

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 decision review process that allows VA to improve the delivery of benefits and services to Veterans and their families. The process gives Veterans choice and control, and all communications are written in plain language.

The 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 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 decision review process for disagreements with VA decisions that is timely, transparent and fair.

More information on Appeals Modernization

To learn more about the *Veterans Appeals Improvement and Modernization Act*, go to www.va.gov/decision-reviews. You will find information, resources, and guidance on how to request a decision review.

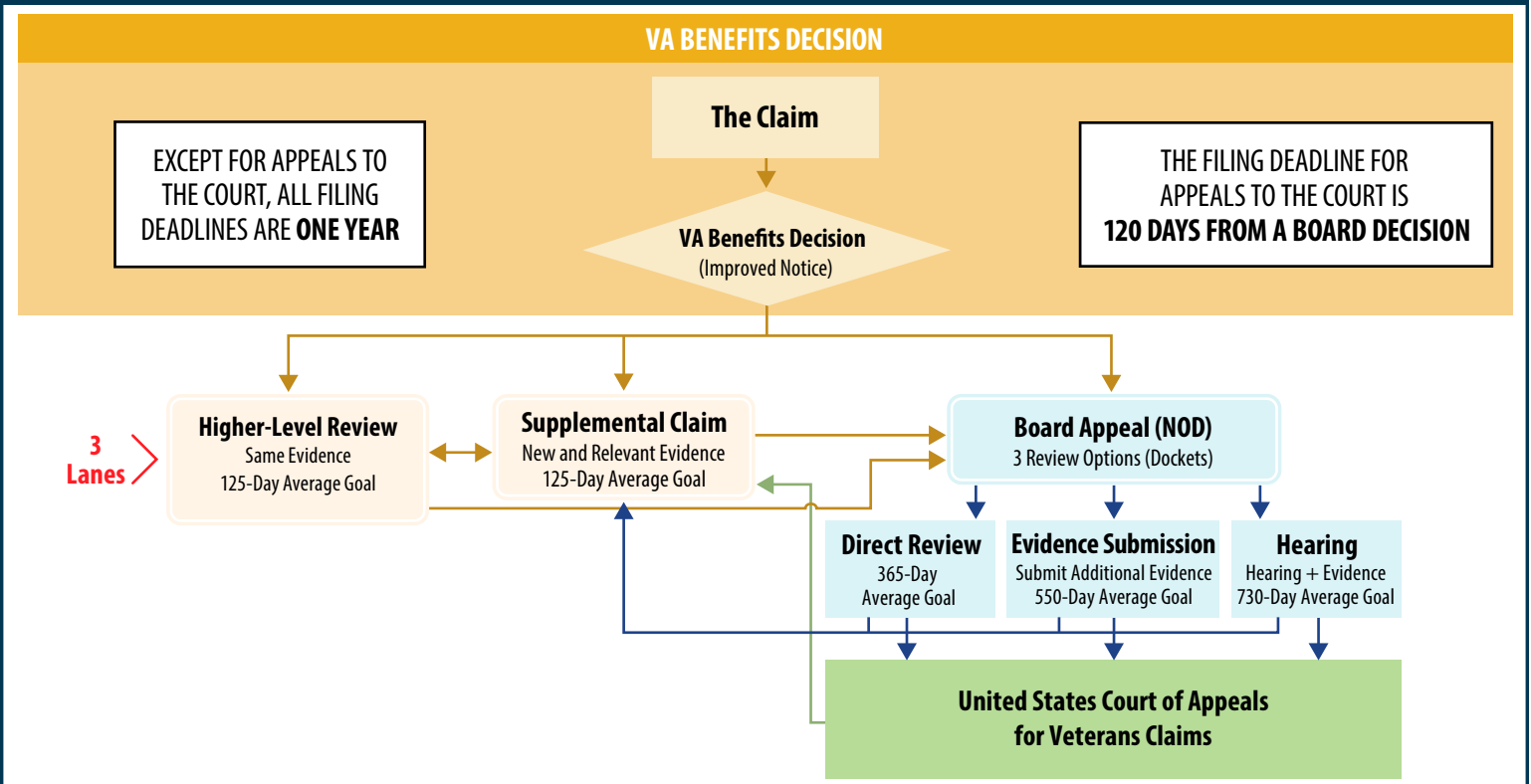
Questions?

- 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 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, based on the same evidence previously considered. This is a closed record review.
- ✔ 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 most recent 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.
(Goal for decisions is 365 days)
 - **Evidence Submission**
You want to submit additional evidence without a hearing. You may submit additional evidence with your Notice of Disagreement (NOD) or within 90 days from when your NOD is received.
(Goal for decisions is 550 days)
 - **Hearing**
You want to have a hearing with a Veterans Law Judge with the opportunity to submit additional evidence. 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.
(Goal for decisions is 730 days)

What If You Still Disagree with a Decision?

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

If you disagree with a decision from the Higher-Level Review Lane, you may file a supplemental claim with new evidence or appeal to the Board of Veterans' Appeals.

If you disagree with a Board decision, you may file a supplemental claim with new evidence or appeal to the U.S. Court of Appeals for Veterans Claims.