

**Standard Claims and Appeals Forms:**

Standardized Claims Presentation  
March 24, 2015  
North Dakota Department Of Veterans Affairs  
VSO Spring Conference  
Bismarck, North Dakota

Presented by  
Veterans Benefits Administration  
Dakotas Regional Office

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**Objectives**

- ▶ Background of the standard claims and appeals form rule
- ▶ Major components of this rule
- ▶ Intent to file process
- ▶ Standardized NOD process
- ▶ Impacts on current process

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**Background**

- ▶ Why does VA need mandatory standard forms?
  - The existing system, allowing for non-standard submissions, can be inefficient, and leads to irregular outcomes (hand written letters).
  - Standardization through forms is consistent with other Federal agencies (SSA / IRS).
  - Requiring standard forms for non-electronic claim submissions is consistent with VA's move toward web-based, paperless, electronic claims processing system.
- ▶ Final Rule – published September 25, 2014
  - **Effective date of final rule = March 24, 2015**

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## Major Components of New Rule

- ▶ Requires claimants to submit all claims only on standard VA-prescribed forms.
- ▶ Creates "Intent to File" Process.
- ▶ Eliminates 38 CFR 3.157: The Veteran must now claim his or her conditions on a VA prescribed form. The VA can go back up to 1 year if an increase is shown in his or her medical evidence.
- ▶ Requires use of a Standard Notice of Disagreement (SNOD) form to initiate an appeal when VA provides the form.

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## The Intent to File Process

- ▶ An "intent to file" will serve as date of claim provided a complete claim is received within 1 year.
- ▶ **Methods of filing: (Note: Look at the form title)**
  - Paper form (new VA Form 21-0966)
  - Telephone or in-person (NCC/PCRs)
  - First-time Save of Electronic Application (e-Benefits, Stakeholders enterprise portal (SEP), future release of Digits 2 Digits (D2D))
- ▶ Only one intent to file per general benefit at any given time.
  - Compensation
  - Pension
  - Survivors Pension and/or DIC
- ▶ Claimant may submit complete claim in either paper or electronic application tool, regardless of the intent to file method used.
- ▶ Only one complete claim per intent to file.

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## Standardized NOD Process

- ▶ Effective March 24, 2015, Standard Notice of Disagreement (SNOD) will only be required for compensation claims.
  - VA Form 21-0958, *Notice of Disagreement*
- ▶ Claimants will have a 60-day grace period (or remainder of 1-year appeal period) to respond to any request by VA to clarify an incomplete SNOD.
- ▶ VA will notify claimants if non-standard NOD is identified, but there will be no grace period to submit SNOD.

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## Impacts on Current Process

- ▶ **Nonstandard claim submissions**
  - Veteran will receive a letter to complete the standard VA form 21-526EZ. (example: VA receives claim on VA Form 21-4138).
- ▶ **Intent to File process**
  - Veteran will receive letter with a VA form 21-526EZ attached to complete and return.

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Questions?

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