

VA Appeals Modernization

What is Appeals Modernization?

On August 23, 2017, the President signed the *Veterans Appeals Improvement and Modernization Act of 2017* (Appeals Modernization Act) into law, creating a new decision review process that allows VA to improve the delivery of benefits and services to Veterans and their families. The new process gives Veterans choice and control, and all communications are written in plain language.

The new Appeals Modernization process allows Veterans to seek faster resolution of their disagreement with a VA decision. If you receive an initial claim decision after February 2019 and you disagree, you can choose one of three new lanes to have your disagreement reviewed: as a supplemental claim, through a higher-level review, or by appealing directly to the Board of Veterans' Appeals. The Appeals Modernization Act establishes a new decision review process for disagreements with VA decisions that is timely, transparent and fair.

More information on Appeals Modernization

For more information about VA's implementation of the *Veterans Appeals Improvement and Modernization Act* or to access the applicable forms, go to: www.benefits.va.gov/benefits/appeals.asp and follow the instructions for submission.

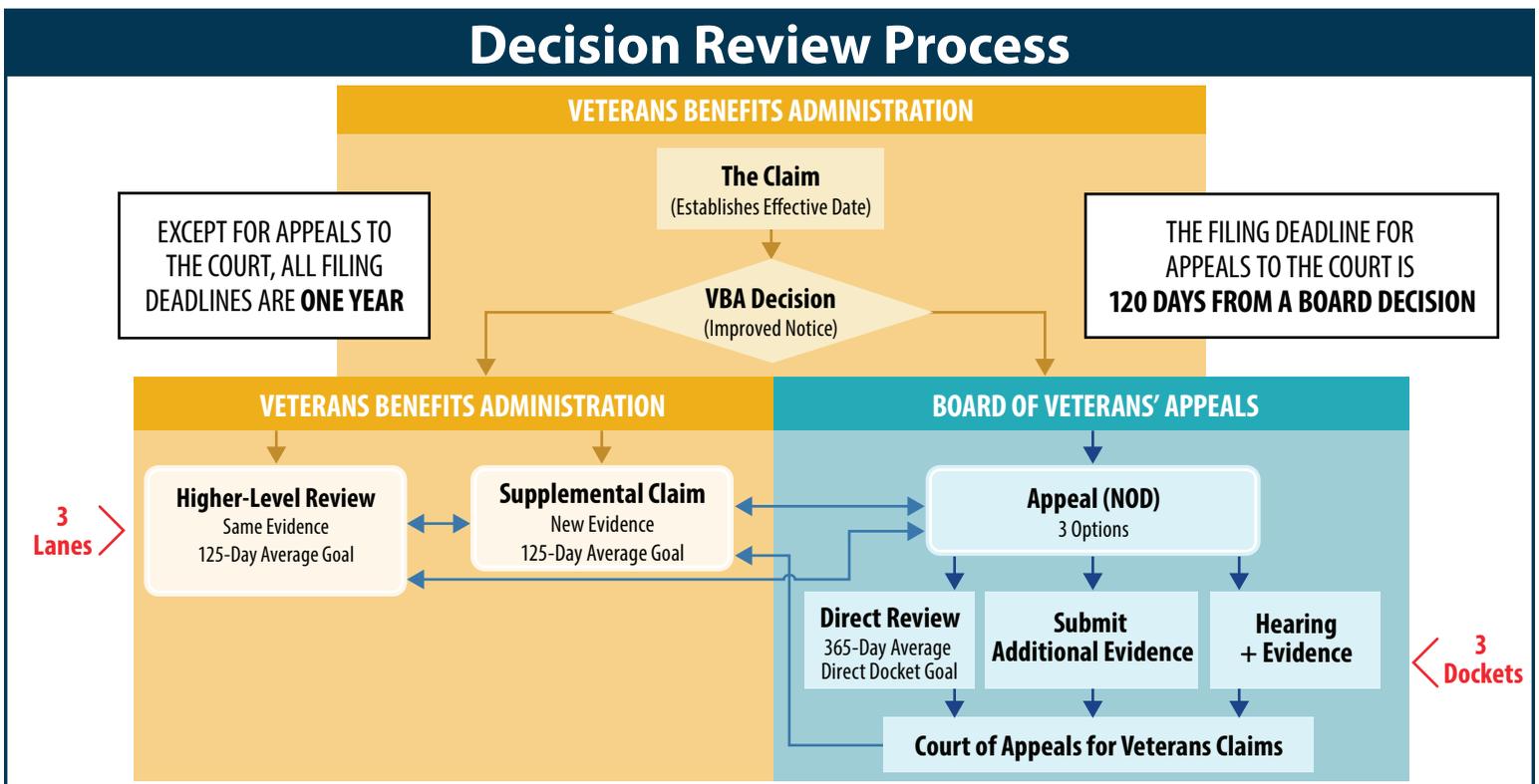
Questions?

- Call 1-800-827-1000
- Reach out to your local VA regional office
- If you have a VA accredited representative, contact them for more information on Appeals Modernization

Go to www.va.gov/claim-or-appeal-status/ to check the status of your appeal using the Appeals Status Tool.

Veterans in the legacy appeals process who receive a Statement of the Case (SOC) or Supplemental Statement of the Case (SSOC) after February 2019 will be eligible to opt-in to the new Appeals Modernization process.

Decision Review Process





Which Review Lane is Right For You?

Supplemental Claim Lane

(decisions within 125 days on average)

- ✓ Select this option if you have additional evidence that is new and relevant to support your benefit claim.
- ✓ VA will assist you in gathering new and relevant evidence to support your claim.
- ✓ VA's review will include any new and relevant evidence submitted since we last decided your claim.

Higher-Level Review Lane

(decisions within 125 days on average)

- ✓ A higher-level review consists of an entirely new review of your claim by a more experienced claims adjudicator.
- ✓ Select this option if you have no additional evidence to submit in support of your claim, but you believe that there was an error in the initial decision.
- ✓ VA cannot assist you in gathering new evidence, but if the higher-level reviewer discovers an error in VA's duty to assist in the prior decision your claim will return to decision makers to correct the error.
- ✓ You or your representative can request an optional, one-time, informal telephone conference with the higher-level reviewer to identify specific errors in the case, although this may cause a delay in the processing of your higher-level review.

Appeal to the Board Lane

- ✓ If you choose the Board, select one of the three following options:
 - **Direct Review**
You do not want to submit additional evidence or have a hearing.
 - **Evidence Submission**
You choose to submit additional evidence without a hearing. You will have 90 days from your Notice of Disagreement (NOD) to submit any additional evidence.
 - **Hearing**
You choose to submit additional evidence and have a hearing with a Veterans Law Judge. You will be scheduled for a Board hearing and may submit evidence at the hearing or within the 90 day window following the scheduled hearing.

What If You Still Disagree with a Decision?

If you disagree with a decision from the Supplemental Claim Lane, you may choose to resubmit the claim as another supplemental claim with new evidence, as a higher-level review or as an appeal to the Board of Veterans' Appeals.

If you disagree with a decision from the Higher-Level Review Lane, you may choose to resubmit the claim as a supplemental claim or as an appeal to the Board of Veterans' Appeals.

If you disagree with a Board decision you may either resubmit as a supplemental claim or through an appeal to the U.S. Court of Appeals for Veterans Claims.