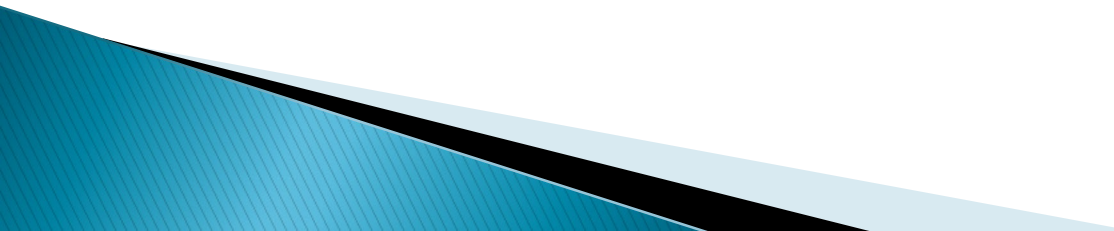


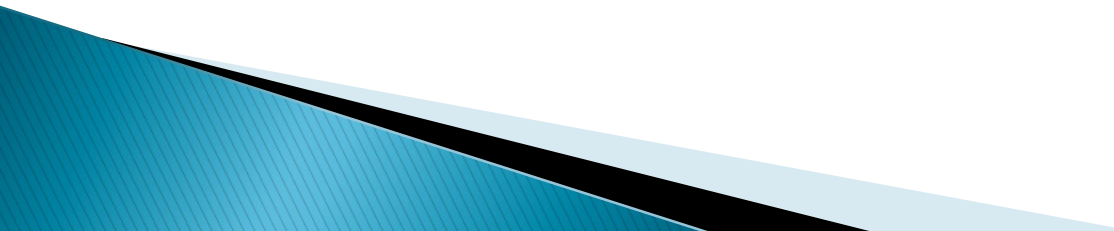
Claims Process

Part 2

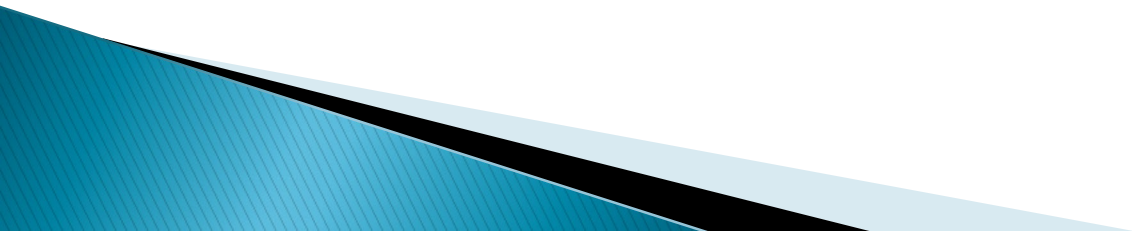
Topics Covered

- ▶ Comp and Pen Exam
 - ▶ Adjudication
 - ▶ Rating Decision
 - ▶ Reconsideration or NOD
- 

Comp and Pen Exam

- ▶ Why?
 - ▶ What is it?
 - ▶ Purpose?
- 
- A decorative graphic element in the bottom-left corner of the slide, consisting of overlapping blue and black geometric shapes.

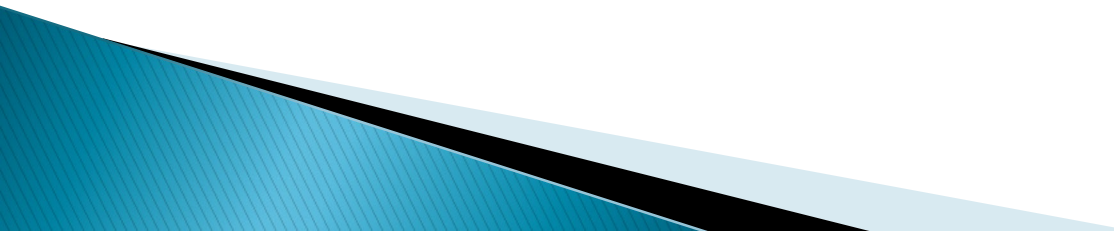
Comp and Pen Exam

- ▶ Ordered by the VA to:
 - Determine Service Connection
 - Gauge the severity of the contention
 - ▶ Not for Treatment
 - ▶ Disability Benefits Questionnaire (DBQ)
 - Standardized set of questions to gauge severity
- 

Comp and Pen Exam

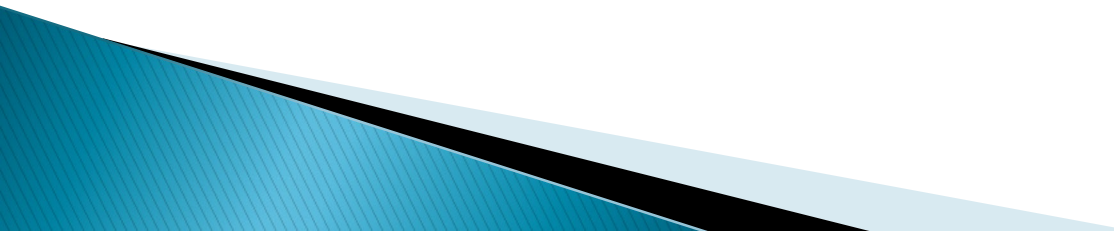
- ▶ Usually scheduled within 30 days of claim submission
- ▶ Can go Contract or stay with the VA

Note:

- Not every contention will warrant a C&P Exam
 - Our goal is to get the veteran into the C&P Exam
- 

Adjudication

“In a perfect world”

- ▶ Completed DBQ and other evidence is sent to a Rating Veteran Service Rep. (RVSR)
 - ▶ Criteria on the DBQ is compared to the Rating Schedule for the contention
 - ▶ RVSR creates the Rating Decision
- 

Adjudication

- ▶ The Rating Decision is posted into VBMS for the VSO Review Period.
 - The period is 1 day and 7 hours.
- ▶ VSO reviews the proposed Rating Decision
 - Can talk to the RVSR in this period if something is wrong
- ▶ Rating is promulgated

Rating Decision

- ▶ What is it?
- ▶ What are the different parts of the RD?

Rating Decision

▶ Two Parts

- Code Sheet – Shows the medical code and the medical term for the S/C contention
 - Not usually given to the veteran
- Narrative – Explains determination and what evidence was used.
 - This is sent to the veteran

Example

▶ Code Sheet Parts

- Name and Representation
- Active Duty Period(s)
- Future Exam Date
- Service Connected Conditions
- IDC Code
- Combined Evaluation
- Non-Service Connected Conditions
- Deferred Issues

Example

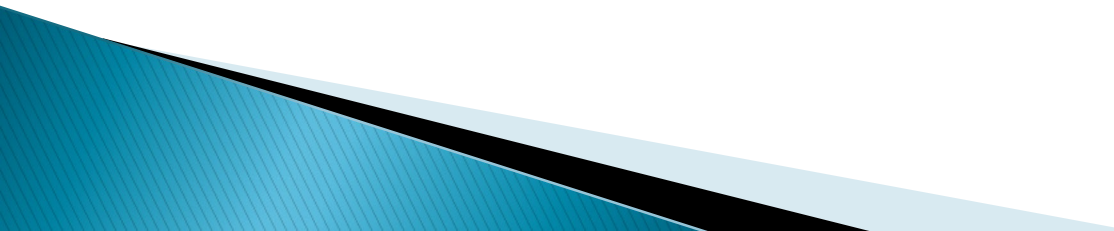
▶ Narrative

- Veteran Name, SSN, and Representation
- Rating Decision Date – Important for Form 9
- The VA's decision
- Evidence used
- Reasons for Decision
 - Current scheduler criteria
 - Increased scheduler criteria

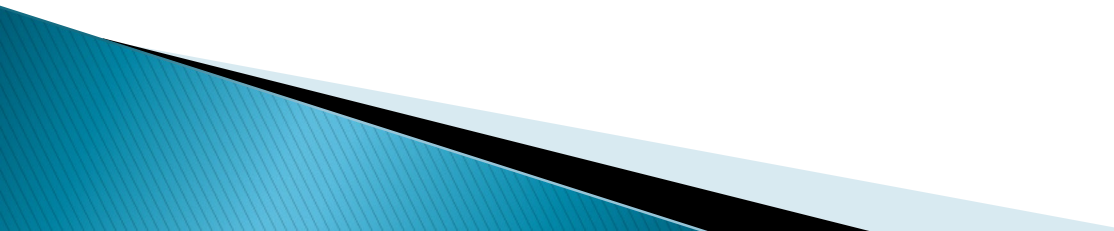
Reconsideration or NOD?

- ▶ What's the difference?
- ▶ Why choose one over the other?

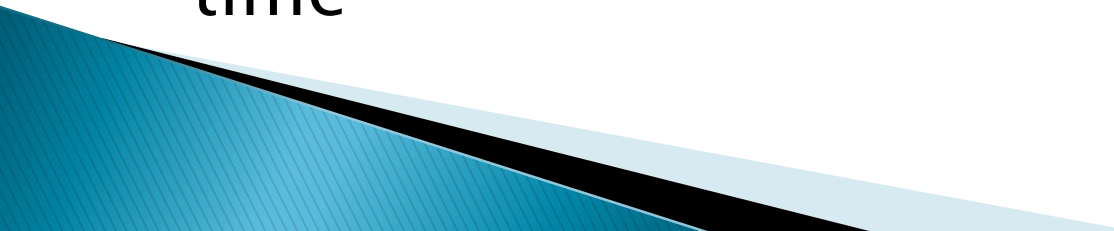
Reconsideration

- ▶ An informal process that asks the RVSR or VA to Reconsider the decision
 - ▶ Generally done if there is a glaring mistake or it is within the power of the RVSR to correct
 - ▶ Does not allow for a personal hearing or DRO
 - ▶ Must be filed on a 21-526EZ
- 

Notice of Disagreement (NOD)

- ▶ First step in the appellate process
 - ▶ May lead to a Personal Hearing with a DRO
 - ▶ The DRO has more authority to interpret evidence than the RVSR
 - ▶ Process can take up to 18 months
- 

Notice of Disagreement (NOD)

- ▶ Must be filed on a 21-0958
 - ▶ Additional evidence can be submitted at the time of the hearing to be considered
 - ▶ If a “Full Grant” is not awarded, a Statement of the Case (SOC) will be issued
 - ▶ Next step is BVA – Another story for another time
- 

Some Considerations

- ▶ Both may be done within one year of the decision date
- ▶ The reconsideration is not binding, where as a NOD is
 - If your reconsideration has not been adjudicated or worked and you are close to one year from the decision date, send in a NOD to keep the claim alive

Some Considerations

Not every unfavorable rating decision needs to be appealed

But,

The VA does make mistakes. That's why we have these processes

