occurred in service**
- ☑ **Medical evidence that the qualifying event caused or worsened a disability (called the "nexus").**
- ☑ **Current disability**

The exception to this rule is in the case of **presumptive service-connected conditions**.

Currently, the VA presumes service-connection for certain diseases based on:

- ★ Exposure to Agent Orange in Vietnam between Jan 9, 1962 and May 7, 1975 or other specified locations
- ★ Exposure to contaminated water at Marine Corps Base Camp Lejeune, NC between August 1953 and December 1987
- ★ Exposure to ionizing radiation at specific locations or under certain circumstances
- ★ Service in the Southwest Asia theater of military operations with a diagnosis prior to Dec. 31, 2021

Presumptive Service Connection

VA presumes that certain disabilities were caused by military service. This is because of the unique circumstances of a specific veteran's military service. If a presumed condition is diagnosed in a veteran within a certain group, they can be awarded disability compensation **without proving the nexus** between the veteran's service and the disability.

How do I apply?

Although veterans can apply for this benefit themselves, it is recommended that veterans seek the assistance of a Veterans' Service Officer (VSO) or accredited representative. These individuals are trained on the VA claims and appeals processes and can make applying for benefits easier for the veteran to navigate.

Complete the **Application for Disability Compensation and Related Compensation Benefits** (VA Form 21-526EZ). Along with this form, one or more **Statement in Support of Claim** forms need to be submitted based on the disability(ies) the veteran is applying for.

There are two application lanes in which to submit a disability application– **Standard Claim** and **Fully Developed Claim**

Standard Claim	Fully Developed Claim
The veteran submits the application and lets the VA know about related records not held by a federal agency, such as doctor or hospital records from an outside provider. Because additional evidence needs to be obtained after the application has been submitted, this lane typically takes longer to process.	All relevant supporting documentation – discharge paperwork, private medical records, military service and medical records, lay statements – must be submitted with the application. Because the VA does not need to request additional evidence, this lane is typically processed quicker than the Standard Claim lane.

You've submitted your application, now what?

The short answer is wait. You will receive a letter if any additional information is needed. **It is important that you respond to all requests for additional information** as failure to do so in a timely manner will delay your claim being reviewed and may result in a denial of your claim. If you have any questions about any correspondence from the VA, please speak to your VSO.



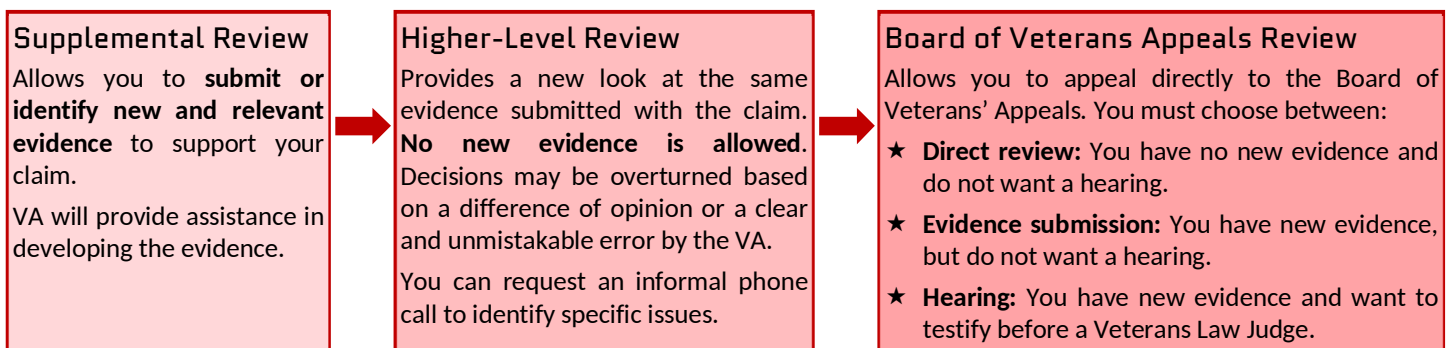
If necessary, you may be scheduled for a **Compensation & Pension (C&P)** exam. If you are scheduled for a C&P exam, make sure to attend or reschedule. Please note that the VA has contracted out all C&P exams to private doctors, and sometimes these appointments are scheduled out of state. If you are scheduled for an exam at a location that is difficult for you to go to, please contact your VSO to try to schedule the exam closer to your home.

Once a decision has been made, you will be notified in writing with a document called a **Rating Decision**. This letter provides:

- ★ The evidence that was reviewed
- ★ The decision for each of the reviewed disabilities, i.e., granted or denied (some disability decisions may be deferred)
 - ★ If granted, it provides the disability percentage awarded for each disability and the effective date
 - ★ If denied, it explains the reason(s) for the denial and what the favorable findings were

What if you disagree with the decision?

If you believe that you should have been granted a service-connected disability but your claim was denied, or if you believe that the percentage awarded is incorrect, you have 3 decision review options – **Supplemental Review, Higher Level Review, or Board of Veterans Appeals Review**. If you appeal, make sure it is within the specified time frame in order to protect your filing date.



You were granted a service-connected disability. What benefits does that entitle you to?

Check with your local VSO for benefits that are specific to your situation as certain benefits depend on your total disability percentage. Some benefits include property tax abatement, VA healthcare eligibility, life insurance, military installation PX and commissary access, and more.