



SUPPORTING VICTORIES FOR VETERANS



Steve Wolf
Assistant National Service Director

How can you help your Claim?



How can YOU help your claim?

Successfully navigate your VA claim process: leverage various resources and strategies, including seeking assistance from accredited representatives like DAV (Hint!), gathering strong evidence, and understanding the claim process.



- ✓ **Medical Evidence** - Provide detailed medical records, including treatment notes, diagnoses, and evaluations, to support your disability claims.
 - ✓ **Lay Evidence / Buddy Statements** - Gather statements from family, friends, or fellow veterans who can attest to the impact of your disability. Consider using VA Form 21-10210 (Lay or Witness Statement) or VA Form 21-4138 (Statement in Support of Claim) to collect relevant lay evidence.
 - ✓ **Documentation** - Gather any other relevant documentation, including military records, service treatment records, and any evidence of disability worsening since your service.
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There are three elements of a VA claim, essentially proving that the current disability was caused or aggravated by the service-related event.

- ✓ **Current Disability** - This means the veteran must currently have a diagnosed medical condition that is impacting their ability to function.
- ✓ **In-Service Event** - This is the specific injury, illness, or exposure that occurred during the veteran's military service.
- ✓ **Medical Nexus** - This is the medical evidence that establishes a connection between the current disability and the in-service event, often provided by a doctor's opinion stating that the disability is "at least as likely as not" caused by military service

What is a Disability Benefits Questionnaire (DBQ)?

- ✓ A form used by the Department of Veterans Affairs (VA) to collect medical evidence for disability claims. DBQs can be completed by veterans, health professionals, or VA physicians.

Purpose

- ✓ To help the VA evaluate disability claims
- ✓ To streamline the process of collecting medical evidence
- ✓ To ensure veterans receive the benefits they are entitled to

***You can find a list of DBQs available to the public
[on the Veterans Benefits Administration website](#)***



Seven Ways to Service-Connected Disability



Seven Ways to Service-Connected Disability

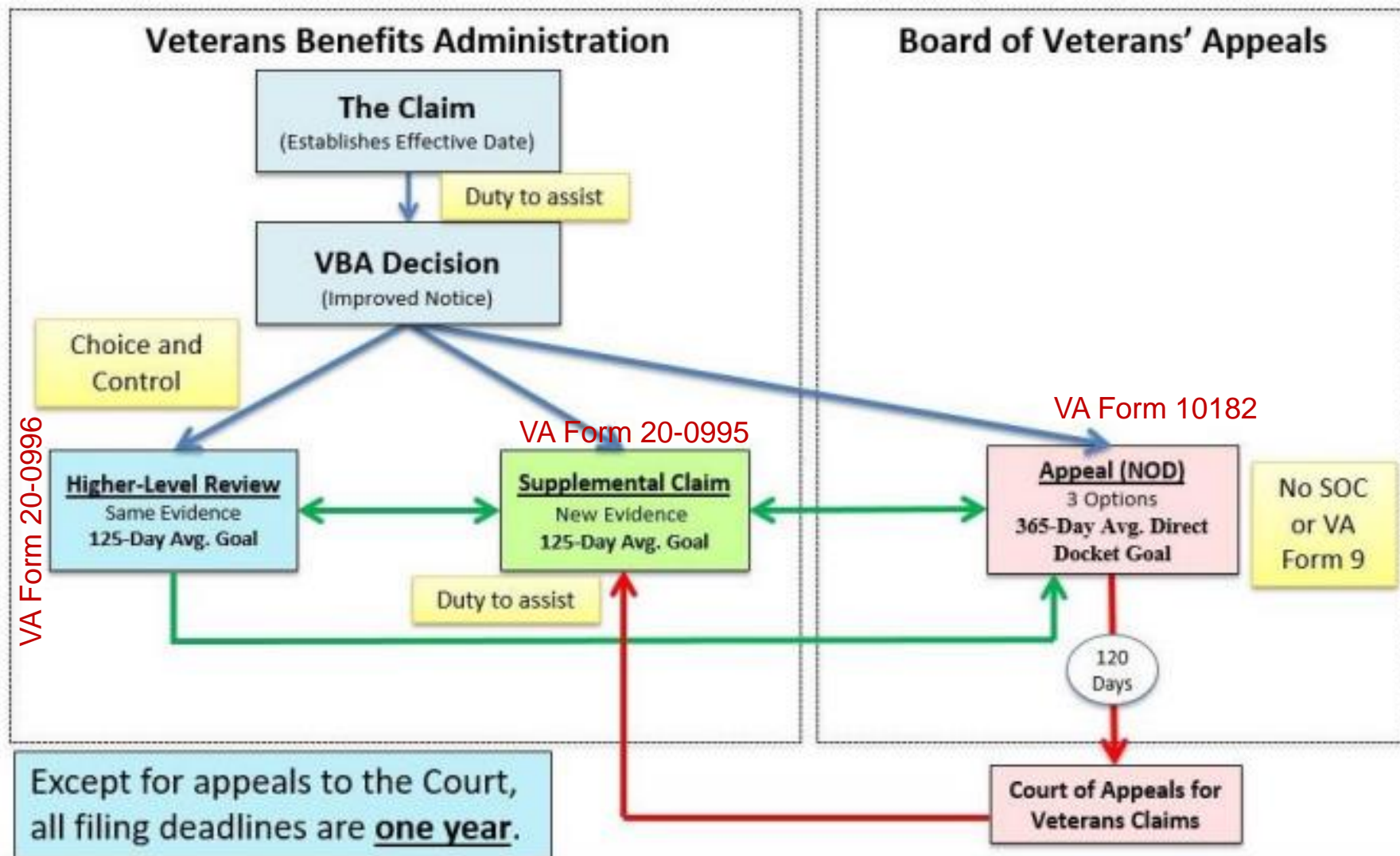
Matt Jahn
Assistant National Service Director

Decision Review Request Options





Decision Review Request Options



There are **three options** from which a claimant may choose in seeking review of a decision.

- ✓ **Supplemental Claim** – An opportunity to present a new claim with additional evidence that is new and relevant.
 - ✓ **Higher-Level Review** – An entirely new review of the same evidence by a higher-level claims adjudicator in VBA. You can't submit any additional evidence in this lane.
 - ✓ **BVA Appeal** – A review by a Veterans Law Judge at the Board of Veterans Appeals (BVA).
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- ✓ Claimants may request review of VA's decision by submitting a supplemental claim after a decision by the VBA, the Board, or the Court of Appeals for Veterans Claims.
- ✓ The definition of “**supplemental claim**” as “a claim for benefits under laws administered by the Secretary filed by a claimant who had previously filed a claim for the same or similar benefits on the same or similar basis.” The VA is required to readjudicate the claim if new and relevant evidence is presented or secured with respect to a supplemental claim.

- ✓ The higher-level review provides the opportunity for resolution of the issue(s) in dispute at VA without having to file an appeal to the Board, or having to submit a supplemental claim with new and relevant evidence.
 - ✓ A higher-level review (HLR) will consist of a de novo review of the issue(s) based solely on the same evidence that was before the initial adjudicator. The higher-level review is conducted by a different more experienced VA employee with the ability to change the initial decision based on difference of opinion authority, subject to the rule that favorable findings are binding absent clear and convincing evidence to the contrary.
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Which VBA lane to choose?

	Supplemental Claim	Higher Level Review
When to choose	If your claim needs new evidence .	If you don't need new evidence, but think a mistake was made.
What will happen	VA will help you gather the evidence. A new decision will be made looking at the new evidence.	A higher-trained VBA employee will review your claim and make a new decision. No new evidence will be added.
How long	125 days (on average)	125 days (on average)

Once a decision is rendered by VA, an appellant has **three distinct options** to choose from at the time the Notice of Disagreement is filed. Each particular lane will have its own docket.

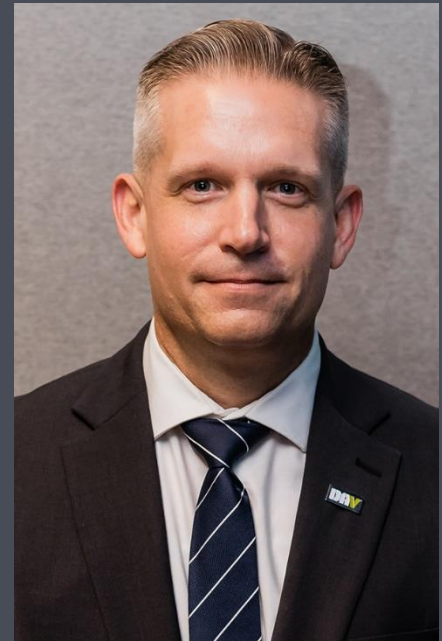
- ✓ **Direct Review** - Receives direct review by the Board of the evidence that was before VA in the decision on appeal.
- ✓ **Evidence Submission** - Must submit evidence within the 90-day window following submission of the NOD.
- ✓ **Hearing** - Will be scheduled for a Board hearing. Additionally, the appellant may submit evidence within the 90-day window following the scheduled hearing.

Which Board docket to choose?

	Direct	Evidence	Hearing
When to choose	If you think a mistake was made.	If you have new evidence you want a Judge to consider.	If you want a hearing before a Judge.
What will happen	<p>The Judge will review the same record and make a decision.</p> <p>No new evidence will be added.</p>	<p>You will have 90 days from your NOD to submit any new evidence.</p> <p>The Judge will make a decision considering the evidence you provided.</p>	<p>You will be placed on a list for a hearing before a Judge by videoconference (or in DC).</p> <p>After your hearing you will have 90 days to submit new evidence.</p> <p>The Judge will make decision considering the hearing and the evidence you provided.</p>
How long	365 days (on average)	Over 365 days	Based on availability. Currently the Board has 98 Judges. There are 69,500 Veterans waiting for hearings.

Justin Hart
Assistant National Service Director

DAV Disaster Relief Program



Created in 1968, our Disaster Relief Program was initiated to support veterans, service members, surviving spouses and their families during times of great need in the aftermath of a disaster.



How Do We Accomplish This? *With the support and help of...*

- ✓ Department's
- ✓ Local Chapter's
- ✓ Department and Chapter Service Officers
- ✓ Local National Service Office(s), who also coordinate with:
 - Other non-profit organizations, such as the American Red Cross, etc.
 - Department of Veterans Affairs
 - State, City, and County officials



What Disasters Do We Provide Aid for?

- ✓ **Isolated** - A disaster impacting an applicant's home or dwelling.

Examples are electrical fires, flooding, fallen tree, sink hole, etc.

- ✓ **Large-Scale** - A disaster impacting a town, city or state damaging an applicant's home or dwelling.

Examples are hurricanes, tornadoes, wildfires, floods, earthquakes, etc.

How Do We Help? *By providing for an applicants household...*

- ✓ **\$500.00** - Food and/or Clothing
 - ✓ **\$1,000.00** - Temporary Shelter, and Food and/or Clothing
 - ✓ **Supply Kit(s)** – Backpack, blanket and hygiene kit
-



Disaster Relief Program

Who's Eligible? *The applicant must be a victim of a disaster, and:*

- ✓ ***In need of financial assistance***, at the time of the disaster, not having available funds to pay for acquired expenses.
- ✓ ***An ill, injured or wounded veteran, or spouse thereof*** (same household).
- ✓ ***A surviving spouse***, in receipt of Death Compensation or Dependency and Indemnity Compensation (DIC), or either of a...
 - Former Prisoner of War (POW)
 - Ill, injured or wounded veteran who lost their life in the disaster.

Applicant's **do not** need to be a member or in receipt of service-connected compensation to be eligible.

With the Support of our Members and Donors

In 2024, DAV disaster relief...

- ✓ Was provided throughout 24 states
- ✓ Helped more than 2,200 families
- ✓ Totaled nearly \$1.5 million

In the last 10 years, DAV disaster relief...

- ✓ Helped nearly 20,000 families
- ✓ Totaled over \$10.3 million



What to do if someone is in need of DAV disaster relief?

1) Collect the applicant's information, such as:

- ✓ Applicant first and last name
- ✓ Complete mailing address, including street, city, state
- ✓ Home phone and/or cell phone number
- ✓ Email address
- ✓ Date disaster occurred, and what happened

2) Reach out to your local National Service Office, and share the information.

Scott Hope
Deputy National Service Director for Training

VA Claims Forms and Processes

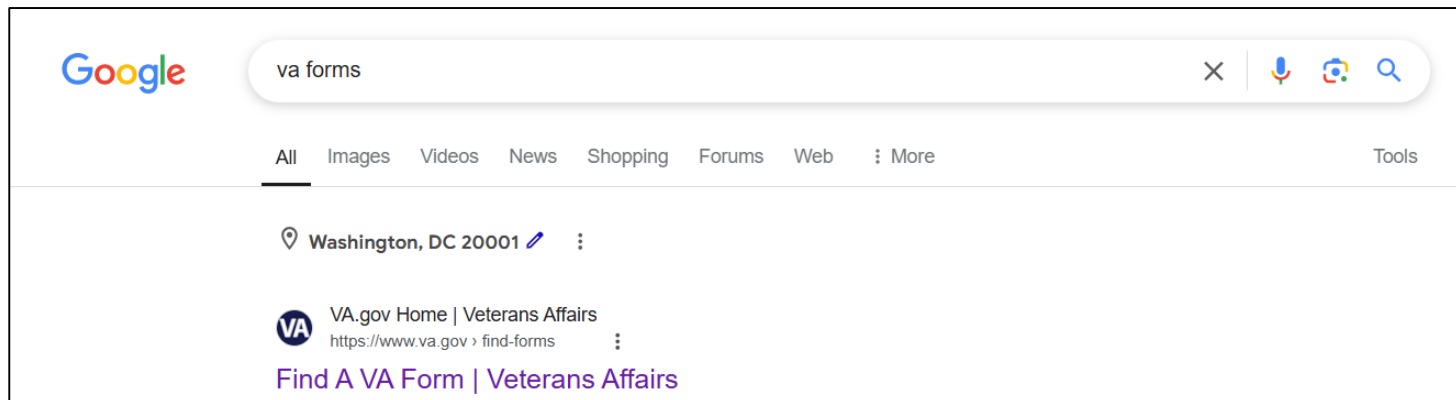


VA Claims Forms

VA has made the claims process difficult. We need to explain to our fellow veterans that it is important to get assistance from a trained DAV Service Officer.

DAV Service Officers Know:

- ✓ That claims forms change regularly
- ✓ Which VA form should be used
- ✓ Where to find the correct VA Form <https://www.va.gov/find-forms/>



Appeals Modernization Act (AMA)

On February 19, 2019, the AMA went into effect, which:

- ✓ Allows multiple options for review by issue
 - ✓ Protects the effective date as long as claim is continually prosecuted
 - ✓ Improved VA decision notifications
-

A Bit of History

On March 24, 2015, the VA starting using mandatory forms. Why?

- ✓ Essentially the VA didn't want anymore napkins.

What are the most common VA forms today?

- ✓ Appointment of VSO as Claimant Representative (*VA Form 21-22*)
 - ✓ Intent to File Form (*VA Form 21-0966*)
 - ✓ Supplemental Claim (*VA Form 20-0995*)
 - ✓ Application for Disability Compensation (*VA Form 21-526EZ*)
 - ✓ Application for Pension (*VA Form 21-527EZ*)
 - ✓ Decision Review Request- Board Appeal (*VA 10182*)
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The VA often complicates the claims process when an incorrect form is received.

- ✓ Instead of accepting the claim into their system as received, or sending the proper form directly to the claimant, VA simply sends a letter indicating a incorrect form was received, and gives options of what types of forms can be used.

However, DAV feels there should be a no wrong door policy and the claim needs to be accepted by the VA regardless.

- ✓ The VA must make it simple to file a claim, as it only helps veterans and could reduce or eliminate claim sharks all together.
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SERVICE SEMINAR
Review Questions



A medical nexus or medical opinion can only be given by a VA examiner, NOT a Private Physician.

A. True

B. False

B. False

What are the three options to request a review of a decision, after you receive an initial decision?

- A.** Supplemental, Higher Level Review, BVA Appeal
 - B.** Additional, Greater Review, VBA Lane
 - C.** Bonus, Advanced Review, Disagreement Track
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A. Supplemental, Higher Level Review, BVA Appeal

What do you do if someone is in need of DAV disaster relief?

- A.** Encourage the applicant to reach out to the NSO office
 - B.** Collect the applicant's information, and share with the local NSO office.
 - C.** Do nothing other than sharing condolences on their loss
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B. 1) Collect the applicant's information, such as:

- ✓ Applicant first and last name
- ✓ Complete mailing address, including street, city, state
- ✓ Home phone and/or cell phone number
- ✓ Email address
- ✓ Date disaster occurred, and what happened

***2) Reach out to your local National Service Office,
and share the information.***

How many different ways can you establish service connection for an injury or illness?

- A. Six**
 - B. Seven**
 - C. Eight**
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B. Seven

What are the three distinct options, or dockets, to choose from at the time the Notice of Disagreement is filed to the Board?

- A.** Direct, Evidence, and Hearing
 - B.** Supplemental, Higher Level Review, and Hearing
 - C.** Shortest, Proof, and Trial
-

A. Direct, Evidence, and Hearing

If an applicant is eligible for DAV disaster relief assistance, and is need of food, lodging and clothing, how much do we provide a check for?

A. \$500.00

B. \$1,200.00

C. \$550.00

D. \$1,000

D. \$1,000



For More Information



dav.org