How to Expedite VA Claims

Nashville VA Regional Office

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How to Expedite VA Claims Overview



Expediting Rating Claims: Overview

What are the biggest problems?

- Records
- Disabilities
- Procedures

What excludes a claim from FDC?

All of the above

Expediting Rating Claims: Records

- Federal
- Private

Expediting Rating Claims: Records

Federal

- Exact dates not Estimated
 - VBA will continue development for the entire period referenced until records are provided or a negative response is received.
 - If Veteran does not remember dates, it is better to reference a later known date than an earlier estimated one.
 - Example: Veteran initial VAMC appointment on December 1, 2019 but cannot remember and states, "VAMC Nashville from January 1, 2019 to Present." Better to indicate December 31, 2019.
- Recent spike in STRs listed as private medical records.

Expediting Rating Claims: Records

Private

- Veteran should submit private treatment records along with prescribed claim form, do not also submit a VAF 21-4142 or 4142a.
- If all information is submitted, check the box, and/or provide a statement that "I have no additional evidence to submit, please rate my claim based on the evidence of record."

Expediting Rating Claims: Disabilities

- The Three (3) Essential Elements of Service Connection:
 - 1. Current Diagnosed Disability
 - 2. In-Service Event, Injury, or Illness
 - 3. Nexus Continuity of Treatment:
 - Medical Opinion Can Provide Nexus
- Submit concise disabilities.
 - General, complex, and vague equal additional development.
- Clarify the location or symptom(s) of disability.
 - For example: Left knee pain Not knee, or just left knee.

Expediting Rating Claims: Disabilities

- Examples of other concise disabilities include:
 - Diabetes (Type I or Type II)
 - Right wrist fracture residuals
 - Residuals of left index finger compound fracture
 - Left knee pain
 - Bilateral knee pain
- Examples of general, complex, and vague disabilities include:
 - High sugar in service after I gained weight from PTSD
 - Wrist
 - Finger
 - Leg
 - My joints hurt all the time, which makes my blood pressure rise and heart palpitate

Expediting Rating Claims: Poll

Expediting Claims Poll 1

Expediting Rating Claims: Disabilities

- More contentions do not always equal higher rating
 - Sometimes less is more.
 - More contentions can lead to more VA Examinations (VAE), more development, more clarification, etc.
- Secondary contentions should include secondary language and not assume VBA will consider a claim as secondary.
- Gulf War even though undiagnosed multi-symptom illness may exist; a disability must be clearly stated.
 - Example: "respiratory condition," I have trouble breathing.
 - A medical diagnosis is helpful.

Expediting Rating Claims: Procedures

• 5103

- Ensure 5103 notices are provided
 - review folder for 5103 in last year.
- If POA signs claim for veteran, send the 5103-notice response along with it:
 - If not, a 5103 notice and 30-day suspense result.
 - Note: Sometimes, claims get all the way to the award and cannot be promulgated because no 5103 notice was provided to the Veteran.
- POAs cannot check 5103 provided box and sign 0995 or 0996.
 - Understand I.1.B.1.I. Exceptions to the Notification Requirement

Expediting Rating Claims: Procedures

- New and relevant evidence
 - Help Veteran understand what it means by new and relevant evidence for supplemental claims.
- Multiple submissions
 - Result in initial development cycle starting over
 - Submit ITF instead
- Previously denied
 - Claim should be submitted on 0995 or 0996, not a 526.

Expediting Rating Claims: Procedures

- VAF 21-0781 Statement in Support of Claim for Service Connection for PTSD
 - If a 60-day period is required, then 0781 must include the period claimed.
 - Provide name/unit of person associated with stressor (e.g., E-4 Tom Jones, unit assigned).
 - Stressor verification requires, specifics: Who, What, Where, and When.
- Private DBQs still require claims folder review. If folder is not reviewed by Examiner, the DBQ is not sufficient for rating purposes.

Expediting Non-Rating Claims: Overview

What are the biggest problems?

- The most common reasons are not granted as submitted is compliance with the forms' instructions
- Claims are missing required documentation

What are other problems?

Expediting Non-Rating Claims: Biggest Problems

- Forms are missing data
 - VA Form 21-686c, Application Request To Add And/Or Remove Dependents

TABLE OF CONTENTS

The table below provides a guide to the instructions and the application. The completion of certain sections of this application are required. Be aware that you <u>must</u> complete Section I - Veteran/Claimant's Identification Information and Section X - Beneficiary/ Claimant's Certification and Signature. If these sections are not complete, we will <u>not</u> be able to process your claim for additional benefits for dependents. Otherwise, complete the remaining sections that apply to you.

If you are	Instructions	Application
claiming additional benefits for a spouse	Pages 3 and 4	Pages 8 and 9
claiming additional benefits for a child	Pages 4 - 5	Pages 10 and 11

- September 2018 VA Form 21-686c missing information will be denied
- If this occurs, the best claim form to use to provide the missing information is VA Form 20-0995, *Decision Review Request: Supplemental Claim*
 - If received within one year of decision, protects original date of claim
- If a new (& complete) VA Form 21-686c is received, effective date is based on the new form's date of claim & other regulatory guidance
- Phone calls to NCC or VA Forms 21-4138 will result in a Request for Application

Expediting Non-Rating Claims: Biggest Problems

- Forms have partial information
 - State, but not city / town or county (unless a well-known city, such as New York City)
 - Year but not month and date or year and month but not the date
 - Step-children's biological relationship with the spouse is not marked
 - Dependents' social security numbers missing (and not living overseas)
 - "High School" instead of full name of school
 - Missing school address information

If there is a block on a form, the general requirement is that information is complete and

applicable blocks are filled in or addressed as described on the form or instructions.

Expediting Non-Rating Claims: Biggest Problems

What prevents a claim from being processed as submitted?

- Certain claims have unique requirements for needed documentation
 - Dependency
 - Certain spousal situations including Common-Law, Tribal or Proxy Marriages
 - Adoption and certain step-child situations
 - Parental Dependency
 - School-Age Children
 - Children Incapable of Self-Support
 - Drill Pay and Active Duty within the same year
 - Need military orders or DD Form 214

Expediting Non-Rating Claims: Other Problems

Communication with Call Centers that do not provide all required information

- For example, stating "No changes to dependents" is not sufficient for Dependency

Verification

– Example of ideal:

In response to VA Form21-0538 dated (1/31/2021) the Veteran reports change to the status of dependent(s)

Veteran/beneficiary requests removal the following dependent

Name of dependent: BILLIE JEAN

Relationship: EX SPOUSE Reason for removal: DIVORCE Date, of death or divorce: 1/18/2019

Place in of Divorce or Death: UPPER MARLBRO

10A. Full Name of Child: MASON

10B. Date of Birth: 5/14/2011

10C. Place of Birth: PRINCE GEORGIA COUNTY FL

10D. Social Security Number: N/A 10E. Child's Relationship (biological,)

10F. Name and Address of Person Having Custody of Child: veteran

10A. Full Name of Child: arianna

10B. Date of Birth: 3/20/2009

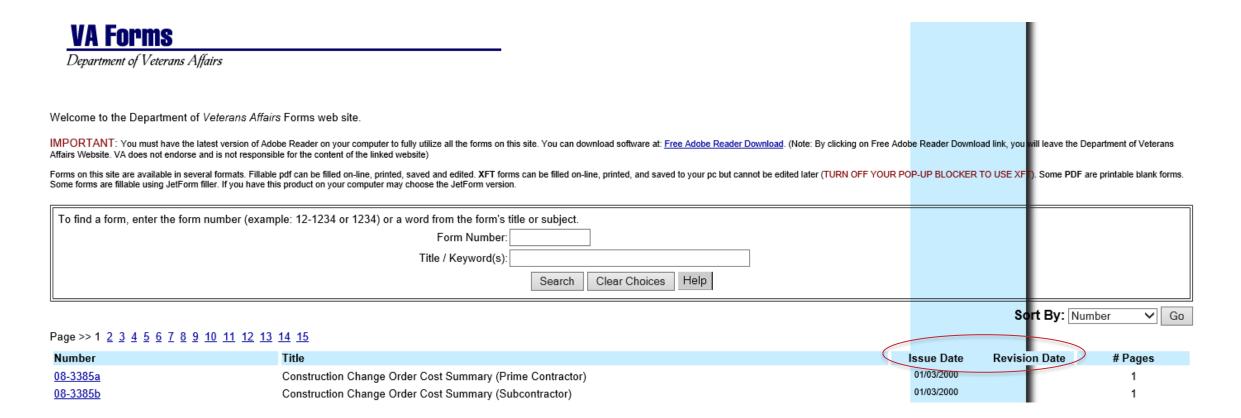
10C. Place of Birth: Birmingham al

10D. Social Security Number: N/a

10E. Child's Relationship (biological,)

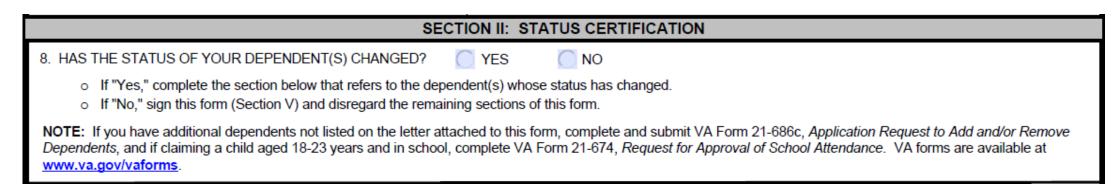
10F. Name and Address of Person Having Custody of Child: veteran

Expediting Non-Rating Claims: Claim Form Changes



Expediting Non-Rating Claims: Claim Form Changes

- Dependency Claims VA Form 21-686c, Sep 2018
- Dependency Verification VA Form 21-0538, Feb 2021



Parental Dependency, VA Form 21P-509, Apr 2021

Please read the instructions, notes, and the fine print

Expediting Non-Rating Claims: Other Issues

Audit Requests

- Please clearly articulate what is the issue or concern
- If correspondence does not say "Audit Request", then it is a request for information
- Financial audits can only go back 7 years due to lack of US Treasury records
- Supplemental Claim VA Form 20-0995 sometimes misrouted

What is the Benefit Type?		
○ cc	ompensation	
O Pe	ension & Survivor's Benefits	
O Fi	duciary	
	surance	
○ Ed	lucation	
O Vo	ocational Rehabilitation and Employment	
	oan Guaranty	
O Ve	eterans Health Administration	
O Na	ational Cemetery Administration	

Ensure the entry in the "Specific Issue(s)" blocks are:

- Specific
- Concise

Ensure the Date of VA Notice is entered

Expediting Non-Rating Claims: Other Issues

Drill Pay

- One set of rules for drill pay adjustments for FY 2016 and earlier
- Another set of rules for drill pay adjustments for FY 2017, 2018, and 2019
- Third set of rules for drill pay adjustments for FY 2020 and newer
- Drill Pay Form is the VA Form 21-8951-2, dated Jan 2020
- Changes involve
 - How mixtures of drill pay and active duty are calculated
 - Original awards and changes in rates / payments within a Fiscal Year
 - Authority to use certain Veterans Information Solution (VIS) information

Veteran provided military orders and DD 214s can assist us!

Expediting Non-Rating Claims: Poll Question

Expediting Claims Poll 2

Expediting VA Claims Summary

Ask Here ...

