

Jon's Bill to Fix VA Disability Appeals

A veteran's disability rating determines what VA services and benefits he or she can receive. The current system for a veterans to appeal their disability ratings dates back to 1993. However, in the last three years, the number of veterans appealing their ratings has increased by more than 30 percent, contributing to a backlog of over 450,000 veterans waiting for answers. Congress, the VA, and veterans groups all agree—the appeals process is broken. That's why Jon has introduced the bipartisan *Veterans' Appeals Improvement and Modernization Act* to streamline the disability appeals process and put veterans on a path that works best for them.

Veterans Appeals Improvement and Modernization Act of 2017

Currently, every veteran must go through the same appeals process—despite having different needs—and whenever new evidence is filed in support of an appeal, it effectively restarts the process from square one. *The Veterans Appeals Improvement and Modernization Act*, will consolidate and streamline the VA's disability appeals process by creating three separate lanes for veterans to appeal their disability claims. Each lane will be structured to meet a different set of needs, so veterans can introduce new evidence, get a higher level of review with the same evidence, or appeal straight to the Board of Veterans' Appeals without starting from scratch.

These three lanes include:

- 1. Local Higher Level Review:** This lane would provide the opportunity for a quick resolution of the claim by a higher-level adjudicator at the VA Regional Office. It would be a good option for veterans who are confident they have all the evidence necessary to win their claims.
- 2. New Evidence:** This lane would be for submitting new evidence at the VA Regional Office. It would serve as a good option for veterans who believe that providing additional evidence would help improve their claims.
- 3. Board Review:** In this last lane, intermediate steps currently required by statute to receive Board review would be eliminated. Furthermore, hearing and non-hearing options would be handled on separate dockets so these distinctly different types of work can be better managed.

To maintain transparency and accountability and ensure a smooth roll out of the new appeals system, Jon's bill requires the VA to:

- Provide Congress and the Government Accountability Office (GAO) with a plan to quickly process existing appeals and implement the new appeals system.
- Report a wide range of data regarding the new system and the existing system to gauge how well the new system is serving veterans, their families, and their survivors.
- Publish workload and performance outcomes relating to the new appeals system online.

For more information on filing a disability appeals claim visit:

WWW.EBENEFITS.VA.GOV OR CALL THE REGIONAL BENEFITS OFFICE @ 1-800-827-1000

Fast Facts on the Appeals Process

21,784 veterans in Montana are currently receiving disability compensation.

1,178 new disability claims were filed on behalf of veterans in Montana last year.

4.36 million veterans receive VA disability compensation nationwide.

80,000 veterans have had appeals pending for more than 5 years.

5,000 veterans have had appeals pending for more than 10 years.

The GAO estimates that, if no action is taken, **the average appeals process could take up to 8.5 years by 2026.**

U.S. SENATOR FOR MONTANA

JON TESTER