

# VA Disability Claim FAQ Quick Guide

## What is a Disability Claim, and What Should I File for?

You can think of filing a Disability claim with the VA like a workers ' compensation claim. You file for getting hurt on the job. Your job was your period of service in the military. If you got permanently hurt on the job, either physically or mentally, then that is something you can file for. The question to ask yourself is: "What Injury or Illness am I experiencing that I would not be experiencing if I did not serve in the military?" It is never too late to file a claim.

## What do I need to submit for a VA Disability Claim?

To be approved for a VA disability claim, you need 3 things:

1. A current diagnosis of an illness or disability (ideally from a doctor)
2. An event that happened in the military that caused the diagnosis or illness, or made a pre-existing illness/condition worse
3. Evidence to prove the connection between #1 and #2 (preferably medical evidence) at the 50% likelihood level (i.e., "Just as likely as not")

Sometimes, you have an injury or disability that was caused by another injury or disability. This is called "Secondary Service Connection". To be approved for a secondary claim, you need 3 things:

1. A VA rating for a disability or illness (Primary)
2. A current diagnosis of another illness or disability (Secondary)
3. Evidence that the Primary illness caused the Secondary illness (preferably medical evidence).

So, for each of the conditions that you would like to file for, you will need the following:

1. A **diagnosis** from a doctor or psychologist
2. A detailed description of the **specific event in the military that caused the condition**, OR a description of how a Primary disability caused the Secondary condition
3. **Evidence** that an event occurred during your service and evidence that the event caused the condition.

Here is a list of evidence that would be best to gather and submit with your claim:

1. **Personal Statement**
  1. Written by you as a document
  2. A guide is attached
2. **Buddy Letters / Lay Statements (if possible)**
  1. Written by folks who served with you or who know you
  2. A guide is attached
3. **Nexus Letters**

1. Written by medical or treatment professionals
2. A guide is attached

#### **4. Medical Records**

1. You can request your military medical records here:  
<https://www.va.gov/health-care/get-medical-records/>
2. It is recommended to request your own medical records for each condition that you received private treatment for directly, and to submit them directly with your claim. The VA will only make 2 attempts to do so.
3. If you would like the VA to request private medical records from your doctor, you will need to provide your doctor's name, address, and phone number with the other documents with your claim.

#### **5. Other Evidence**

1. Letters from employers, police reports, divorce documents — anything that can help prove that you have a condition, what caused the condition, or how it has impacted you negatively now.

### **What are the steps in the Claims Process?**

The first step in the process is to file an Intent to File, which tells the VA your intention to file a claim. You have 1 year from the date you submit an intent to file to submit your entire claim.

1. File an Intent to File
  - a. The link to file an intent to file online yourself is:  
<https://www.va.gov/supporting-forms-for-claims/intent-to-file-form-21-0966/introduction>
  - b. If you would like to file over the phone, you can call (800) 827-1000 anytime Monday through Friday, 8:00 a.m. to 9:00 p.m. ET.
2. Collect the evidence listed above (as much as you can)
3. Once you have collected everything above, you can file your claim:
  - a. The link to file online yourself is:  
<https://www.va.gov/disability/file-disability-claim-form-21-526ez/introduction>
  - b. You will need a Login.gov or ID.me account to submit a claim online, but this is the fastest way to submit and allows you to track your claim process online anytime.
  - c. Alternatively, you can request free assistance from a VSO. It is best to have everything above ready before reaching out to a VSO.
  - d. The link to search for a VSO is:  
<https://www.va.gov/get-help-from-accredited-representative/find-rep/>

## **What happens after I file my claim?**

It can take 3-6 months for the VA to review your claim. Once they do, they will schedule in-person exams to evaluate the severity of your illnesses and disabilities. It is important NOT to underreport your symptoms. If you say you feel fine, the VA will rate your disability at 0% disabling. You should accurately reflect how disabling your conditions are when you attend your evaluations.

After you complete your evaluations, the VA can take another 3-6 months to make a decision about your claim. You will be informed via mail of their decision or online via your va.gov account.

## **What happens if my claim is denied?**

If your claim is denied, you can file an appeal. The VA is required to provide written notice about the reasons why you were denied for a certain condition. To file an appeal, you will need to provide evidence to the VA showing why their reason for denying the condition is incorrect. This could be submitting another medical opinion or another piece of evidence. Once you have the new piece of evidence, you can:

1. File an appeal yourself here:  
<https://www.va.gov/decision-reviews/supplemental-claim/file-supplemental-claim-form-20-0995/start>.
2. Request assistance from a VSO or representative with filing what is called a "Supplemental Claim / Appeal". This means you have new evidence to submit.

If you don't feel that new evidence is needed and the VA made a mistake, you can request a higher-level review, where a governing body within the VA will take a second look at your claim. You can request a higher-level review here:

<https://www.va.gov/decision-reviews/higher-level-review/request-higher-level-review-form-20-0996/start>.

If a higher-level review does not come back in your favor and you still feel that you have submitted all of the appropriate evidence to support your claim, you can request a Board Appeal here:

<https://www.va.gov/decision-reviews/board-appeal/request-board-appeal-form-10182>.

Please note that each appeal's process can take an additional year to decide. Please also note that you can appeal as many times as necessary to win your case.