

Checklist for Submitting Fully Developed Compensation Claims

The checklist below is to help you compile a complete and well documented application for a Fully Developed Claim for Disability Compensation.

1. Determine Entitlement Based on Service and the Merit of the Claim (MOST IMPORTANT STEP)

Make sure that the veteran meets the active-duty requirements outlined in Chapter 1 as well as character of discharge requirements and any issues with misconduct. Be honest about whether you think the current illness or disability is a result of the veteran's service.

2. Submit an Intent to File, VA Form 21-0966

3. Obtain a Copy of the Discharge (If the veteran is already on claim you can skip this step)

❖ **An important note about the 21-4138 STATEMENT IN SUPPORT OF CLAIM.**

- You will see this form mentioned multiple times throughout this outline. It is perhaps the most important document when filing a compensation claim. You must use this form to describe in detail what you are filing for and why. Each claim is unique, and you will need to tell the story of your claim on this form for the VA. Remember to be detailed when using this form.

Disability caused by Illness, Combat, or Other Injury Incurred in Service

This type of disability is not presumed to be service connected. These claims are known as "Direct Service-Connected Claims". In these claims it is important to establish service connection.

● **VA Forms Required**

- 21P-526ez Application for Disability Compensation and Related Compensation Benefits
- 21-4138 Statement in Support of Claim
- 21-4176 Report of Accidental Injury in Support of claim for Compensation
- 21-4142 Authorization and Consent to Release Information to the VA
- 21-4142a General Release for Medical Provider Information to the Department of Veteran Affairs (VA)
- 21-22A Appointment of Individual as Claimants Representative
- 21-686c Notice to Beneficiary / Claimant Regarding the Information and Evidence Needed to Support a Claim for Additional Benefits for a Dependent or to Remove a Dependent an Award (Only need if there is a dependent)

● **Once you have completed step 1-3**

- Complete the VA Forms Required
- Gather evidence that shows that the claimed condition is service connected
 - Military Personnel Files

- Lay Statements
- Gather medical documents supporting claim
 - VA treatment records
 - Private medical records
 - Private medical opinions
- Submit

Agent Orange

Being on the ground in Vietnam, during the war or on the inland waterways is sufficient for presumption for service connection. Harmful exposure other than the automatic “boots on the ground” for Vietnam includes inhalation. Exposure also occurred in Thailand for perimeter duties on Air Force bases, the demilitarized zone in Korea, and on all ships anchored within the 12-mile territorial limit of Vietnam. Additionally numerous storages, spraying operations, and testing locations could have been sources of exposure. You must prove that the veteran was exposed to Agent Orange.

- **VA Forms Required**
 - 21P-526ez Application for Disability Compensation and Related Compensation Benefits
 - 21-4138 Statement in Support of Claim
 - 21-4142 Authorization and Consent to Release Information to the VA
 - 21-4142a General Release for Medical Provider Information to the Department of Veteran Affairs (VA)
 - 21-22A Appointment of Individual as Claimants Representative
 - 21-686c Notice to Beneficiary / Claimant Regarding the Information and Evidence Needed to Support a Claim for Additional Benefits for a Dependent or to Remove a Dependent an Award **(Only need if there is a dependent)**
- **Once you have completed step 1-3**
 - Complete the VA Forms Required
 - Gather evidence that shows that the claimed condition is service connected. You must provide evidence that the veteran was on the ground Vietnam or on the inland waterways during the war.
 - Military Personnel Files
 - Lay Statements
 - Pictures from personal photo albums
 - Gather medical documents supporting claim
 - VA treatment records
 - Private medical records
 - Private medical opinions
 - Submit
- **Agent Orange Conditions**
 - Bladder cancer
 - Hypothyroidism
 - Parkinsonism and/or Parkinson's Disease
 - AL Amyloidosis
 - Chronic B-cell Leukemias

- Chloracne (or similar acneform disease)
- Diabetes Mellitus Type 2
- Hodgkin's Disease
- Hypothyroidism
- Ischemic Heart Disease
- Multiple Myeloma
- Non-Hodgkin's Lymphoma
- Peripheral Neuropathy, Early-Onset
- Porphyria Cutanea Tarda
- Prostate Cancer
- Respiratory Cancers (includes lung cancer)
- Soft Tissue Sarcomas (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma, or mesothelioma)

PTSD

According to the VA Posttraumatic Stress Disorder is a mental disorder classified as an “anxiety”. It is a mental health problem that can occur after someone goes through a traumatic event like war, assault, or disaster. If the reaction developed as a response to stress does not go away over time or disrupts daily life, the veteran may have PTSD.

- **VA Forms Required**
 - 21P-526ez Application for Disability Compensation and Related Compensation Benefits
 - 21-4138 Statement in Support of Claim
 - 21-4176 Report of Accidental Injury in Support of claim for Compensation
 - 21-4142 Authorization and Consent to Release Information to the VA
 - 21-4142a General Release for Medical Provider Information to the Department of Veteran Affairs (VA)
 - 21-0781 Statement in Support of Claim for Service Connection for Post-Traumatic Stress Disorder (PTSD)
 - 21-686c Notice to Beneficiary / Claimant Regarding the Information and Evidence Needed to Support a Claim for Additional Benefits for a Dependent or to Remove a Dependent an Award (**Only need if there is a dependent**)
 - 21-22A Appointment of Individual as Claimants Representative
- **Once you have completed step 1-3**
 - Complete the VA Forms Required
 - Gather evidence that shows that the claimed condition is service connected
 - Military Personnel Files
 - Lay Statements
 - Gather medical documents supporting claim
 - VA treatment records
 - Private medical records
 - Private medical opinions
 - Submit

PTIU- Permanent and Total Disability Due to Individual Unemployability

This is a rating increase for someone already on claim to produce the equivalent of 100% disabled, even though the existing underlying rating remains the same. However, Individual Unemployability pays out at the 100% rate. The veteran must currently be service connected for a single disability evaluated at least 60% disabling or service connected for multiple disabilities evaluated at least 70% disabling, with one of the multiple disabilities rated at least 40% disabling. There is no age test for this rating.

- **VA Forms Required**
 - 21P-526ez Application for Disability Compensation and Related Compensation Benefits
 - 21-4138 Statement in Support of Claim
 - 21-8940 Veteran's Application for Increased Compensation Based on Unemployability
 - 21-4192 Employment Information in Connection with Claim for Disability Benefits
 - 21-4142 Authorization and Consent to Release Information to the VA
 - 21-4142a General Release for Medical Provider Information to the Department of Veteran Affairs (VA)
 - 21-22A Appointment of Individual as Claimants Representative
 - 21-686c Notice to Beneficiary / Claimant Regarding the Information and Evidence Needed to Support a Claim for Additional Benefits for a Dependent or to Remove a Dependent an Award (Only need if there is a dependent)
- **Once you have completed step 1-3**
 - Complete the VA Forms Required
 - Submit

Special Monthly Compensation (SMC)

Some injuries and disorders are more severe in nature and result in several additional debilitating residual conditions that can have additional adverse effects on an individual's socioeconomic state. To better assist with meeting the specialized needs of these individuals, additional benefits are available under Special Monthly Compensation (SMC) rating provided under Title 38 of USC 1114.

*****Aid and Attendance- SMC(I) / Housebound SMC(s)*****

- **VA Forms Required**
 - 21P-526ez Application for Disability Compensation and Related Compensation Benefits
 - 21-4138 Statement in Support of Claim
 - 21-2680 Appointment of Individual as Claimants Representative
 - 21-22A Appointment of Individual as Claimants Representative
 - 21-686c Notice to Beneficiary / Claimant Regarding the Information and Evidence Needed to Support a Claim for Additional Benefits for a Dependent or to Remove a Dependent an Award (Only need if there is a dependent)
- **Once you have completed step 1-3**

- Complete the VA Forms Required
- Gather medical documents supporting claim
 - VA treatment records
 - Private medical records
 - Private medical opinions
 - Physical examination with completed 21-2680
- Submit

Hearing Loss with or without Tinnitus

Hearing Loss with tinnitus is one of the most awarded conditions for Compensation. Tinnitus, by itself, connected to service is ratable at 10% disability. Tinnitus is a ringing, buzzing, or other sound only perceived by the individual and not by anyone else. Generally, service-connected tinnitus is persistent, otherwise known as chronic. Establishing service-connection for tinnitus by itself is generally not that difficult. Establishing a duty assignment in service that is consistent with producing noise induced hearing loss and enough exposure over time is often important to winning one of these claims. Personnel records or other evidence should show these assignments. The veteran should go to a private audiologist to obtain an examination for a hearing loss claim. Make sure you include the hearing test along with the doctor consultation – establishing that veteran has had persistent tinnitus for a long time. VA will order a hearing examination at a VA hearing clinic. But having your own test results will help speed up this process.

- **VA Forms Required**

- 21P-526ez Application for Disability Compensation and Related Compensation Benefits
- 21-4138 Statement in Support of Claim
- Copy of Private Hearing Exam Notes
- 21-8940 Veteran's Application for Increased Compensation Based on Unemployability
- 21-4192 Employment Information in Connection with Claim for Disability Benefits
- 21-4142 Authorization and Consent to Release Information to the VA
- 21-4142a General Release for Medical Provider Information to the Department of Veteran Affairs (VA)
- 21-22A Appointment of Individual as Claimants Representative
- 21-686c Notice to Beneficiary / Claimant Regarding the Information and Evidence Needed to Support a Claim for Additional Benefits for a Dependent or to Remove a Dependent an Award **(Only need if there is a dependent)**

- **Once you have completed step 1-3**

- Complete the VA Forms Required
- Submit

Program of Comprehensive Assistance for Family Caregivers (PCAF)

Eligible for veterans who have incurred or aggravated a serious injury or serious illness in the line of duty on or before May 7, 1975, or on or after September 11, 2001. The veteran must have a single or combined service-connected disability rating of 70% or more and need personal care services (requiring in-person personal care services) for a minimum of six continuous months. The caregiver must be at least 18 years old, a family member, someone who lives with the veteran or will do so if designated as a family caregiver, able to carry out the specific personal care services, meet core competencies and provide additional care requirements if needed.

- **VA Form Required**
 - 10-10CG Comprehensive Assistance for Family Caregivers
 - 21-4138 Statement in Support of Claim
 - 21-22a Appointment of Individual as Claimants Representative
- **Once you have completed step 1-3**
 - Find a suitable family caregiver
 - Complete the VA Forms Required
 - Submit