# Veterans Living with Disabilities

A Closer Look at Factors Affecting the Veterans Disability Compensation Program

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#### **INTRODUCTION**

At the end of the fiscal year 2011, nearly 3.4 million veterans were receiving service-connected disability compensation from the U.S. Department of Veterans Affairs (VA). Of these, more than 200,000 had been added to the VA's compensation rolls for the first time in 2011. Between 2007 and 2011, the number of veterans receiving service-connected disability compensation increased by more than 510,000, from 2,844,178 to 3,354,741¹.

In addition, the number of veterans filing VA disability claims has increased, with the VA reporting more than 1 million claims processed for the third year in a row during fiscal year 2012². These claims illustrate a substantial workload for the VA and long wait times for veterans, who face an average wait of 259 days for an initial decision on their claim and subsequent waits of several hundred days with additional appeals. On average, the soonest a veteran could expect his or her claim to be fully adjudicated is about five years.

As the country commemorates Veterans Day in 2012, Allsup honors those who have served the country. It's also crucial to ensure care for the millions of veterans who experienced disabilities as a result of their service to the country and who now are unable to work. In the history of the disability compensation program, the VA has improved its processes for identifying and enrolling veterans with disabilities, but a number of factors are coming together at this time to create overwhelming demands on the program.

This study assesses current data and reports, and summarizes trends that appear to influence the growing number of veterans seeking, appealing and receiving service-connected disability benefits. Statistics reported by the VA, the Veterans Benefits Administration (VBA) and additional government reports are used. The study also looks at the most common disabilities for which veterans receive service-connected disability compensation, disabilities that have seen a marked increase or decrease over the years, and the backlog affecting the VA's ability to process disability claims in a timely manner. Last, this study provides tips for veterans seeking VA compensation benefits.

## **VA DISABILITY COMPENSATION: BACKGROUND**

VA disability compensation is a benefit paid to a veteran because of impairments that can be connected to injuries, diseases or exposure that occurred while on active duty, or were made worse by active military service. It also is paid to certain veterans disabled from VA healthcare. The benefits are tax-free. The benefit ranges



<sup>&</sup>lt;sup>1</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Annual Benefits Report: Fiscal Year 2011*. http://www.vba.va.gov/REPORTS/abr/2011\_abr.pdf

<sup>&</sup>lt;sup>2</sup> U.S. Department of Veterans Affairs, Public and Intergovernmental Affairs. VA Completes Over 1 Million Compensation Claims in 2012. Sept. 20, 2012. http://www.va.gov/opa/pressrel/pressrelease.cfm?id=2388

from \$127 to \$3,285 per month depending on the severity of the veteran's disability and dependent status.<sup>3</sup>

To be eligible for benefits, veterans must have documentation of an injury, disease or exposure while in service. They also must have a current impairment and be able to show their current disability is related to their service-related injury or exposure.

The benefit is administered by the Veterans Benefits Administration (VBA), which is part of the U.S. Department of Veterans Affairs. VBA is responsible for administering and delivering an array of federally authorized benefits and services to eligible veterans and their dependents and survivors. The VBA has annual expenditures of more than \$69 billion. Each year the VBA reports on the administration and status of the program in its Annual Benefits Report (ABR).

# **Rise in Veterans Receiving VA Disability Compensation**

In 2007, the number of veterans receiving service-connected disability compensation was 2,844,178<sup>4</sup>. Four years later, in 2011, the number of veterans receiving disability compensation increased by more than 500,000, or nearly 18 percent, to 3,354,741<sup>5</sup>. The rise illustrates a pattern in recent years of steadily increasing numbers of veterans receiving service-connected disability compensation.

# VA Disability Compensation Beneficiaries by Year<sup>6</sup>

Number of veterans with service-connected disabilities receiving compensation by combined percent by fiscal year. (More details about combined percentages provided below.)

2,844,178 - 2007 2,952,282 - 2008 3,069,652 - 2009 3,210,261 - 2010 3,354,741 - 2011

In recent months, the VA disability compensation program has faced increased attention from the growth in the number of claims, the length of time veterans are waiting for benefits and the growing workloads facing the VA. It's an important topic and deserves attention as hundreds of thousands of military personnel—deployed to Iraq and Afghanistan in the Global War on Terror (GWOT) since Sept. 11, 2001—have or are in the process of returning from these conflicts.



<sup>&</sup>lt;sup>3</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Veterans Compensation Benefits Rate Tables – Effective 12/1/11*. <a href="http://www.vba.va.gov/bln/21/compensation/">http://www.vba.va.gov/bln/21/compensation/</a>

<sup>&</sup>lt;sup>4</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Annual Benefits Report: Fiscal Year 2011*. http://www.vba.va.gov/REPORTS/abr/2011\_abr.pdf

<sup>&</sup>lt;sup>5</sup> Ibid.

<sup>&</sup>lt;sup>6</sup> Ibid.

Estimates that more than half of returning Iraq and Afghanistan veterans will require healthcare<sup>7</sup> reinforces forecasts that many of those veterans will require and qualify for the assistance earned through the VA disability compensation program. A number of developments substantiate the growing VA disability compensation program. The following is a summary of key factors.

- **1. Military personnel return from Iraq and Afghanistan.** More than 2 million military personnel have been deployed to Iraq and Afghanistan since Sept. 11, 2001, according to the White House.<sup>8</sup> Reports from earlier this year state that about 45 percent, or nearly half, of veterans from these conflicts now are seeking compensation for injuries that they say are service-related<sup>9</sup>. The FY 2011 ABR reports the Gulf War Era veterans as the largest group of veterans receiving service-connected disability benefits with 1,203,834 veterans.
- **2.** Changes arise for Vietnam-era veterans and Agent Orange amendments. In 2010, the VA amended its regulations to add new conditions for the list of diseases presumed to be related to exposure to Agent Orange for veterans serving during the Vietnam conflict. The VA recently stated that nearly 230,000 claims have been processed for these newly added conditions: ischemic heart disease, chronic B-cell leukemia (such as hairy cell leukemia) and Parkinson's disease. It's important to note that Vietnam veterans who develop any of these three conditions do not have to prove a connection between their diseases and their service<sup>10</sup>.

This development is one factor in the claims workload for Vietnam-era veterans. In addition, this group of veterans is aging and the long-term effects of their military service may be increasing in severity. "Many veterans who served in the Vietnam conflict may have been receiving VA compensation at a certain rating level and now are finding their impairments worsen, to the point that it is important for them to reapply or appeal for higher ratings," explained Brett Buchanan, Allsup VA-accredited claims agent and U.S. Army veteran. Buchanan was deployed during Operation Iraqi Freedom.

According to the FY 2011 ABR, 100,107 veterans between the ages 55 and 75 began receiving disability compensation that year<sup>11</sup>. Many of the veterans in this age group served in Vietnam, and this portion accounted for 45 percent of all veterans who began receiving disability compensation in 2011. In addition, this group is part of the baby boomer generation, whose members are now entering prime disability age. In

<sup>&</sup>lt;sup>11</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Annual Benefits Report: Fiscal Year 2011*. http://www.vba.va.gov/REPORTS/abr/2011\_abr.pdf



<sup>&</sup>lt;sup>7</sup> Journal of General Internal Medicine, "Post Deployment Care for Returning Combat Veterans," Juliette F. Spelman, Stephen C. Hunt, Karen H. Seal and A. Lucile Burgo-Black, May 31, 2012.

<sup>&</sup>lt;sup>8</sup> U.S. Department of Defense. *Strengthening Our Military Families: Meeting America's Commitment*. January 2011. http://www.defense.gov/home/features/2011/0111\_initiative/strengthening\_our\_military\_january\_2011.pdf

<sup>&</sup>lt;sup>9</sup> Marchione, Marilynn. "U.S. vets' disability filings reach historic rate." *USA Today.* May 28, 2012. http://usatoday30.usatoday.com/news/health/story/2012-05-28/veteran-disability/55250092/1

<sup>&</sup>lt;sup>10</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Veterans' Diseases Associated with Agent Orange*. Oct. 3, 2012. <a href="http://www.publichealth.va.gov/exposures/agentorange/diseases.asp">http://www.publichealth.va.gov/exposures/agentorange/diseases.asp</a>

total, 1.1 million Vietnam-era veterans are receiving disability compensation, which is second only to the Gulf War era with 1.2 million<sup>12</sup>.

**3. VA reinforces and improves access to VA disability compensation.** In recent years, the VA has leveraged advances in technology and launched new initiatives to help veterans with disabilities apply for VA compensation. For example, veterans now can apply online for VA disability compensation, using the eBenefits.va.gov website. The VA also has worked with the U.S. Department of Defense (DOD) to expand the Integrated Disability Evaluation System (IDES)<sup>13</sup> for military personnel. The initiative allows the VA and DOD to simultaneously evaluate the individual for a disability rating prior to leaving service, and helps to avoid the need for two evaluations. These are just two examples of VA initiatives designed to ensure all veterans receive the care and support they have earned through their service.

#### **TOP 10 DISABILITY CONDITIONS**

In the VA disability compensation system, the VA rates a service-connected disability on a scale of seriousness, from 0 to 100 percent. If the individual is awarded two or more service-connected disabilities, the individual ratings are combined into a single overall disability rating. If an individual receives benefits, the disability rating and his or her number of dependents determines the amount of the veteran's benefit. The VA also has criteria and program regulations addressing exceptional and more serious disabilities, offering additional benefits.

A review of the VA disability compensation program illustrates the most prevalent service-connected disabilities for veterans. In addition, changes can be seen over time in the types and concentrations of disabilities.

## Most Prevalent Service-Connected Disabilities, FY 2011

The FY 2011 ABR<sup>14</sup> lists the most prevalent service-connected disabilities for veterans receiving disability compensation as the following. Note: These specific impairments also would be reported under the VA's data for body systems, larger categories of related conditions.

- 1. **Tinnitus** 840,865
- 2. **Hearing loss** 701,760
- 3. Post-traumatic stress disorder 501,280
- 4. **Scars, general** 441,030
- 5. **Diabetes mellitus** 354,581

<sup>&</sup>lt;sup>14</sup> U.S. Department of Veterans Affairs, Veterans Benefit Administration. Annual Benefits Report: Fiscal Year 2011. http://www.vba.ya.gov/REPORTS/abr/2011\_abr.pdf



<sup>12</sup> Thid

<sup>&</sup>lt;sup>13</sup> U.S. Department of Veterans Affairs, Office of Policy and Planning. *The Office of VA/DoD Collaboration*. Aug. 28, 2012. http://www.va.gov/op3/Office\_of\_VA\_DoD\_Collaboration.asp

- 6. Lumbosacral or cervical strain 309,915
- 7. Limitation of motion in the knee 299,062
- 8. **Hypertensive vascular disease** 294,937
- 9. Traumatic arthritis 287,751
- 10. Impairment of the knee, general 268,320

The following are the most prevalent disabilities among veterans who first began receiving benefits in 2011. In total, these impairments account for nearly half, or 44.47 percent, of all service-related veteran disabilities.

- **1. Tinnitus** 87,621 (10.9 percent)
- **2. Hearing loss** 60,229 (7.5 percent)
- **3. Post-traumatic stress disorder** 42,679 (5.3 percent)
- **4. Limitation of flexion, knee** 31,179 (3.9 percent)
- **5. Lumbosacral or cervical strain** 26,796 (3.3 percent)
- **6. Tendon inflammation** 23,398 (2.9 percent)
- 7. **Degenerative arthritis of the spine** 22,593 (2.8 percent)
- **8. Diabetes mellitus** 21,767 (2.7 percent)
- **9. Limitation of motion of ankle** 21,204 (2.6 percent)
- **10. Scars, general** 20,450 (2.5 percent)

# **Disability Prevalence And Fluctuation**

The VA does not explain why the top conditions are most prevalent in its Annual Benefits Report. However, studies and reports document many of the working conditions for military personnel that can lead to these types of disabilities.

• **Tinnitus and hearing loss.** Nearly all servicemen and women in every military branch are exposed to conditions, such as machinery and gunfire, that can damage hearing<sup>15</sup>. These two conditions combined affected nearly 20 percent of veterans who began receiving VA disability compensation in FY 2011. Provisions

<sup>&</sup>lt;sup>15</sup> Centers for Disease Control and Prevention. "Severe Hearing Impairment Among Military Veterans – United States, 2010." *Morbidity and Mortality Weekly Report (MMWR)*. July 22, 2011. http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6028a4.htm



to protect hearing of military personnel became a prominent issue in the 1970s, when noise and other environmental concerns were closely studied<sup>16</sup>.

"While hearing loss and tinnitus may be seen as minor disabilities, they can have significant secondary psychological impact on veterans," Buchanan said. For instance, someone suffering from tinnitus can become so debilitated by the unrelenting ringing, buzzing or screeching (to name a few potential symptoms), that he cannot carry out normal daily activities. "He may suffer from insomnia or depression, sometimes leading to suicide. In general, there is no cure for tinnitus or hearing loss, but there are ways to mitigate the effects through treatment."

• **Post-traumatic stress disorder (PTSD).** The wars in Iraq and Afghanistan have greatly increased public awareness of the prevalence of PTSD among men and women who have served. A February 2012 report from the Congressional Budget Office, "The Veterans Health Administration's Treatment of PTSD and Traumatic Brain Injury Among Recent Combat Veterans," reported findings that approximately one in four veterans (26 percent) were diagnosed with PTSD<sup>17</sup>. The findings came from data of veterans treated by the Veterans Health Administration (VHA) from 2004 to 2009.

According to the report, "mental health diagnoses were the second-largest diagnostic category among OCO [overseas contingency operations] veterans who had received healthcare services from VHA, affecting 52 percent of those patients." At the same time, public concern over PTSD mounted following news that the suicide rate among male veteran VA users was 37.19 per  $100,000^{18}$ — primarily among those veterans suffering from PTSD. The VA responded to the proliferation of PTSD by relaxing the disability compensation criteria from PTSD sufferers applying for benefits<sup>19</sup>.

Over the years, certain service-related disabilities have increased while others have decreased. The changes reflect not only the varying circumstances of modern-age warfare, but also healthcare advancements. The following are some of the changes experienced with service-connected disabilities by body system.

• Respiratory disabilities. Between 2007 and 2011, the number of veterans suffering from respiratory conditions who began receiving VA disability compensation in those years rose 47 percent (from 33,456 to 49,235)<sup>20</sup>. Between 2010 and 2011 alone, respiratory conditions rose 16.3 percent (42,352 to 49,235). One possible explanation for the marked increase is the use of burn

<sup>&</sup>lt;sup>20</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Annual Benefits Report: Fiscal Year 2011*. http://www.vba.va.gov/REPORTS/abr/2011\_abr.pdf



<sup>&</sup>lt;sup>16</sup> Nixon, Charles W. "A Glimpse of History: The Origin of Hearing Conservation Was in the Military?" *United States Air Force Research Laboratory*. January 1998. <a href="http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA355531">http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA355531</a>

<sup>&</sup>lt;sup>17</sup> Congressional Budget Office. The Veterans Health Administration's Treatment of PTSD and Traumatic Brain Injury Among Recent Combat Veterans. Feb. 9, 2012. <a href="http://www.cbo.gov/publication/42969">http://www.cbo.gov/publication/42969</a>

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<sup>19</sup> U.S. Department of Veterans Affairs. New Regulations on PTSD Claims. July 12, 2010. http://www.va.gov/ptsd\_qa.pdf

pits in the forward areas of combat in Iraq and Afghanistan. Open-air burn pits, where trash and other waste is incinerated on military bases overseas, were used to avoid the dangers of leaving the protection of the military base in order to dispose of trash. Another explanation offered is the prevalence of sand and dust in the desert environment<sup>21</sup>. Substantial increases in respiratory impairments for Iraq and Afghanistan veterans have been reported. A study issued last fall<sup>22</sup> did not reach a conclusion about the long-term health effects of the burn pits, but additional studies are continuing<sup>23</sup>.

- Eye conditions. Among veterans receiving disability compensation for eye injuries, the number has fallen 17.2 percent from 2010 to 2011 (9,559 to 7,918)<sup>24</sup>. The 2011 number is the lowest in four years, after steady increases year over year. The American Forces Press Service reported earlier this year<sup>25</sup> about the lessons learned from the war in Afghanistan and efforts to reduce eye injuries by supplying ballistic goggles to troops. "Troops faced ongoing threats from improvised explosive devices, or IEDs, and they still do," Buchanan said.
- Musculoskeletal system. Between 2007 and 2011, the number of veterans suffering from musculoskeletal conditions decreased from 270,949 to 258,972. However, in 2010 musculoskeletal conditions increased to 309,206, before dropping 16 percent in 2011 to 258,972<sup>26</sup>. Factors that may account for this recent decline include improved treatment, declining levels of violence or the difficulty of documenting disabilities in this category, according to Buchanan. Despite the decline, this remains the largest body system category for the VA disability compensation program.

<sup>&</sup>lt;sup>26</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Annual Benefits Report: Fiscal Year 2011*. http://www.vba.va.gov/REPORTS/abr/2011\_abr.pdf



<sup>&</sup>lt;sup>21</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Sand, Dust and Particulates.* June 7, 2012. http://www.publichealth.va.gov/exposures/sand-dust-particulates/index.asp

<sup>&</sup>lt;sup>22</sup> Institute of Medicine of the National Academies. Long-Term Health Consequences of Exposure to Burn Pits in Iraq and Afghanistan. Oct. 31, 2011. <a href="http://www.iom.edu/Reports/2011/Long-Term-Health-Consequences-of-Exposure-to-Burn-Pits-in-Iraq-and-Afghanistan.aspx">http://www.iom.edu/Reports/2011/Long-Term-Health-Consequences-of-Exposure-to-Burn-Pits-in-Iraq-and-Afghanistan.aspx</a>

<sup>&</sup>lt;sup>23</sup> U.S. Department of Veterans Affairs. *Studies on Possible Health Effects of Burn Pits.* Feb. 13, 2012. http://www.publichealth.va.gov/exposures/burnpits/health-effects-studies.asp

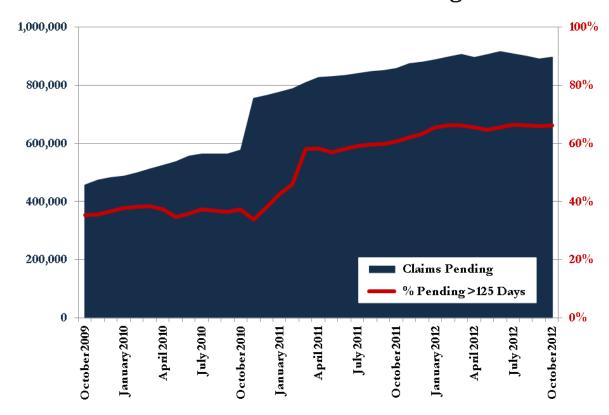
<sup>&</sup>lt;sup>24</sup> U.S. Department of Veterans Affairs, Veterans Benefits Administration. *Annual Benefits Report: Fiscal Year 2011*. http://www.vba.va.gov/REPORTS/abr/2011\_abr.pdf

<sup>&</sup>lt;sup>25</sup> Miles, Donna. "War Yields Lessons in Preventing, Treating Eye Injuries." *American Forces Press Service.* Jan. 9, 2012. http://www.defense.gov/news/newsarticle.aspx?id=66715

#### THE VETERAN DISABILITY CLAIMS BACKLOG

Since 2008, the VA has seen a nearly 50 percent increase in disability claims<sup>27</sup>. In fiscal year 2012 alone, the VA processed more than 1 million disability claims. It was the third year that figure topped 1 million. The increase in the numbers of veterans seeking and appealing VA disability compensation has stressed the VA's ability to process the claims in a timely manner. At the September hearing of the U.S. House Committee on Veterans' Affairs, Chairman Jeff Miller reported that the backlog had reached nearly 900,000 claims<sup>28</sup> (897,767).

# VBA Compensation and Pension Entitlement Claims Pending



Source: http://www.vba.va.gov/REPORTS/mmwr/index.asp

<sup>&</sup>lt;sup>28</sup> U.S. House Committee on Veterans' Affairs. "Opening Statement of Hon. Jeff Miller, Chairman, Committee on Veterans' Affairs." *Hearing on 9/20/2012: Veterans Affairs in the 112th Congress: Reviewing VA's Performance and Accountability.* http://veterans.house.gov/opening-statement/honorable-chairman-jeff-miller-3



<sup>&</sup>lt;sup>27</sup> U.S. Department of Veterans Affairs, Public and Intergovernmental Affairs. *VA Completes Over 1 Million Compensation Claims in 2012*. Sept. 20, 2012. <a href="http://www.va.gov/opa/pressrel/pressrelease.cfm?id=2388">http://www.va.gov/opa/pressrel/pressrelease.cfm?id=2388</a>

Recent reports and public discussions about the VA disability backlog indicate the effects vary across regions for veterans in the disability adjudication process. In December 2011, the VA Office of Inspector General (OIG) identified a backlog of about 32,500 claims at the Oakland, Calif., regional office<sup>29</sup>. The average wait time for those claims was about 269 days, significantly higher than the 180-day national target wait time.

According to a September 2012 assessment by the U.S. House Committee on Veterans Affairs<sup>30</sup>, the regional offices of Houston and Waco still had a combined pending caseload of more than 88,000 VA disability claims<sup>31</sup>. About 75 percent of those were pending longer than 125 days.

In light of these results, it's important to understand the steps and complexity that veterans encounter. Steps for veterans include the following:

- The decision whether to grant benefits based on the veterans initial application takes an average of 259 days<sup>32</sup> from the time the claim is received.
- The veteran can file a Notice of Disagreement (NOD) with their initial rating decision. In 2011, it took the Regional Office an average 257 days<sup>33</sup> to issue a Statement of the Case, which is a detailed explanation of the evidence, laws and regulations used by the VA to decide the claim. Many Regional Offices may take 12-24 months to issue a Statement of the Case.
- The veteran can appeal the Statement of the Case to the Board of Veterans' Appeal (Board). In 2011, the Board issued decisions on appeals that were filed after an average 825 days<sup>34</sup>.
- In 2011, it took the Regional Office an average 427 days to process a remand from the Board<sup>35</sup>.

The amount of time for a veteran to work his or her way through the process can reach five to seven years, or longer, and it's an experience that can weigh heavily on the veteran.



<sup>&</sup>lt;sup>29</sup> U.S. Department of Veterans Affairs, Office of Inspector General. *Inspection of the VA Regional Office Oakland, California*. May 10, 2012. <a href="http://www.va.gov/oig/pubs/VAOIG-12-00247-175.pdf">http://www.va.gov/oig/pubs/VAOIG-12-00247-175.pdf</a>

<sup>&</sup>lt;sup>30</sup> U.S. House Committee on Veterans' Affairs. "Opening Statement of Honorable Jon Runyan, Chairman, Subcommittee on Disability Assistance and Memorial Affairs." *Hearing on 9/21/2012: Breaking Through the Backlog: Evaluating the Effectiveness of the New State Strike Force Team.* http://veterans.house.gov/opening-statement/honorable-jon-runyan-4

<sup>&</sup>lt;sup>31</sup> U.S. House Committee on Veterans' Affairs. "Witness Testimony of Ms. Diana Rubens, Deputy Under Secretary for Field Operations, Veterans Benefits Administration, U.S. Department of Veterans Affairs." *Hearing on 9/21/2012: Breaking Through the Backlog: Evaluating the Effectiveness of the New State Strike Force Team.*<a href="http://veterans.house.gov/witness-testimony/ms-diana-rubens-1">http://veterans.house.gov/witness-testimony/ms-diana-rubens-1</a>

<sup>&</sup>lt;sup>32</sup> U.S. Department of Veterans Affairs. *Veterans Benefits Administration Performance and Transparency. Sept. 28, 2012.* http://www.vba.va.gov/reports/aspiremap.asp

<sup>&</sup>lt;sup>33</sup> U.S. Department of Veterans Affairs, Board of Veterans' Appeals. Report Of The Chairman: Fiscal Year 2011. http://www.bva.va.gov/docs/Chairmans\_Annual\_Rpts/BVA2011AR.pdf

<sup>&</sup>lt;sup>34</sup> Ibid.

<sup>&</sup>lt;sup>35</sup> Ibid.

#### **GETTING THROUGH THE VETERANS DISABILITY BACKLOG**

The VA has committed itself to achieving the future target of processing all claims within 125 days with 98 percent accuracy by 2015. To do so, the VA is enacting a number of initiatives<sup>36</sup> to simplify the application process, the appeals process and tackle the delays across the country.

Veterans also can take steps on their own to improve their experience with the VA claim process. As a premier nationwide provider of services to people with disabilities, Allsup has the experience and institutional knowledge to assist veterans in navigating the complex VA disability appeal system.

Allsup suggests the following methods to help veterans successfully navigate the process.

- 1. **Determine eligibility.** An honorable or medical-related discharge entitles a veteran to benefits. A veteran with a dishonorable discharge is not entitled to benefits. Other discharges such as Bad Conduct and Other than Honorable are decided on a case-by-case basis for eligibility.
- 2. Meet VA disability compensation (or service-connected disability) requirements. To be eligible for benefits, veterans must (1) have documentation of an injury, disease or exposure while in service, (2) have a current impairment, and (3) be able to show their current disability is related to their service-related injury or exposure.
- 3. Obtain a doctor's agreement on the current disability. Claimants need written medical confirmation of their current qualifying conditions when they apply. According to Allsup, not having a doctor's agreement when filing could delay the process. Having been injured in service alone is not enough to grant the claim.
- **4. File as soon as possible.** The VA will only compensate a veteran from the date he or she files an initial claim, which can take up to a year to process. An appeal can last two to five years, depending on the complexity of the claim. There is no time to lose.
- 5. **Get help.** Appealing a claim for VA disability benefits is a complicated process. Allsup emphasizes that the sooner applicants seek help with their VA disability appeal, the more support they can get with their claim—to ensure accuracy, correct errors, document the claim and be approved for VA compensation.
- **6. Prepare an accurate medical record.** Inform the VA where the service-related disability was treated, even if it was a VA medical center. A comprehensive factual record is required to convince the VA to provide benefits.

<sup>&</sup>lt;sup>36</sup> U.S. House Committee on Veterans' Affairs. "Witness Testimony of Ms. Diana Rubens, Deputy Under Secretary for Field Operations, Veterans Benefits Administration, U.S. Department of Veterans Affairs." *Hearing on 9/21/2012: Breaking Through the Backlog: Evaluating the Effectiveness of the New State Strike Force Team.*<a href="http://veterans.house.gov/witness-testimony/ms-diana-rubens-1">http://veterans.house.gov/witness-testimony/ms-diana-rubens-1</a>



- 7. **Meet deadlines.** There are varying deadlines during the VA disability process. For example, a veteran has one year to disagree with an initial Rating Decision. However, veterans only have 60 days to appeal the second decision, what's known as a Statement of the Case.
- 8. Check the VA rating. If a veteran has been approved for VA disability and receives a rating (ranging from 10 percent to 100 percent disability), it's important to verify that the rating matches the true level of disability. If the disability is more severe than the Rating Decision, veterans should seek assistance, such as Allsup, which has VA-accredited agents standing by to provide guidance.
- **9. Reduce spending.** The VA disability process is lengthy, so it's important to plan financially for the delay. Cut out unnecessary spending as quickly as possible and prepare for the long haul. Be careful to avoid adding high-interest debt, such as credit cards. There may be other, more affordable options for handling expenses.
- 10. Don't give up. The Board of Veterans Appeals sends back almost half of the claims reviewed to the Regional Office to correct errors or obtain more evidence. The first answer from the VA may not be completely accurate. A VA-accredited claims agent, such as those working at Allsup, can help with the complexities of the claim and prepare a thorough and accurate appeal so the VA can quickly and efficiently review the case for benefits.

# CONCLUSION

The VA disability compensation program is experiencing a combination of challenges and taking a number of tactics to deal with the growing number of claims and demands upon the program. In turn, veterans face an unfamiliar, complex, long and difficult VA disability adjudication process. The soonest a veteran can expect his or her claim to be adjudicated fully is, on average, approximately five years. More realistically, claims can take six to seven years to resolve completely.

During this time, it's imperative that veterans understand their options and the availability of assistance to them, including representatives who will advocate on behalf of their claim with the VA. Allsup specializes in services that help people with disabilities, and the company's VA-accredited experts serve American military veterans anywhere in the country. "Our mission is to help veterans to receive their service-connected compensation benefits as easily, quickly and with as little hassle as possible," Buchanan said.

For veterans, their VA compensation benefit may be only one piece of a complicated puzzle of benefits available to them. Allsup disability experts also help to determine if veterans are eligible for Social Security Disability Insurance benefits, and help to manage and coordinate multiple disability benefits.



# **ABOUT ALLSUP**

The report was prepared by Allsup, a nationwide provider of services for people with disabilities, including Social Security disability and VA disability appeals. Founded in 1984, Allsup employs more than 800 professionals who deliver specialized services supporting people with disabilities and seniors so they may lead lives that are as financially secure and as healthy as possible. The company is based in Belleville, Ill., near St. Louis. For more information, visit: <a href="http://veterans.Allsup.com">http://veterans.Allsup.com</a>.

**Members of the media**, contact Erica Hawksworth, CRC Public Relations, (703) 683-5004, or Rebecca Ray, Allsup, (800) 854-1418, ext. 65065.

To receive assistance or a free VA disability benefits evaluation, contact the *Allsup Veterans Disability Appeal Services*<sup>SM</sup> go to <u>Veterans.Allsup.com</u> online or call (800) 279-4357.



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