

Demystifying the VA Claims Process

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Agenda

- Common Myths & Misconceptions
- VA “Fuzzy Math”
- Little-Known Facts
- Best Practices
- Resources

Who am I?



- Marine Corps Veteran (2008–2012)
- Army Spouse (2015–present)
- Mother (2017–present)
- Financial Coach (2021–present)

I am NOT:

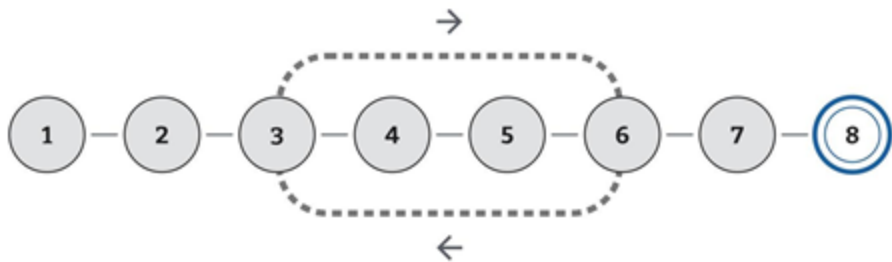
- Department of Veterans Affairs Employee
- Veterans Service Organization (VSO) Employee

Disclaimer: For educational purposes only

Overview of Claims Process

Overview of the claim process

There are 8 steps in the claim process. It's common for claims to repeat steps 3 to 6 if we need more information.



- ✓ Step 1: Claim received
- ✓ Step 2: Initial review
- ✓ Step 3: Evidence gathering
- ✓ Step 4: Evidence review
- ✓ Step 5: Rating
- ✓ Step 6: Preparing decision letter
- ✓ Step 7: Final review
- ✓ Step 8: Claim decided

Steps 3 and 5 generally take the longest
Average claim processing time: 135 days (4.5 months)

Myth #1

I'm not "broken" enough; or
other people deserve it
more than I do.

Fact #1

If you are eligible for it,
you deserve it!

- You earned this benefit by serving your country
- VA's compensation budget is "mandatory" and is funded by federal laws. Your compensation doesn't "take" from anyone else.
- Claiming benefits is not a sign of weakness

Myth #2

The VA Claims process is a medical process.

Fact #2

The VA Claims process is a legal process.

To successfully get a condition service connected, you must have evidence:

- 1) Current Diagnosis
- 2) In-Service Event
- 3) Nexus (a link between 1 & 2)

Myth #3

If I finished my active service a long time ago, it's too late to file a claim now.

Fact #3

It is never "too late" to make a claim for a current condition.

The longer it has been since your active service ended, the more evidence you will need to provide because the VA needs a nexus, "chronicity" or "continuity."

Myth #4

If another Veteran received a rating for a condition that I also have, I'll get the same rating.

Fact #4

Every claim is unique, and rating decisions can vary significantly.

Cases decided at the Regional Office (RO) or appealed to the Board of Veterans' Appeals (BVA) do not "set precedence;" only cases heard by the Court of Appeals for Veterans Claims (CAVC) can set precedence.

VA Math = Shoe Sale Math



+



= ~~FREE!~~

VA Math = Shoe Sale Math



Total Person Concept

Veteran = 100% able

50% first condition = 50% disabled

50% second condition = 75% disabled

rounded to → 80%

VA Math – Order of Operations

- Conditions are ranked from highest percentage to lowest
- Conditions are then “combined,” and rounded to nearest whole number
- Repeat for each condition
- The last number is rounded to the nearest 10
- That rounded number becomes the Veteran’s “combined disability rating” → basis for compensation payments

VA Math – Case Study

Conditions: 70%, 50%, 20%, 10%, 10%, 10%

- Lowest to highest = 70% exactly
- Highest to lowest = 91, which rounds to 90%

Start at 100% able

Begin on row 70 for 70% first condition

Combine 50% second condition → 85% disabled

Combine 20% third condition → 88% disabled

Combine 10% conditions (1% overall each) → 91% disabled → 90%

Note: The 10% created fractions, which are rounded between each condition.
 $88\% = 12\% \text{ able} \times 10\% \text{ condition} = 1.2\% + 88\% \rightarrow 89.2 \rightarrow 89\%$.

Table I-Combined Ratings Table
[10 combined with 10 is 19]

	10	20	30	40	50	60	70	80	90
63	67	70	74	78	82	85	89	93	96
64	68	71	75	78	82	86	89	93	96
65	69	72	76	79	83	86	90	93	97
66	69	73	76	80	83	86	90	93	97
67	70	74	77	80	84	87	90	93	97
68	71	74	78	81	84	87	90	94	97
69	72	75	78	81	85	88	91	94	97
70	73	76	79	82 1	85	88	91	94	97
71	74	77	80	83	86	88	91	94	97
72	75	78	80	83	86	89	92	94	97
73	76	78	81	84	87	89	92	95	97
74	77	79	82	84	87	90	92	95	97
75	78	80	83	85	88	90	93	95	98
76	78	81	83	86	88	90	93	95	98
77	79	82	84	86	89	91	93	95	98
78	80	82	85	87	89	91	93	96	98
79	81	83	85	87	90	92	94	96	98
80	82	84	86	88	90	92	94	96	98
81	83	85	87	89	91	92	94	96	98
82	84	86	87	89	91	93	95	96	98
83	85	86	88	90	92	93	95	97	98
84	86	87	89	90	92	94	95	97	98
85	87 2	88	90	91	93	94	96	97	99
86	87	89	90	92	93	94	96	97	99
87	88	90	91	92	94	95	96	97	99
88 3	89	90	92	93	94	95	96	98	99
89 4	90	91	92	93	95	96	97	98	99
90 5	91	92	93	94	95	96	97	98	99
91	92	93	94	95	96	96	97	98	99
92	93	94	94	95	96	97	98	98	99
93	94	94	95	96	97	97	98	99	99
94	95	95	96	96	97	98	98	99	99

Bilateral Factor

- Definition: “when a partial disability results from disease or injury of both arms, or of both legs, or of paired skeletal muscles, the ratings for the disabilities of the right and left sides will be combined as usual, and 10% of this value will be added”
- Does not have to be same condition, but must be opposite extremities
- One Veteran can have conditions that affect all four extremities (both arms and both legs). If so, conditions for all four extremities are combined together and one 10% bilateral factor is added
- Some conditions- with “bilateral” in the name- are not eligible
 - Condition name has “bilateral” included, such as bilateral flat feet
 - Mental health conditions
 - Whole body issues
- Invisible in Veteran-facing documentation
- Order of Operations changes:
 - Bilateral conditions are combined to create one bilateral rating
 - Then remaining conditions are ranked highest to lowest, with the combined bilateral rating(s) first.

Bilateral Factor – Case Study

- A Veteran's actual ratings:
 - 20%, 10%, 10% – all bilateral
 - 10% non-bilateral
- Without bilateral factor: $20 \text{ and } 10 = 28$
 $28 \text{ and } 10 = 35$
 $35 \text{ and } 10 = 42 \rightarrow \text{rounds to } 40\%$
- With bilateral factor: $35 \text{ plus } 10\% (3.5) = 38.5 \rightarrow 39 \text{ (bilaterals)}$
 - $39 \text{ and } 10 = 45 \text{ rounds to } 50\%$

Bilateral Factor – Case Study, Part 2

- The same Veteran was later rated for two additional non-bilateral conditions:
 - 20%, 10%, 10% – all bilateral
 - 70%, 50%, 10% – non-bilateral
- Bilateral conditions first: 39
 - $39 \text{ and } 70 = 82$
 - $82 \text{ and } 50 = 91$
 - $91 \text{ and } 10 = 92$ rounds to 90%
- Veteran needs one 40% or three 10%s to reach 100% (95%)

Compensation Rates

- 2025 rates range from \$175.51 for 10% to \$2,297.96 for 90%
- A single Veteran at 100% will receive \$3,831.30
- If the Veteran is married → \$4,044.91
- If the Veteran has two kids → \$4,307.49
- If one of those kids is in college → \$4,544.20
 - (unless using Chapter 35/DEA benefits)
- If Veteran also receives SMC → \$5,001.35
- Additional benefits- Special Monthly Compensation (SMC), Automobile Allowance, Clothing Allowance, etc.
- VA ratings receive COLA adjustments on 12/1 (paid in arrears, so increased pay begins in January)
- Full rate chart can be found online at [VA.gov](https://www.va.gov)

Secondary Conditions

- When a service-connected condition causes or aggravates another condition
- Still need 3 pieces:
 - 1) Current diagnosis
 - 2) In-Service Event – primary condition
 - 3) Nexus between the two
- The secondary condition gets its own rating:
 - Independent of the primary condition's rating
 - Can be rated higher than the primary condition

Protected Conditions/Ages

- Conditions can be eligible for certain protections
- Conditions that have been rated for 5 years (or are considered static) are no longer subject to “periodic reexaminations.”
- Conditions that have been rated for 10 years, cannot lose service connection
- A condition that has had the same rating for 20 continuous year cannot be reduced
- Veterans aged 55 or older are no longer subject to “periodic reexaminations”
- Being “grandfathered” in

Exceptions: Unless original decision was based on fraud or other unusual circumstances

Effective Date

- If you file a claim within one year of leaving active duty, your effective date will typically be the “day following separation from active service”
 - For longevity retirees, this one day means you “miss” the first month of VA compensation:
 - Last day of active service: May 31
 - Day following: June 1, but VA can’t pay partial month
 - July 1: compensation accrues
 - Aug 1: first payment for July
- If you file an Intent to File (ITF), this “bookmarks” your effective date. If you submit a claim within one year of the ITF, most backpay will be calculated from the ITF date (unless Date Entitlement Arose or Staged Ratings apply)

Little-Known Facts

- Presumption of Soundness
- "Duty to assist"
- Cannot "pyramid": "The evaluation of the same disability under various diagnoses is to be avoided." (eg: mental health)
- Reasonable doubt between two ratings goes in the Veteran's favor
- Conditions incurred on classified missions
- Nexus letters (IMO) may require certain certifications to be valid
- VBA vs VHA
- Expedited claim queue for homeless / "extreme financial hardship" / terminal illness / over age 85
- Total Disability based on Individual Unemployability (TDIU)

Best Practices – Do

- Submit an Intent to File (ITF) **every year** (VA-Form 21-0966)
- Submit FOIA request for STRs and/or c-file before claiming/appealing
- Provide a Personal Statement
- Include Buddy Letters (if available/applicable)
- File medical documentation from non-DoD/non-VA providers
- Attend C&P exams
- You can file primary (directly service-connected) and secondary conditions concurrently, even if the secondary relies on the primary condition you are claiming concurrently
- You can claim a single condition as both direct service-connected **and** secondary to another condition in the same claim
- Claim dependents, especially if you are rated 30% or higher

Best Practices – Don't

- Re-submit documentation the VA already has, such as STRs
- File “shotgun blasts;” instead, have a strategy
- Use a “claims shark”:
 - These companies are not accredited by the VA
 - Have varying levels of experience and knowledge
 - Many use illegal practices

Best Practices – C&P Exams

- Download Disability Benefit Questionnaires (DBQs) prior to your exam
- Prepare truthful responses to the DBQ questions
- Respond according to your worst day or your typical day – NOT your best day!
- Write notes and bring them with you
- Examiner should use a goniometer for measuring range of motion
- Submit a VA Form 21-4138 Statement in Support of Claim for any additional information



Resources

- VA Math Explained: <https://www.va.gov/disability/about-disability-ratings/>
- VA Combined Ratings Table: <https://www.va.gov/VA-combined-ratings-table-2019.pdf>
- VA Regulations – Code of Federal Regulations
 - Title 38 = Pensions, Bonuses, and Veterans' Relief
 - Chapter I = Department of Veterans Affairs
 - Part 4 = Schedule for Rating Disabilities
- M21-1, Adjudication Procedures Manual:
https://www.knowva.ebenefits.va.gov/system/templates/selfservice/va_ssnew/help/customer/locale/en-US/portal/554400000001018/topic/554400000004049/M21-1-Adjudication-Procedures-Manual
- M21-5, Appeals and Reviews Manual:
https://www.knowva.ebenefits.va.gov/system/templates/selfservice/va_ssnew/help/customer/locale/en-US/portal/554400000001018/content/554400000126648/M21-5-Appeals-and-Reviews-Table-of-Contents

Resources (cont.)

- Downloadable DBQs:
https://benefits.va.gov/compensation/dbq_publicdbqs.asp
- Average claim processing time:
<https://www.va.gov/disability/after-you-file-claim/>
- VA 2025 Rates Chart:
https://www.knowva.ebenefits.va.gov/system/templates/selfservice/va_ssnew/help/customer/locale/en-US/portal/554400000001018/content/554400000162183/2024-COLA-Rates

Rating Calculator

MicroHealth Contract Vehicles > Solutions > Clients Veterans Careers > News & Media > About > [Contact Us →](#)

Home > Veterans > VA Bilateral Disability Rating & Compensation Calculator

VA Bilateral Disability Rating & Compensation Calculator

VA Bilateral Disability Rating and Compensation Calculator

INSTRUCTIONS

STEP 1: Determine Your Estimated Disability Rating

BILATERAL FACTORS

Condition 1 20% ▾

Condition 2 10% ▾

☒ Condition 3 10% ▾

ADD CONDITION

Combined Bilaterals 35

Combined +10% 38.5

Rounded Bilateral % 39

INDIVIDUAL FACTORS

Rounded Bilateral % 39

Condition 1 10% ▾

ADD CONDITION

PRINT

Cumulative Disability 45

Estimated Disability Rating 50%

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STEP 2: Determine Your Estimated Compensation

Disability Rating 50%

☐ NO, I do not have dependents.

☒ YES, I have a dependent child(ren).

How many children under 18? 2 ▾ \$51.00

How many school children over 18? 0 ▾ \$0.00

☒ YES, I have a spouse.

Does your spouse need aid and attendance?

☒ No ☐ Yes \$0.00

☐ YES, I have a dependent parent(s).

BASE \$1255.16

PRINT PRINT ALL RESET

Estimated Compensation **\$1306.16**

Rates effective: 12/1/2024

Powered by MicroHealth, LLC

My Favorite Rating Calculator:

<https://www.microhealthllc.com/veterans-calculators/veterans-affairs-va-bilateral-disability-rating-calculator/>