



## DECISION READY CLAIMS (DRC)

### FREQUENTLY ASKED QUESTIONS FOR VSOS

## GENERAL DRC

### Q: How is DRC different from the Fully Developed Claim (FDC) Program?

DRC differs from FDC in that it requires Veterans to work with a Veterans Service Organization (VSO) to submit a claim under the program and it requires all medical exams and federal records to be included in the claim at the time of submission. Submitting the claim application with all relevant documents and exams allows VA to adjudicate claims within 30 days.

### Q: What types of claims are eligible for DRC?

DRC is open to Veterans filing certain claims for direct service connection, presumptive service connection, secondary service connection, and increased evaluation. The Veteran must have previously filed a claim for disability compensation, received a decision, and not reentered a subsequent period of military service. Additionally, they must not have any appeal pending for any of the conditions they would like to claim under DRC.

Please see the table below for more information about the specific types of claims that can be submitted as DRC, as well as exclusions:

Types of Eligible Claims:	DRC Exclusions:
<ul style="list-style-type: none"> <li>• increased evaluation</li> <li>• direct service connection (SC)</li> <li>• secondary SC, and/or</li> <li>• presumptive SC under               <ul style="list-style-type: none"> <li>○ <a href="#">38 CFR 3.309(a)</a></li> <li>○ <a href="#">38 CFR 3.309(e)</a>, where the Veteran has documented proof of service in the Republic of Vietnam (RVN)</li> <li>○ <a href="#">38 CFR 3.317</a> for fibromyalgia, chronic fatigue syndrome, and/or a functional gastrointestinal disorder, and/or</li> <li>○ <a href="#">38 CFR 3.318</a> for amyotrophic lateral sclerosis (ALS).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• posttraumatic stress disorder (PTSD)</li> <li>• traumatic brain injury (TBI)</li> <li>• Gulf War undiagnosed illness</li> <li>• conditions already assigned the schedular maximum evaluation</li> <li>• compensation under <a href="#">38 U.S.C. 1151</a></li> <li>• Chapter 18 benefits</li> <li>• Individual Unemployability</li> <li>• disabilities whose evaluations are               <ul style="list-style-type: none"> <li>○ on appeal, or</li> <li>○ subject to proposed reduction</li> </ul> </li> <li>• previously denied conditions.</li> <li>• claims based on exposure to the specific environmental hazards</li> <li>• claims for presumptive SC under a provision of <a href="#">38 CFR 3.309</a> not identified in the eligible claim column to the left</li> <li>• claims for disabilities incurred during a prior period of active duty for training or inactive duty for training</li> <li>• freestanding claims for special monthly compensation</li> <li>• claims for:</li> </ul>



	<ul style="list-style-type: none"> <li>○ incarcerated Veterans</li> <li>○ former prisoners of war</li> <li>• claims involving non-Veteran beneficiaries (e.g. helpless child, spousal aid and attendance, etc.)</li> <li>• restricted-access claims (includes VBA employees, relatives of VBA employees, National Service Officers or high-ranking government officials)</li> <li>• submissions received while another rating-related claim is concurrently pending (unless the concurrently pending claim was initiated via the Benefits Delivery at Discharge Program)</li> <li>• benefit applications signed by the VSO representative, but not the Veteran</li> </ul>
--	---

DRC is also open to Servicemembers who are less than 90 days from discharge.

Please see the table below for more information about the specific types of claims that can be submitted, as well as exclusions:

<b><u>Types of Eligible Claims:</u></b>	<b><u>DRC Exclusions:</u></b>
<ul style="list-style-type: none"> <li>• increased evaluation</li> <li>• direct service connection (SC)</li> <li>• secondary SC, and/or</li> <li>• presumptive SC under               <ul style="list-style-type: none"> <li>○ <a href="#">38 CFR 3.309(a)</a></li> <li>○ <a href="#">38 CFR 3.309(e)</a>, where the Veteran has documented proof of service in the Republic of Vietnam (RVN)</li> <li>○ <a href="#">38 CFR 3.317</a> for fibromyalgia, chronic fatigue syndrome, and/or a functional gastrointestinal disorder, and/or</li> <li>○ <a href="#">38 CFR 3.318</a> for amyotrophic lateral sclerosis (ALS).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• posttraumatic stress disorder (PTSD) (unless in-service diagnosis is of record or diagnosed on examination)</li> <li>• traumatic brain injury (TBI) (unless in-service diagnosis is of record or diagnosed on examination)</li> <li>• Gulf War undiagnosed illness (unless in-service diagnosis is of record or diagnosed on examination)</li> <li>• conditions already assigned the schedular maximum evaluation</li> <li>• compensation under <a href="#">38 U.S.C. 1151</a></li> <li>• Chapter 18 benefits</li> <li>• Individual Unemployability</li> <li>• disabilities whose evaluations are               <ul style="list-style-type: none"> <li>○ on appeal, or</li> <li>○ subject to proposed reduction</li> </ul> </li> <li>• previously denied conditions</li> <li>• claims based on exposure to the specific environmental hazards</li> <li>• claims for presumptive SC under a provision of <a href="#">38 CFR 3.309</a> not identified in the eligible claim column to the left</li> <li>• claims for disabilities incurred during a prior period of active duty for training or inactive duty for training</li> <li>• freestanding claims for special monthly</li> </ul>





	<p>compensation</p> <ul style="list-style-type: none"> <li>• claims of:             <ul style="list-style-type: none"> <li>○ incarcerated Veterans</li> <li>○ former prisoners of war</li> </ul> </li> <li>• claims involving non-Veteran beneficiaries (e.g. helpless child, spousal aid and attendance, etc.)</li> <li>• restricted-access claims (includes VBA employees, relatives of VBA employees, National Service Officers or high-ranking government officials)</li> <li>• submissions received while another rating-related claim is concurrently pending (unless the concurrently pending claim was initiated via the Benefits Delivery at Discharge Program),</li> <li>• benefit applications signed by the VSO representative, but not the Veteran</li> <li>• claims in which the service member has more than 180 days remaining on active duty</li> <li>• claims in which the service member is currently             <ul style="list-style-type: none"> <li>○ enrolled in IDES</li> <li>○ awaiting discharge while hospitalized in a VA or military treatment facility, or</li> <li>○ pregnant</li> </ul> </li> <li>• claims requiring a character of discharge determination</li> <li>• claims for aggravation of a condition that pre-existed service or was noted at the time of entry into service (unless evidence of pre-service baseline severity is provided).</li> </ul>
--	---

DRC is also open to surviving spouses submitting original claims for Dependency and Indemnity Compensation (DIC).

Please see the table below for more information about the specific types of claims that can be submitted, as well as exclusions:

<b><u>Types of Eligible Claims:</u></b>	<b><u>DRC Exclusions:</u></b>
<p>Original DIC claims in which the:</p> <ul style="list-style-type: none"> <li>• Veteran’s death certificate lists at least one of his/her service-connected (SC) conditions, or</li> <li>• Veteran was rated totally disabled due to SC conditions (via either a 100-percent combined disability evaluation or award of individual unemployability (IU)) for 10 years prior to death.</li> </ul>	<p>Claims involving:</p> <ul style="list-style-type: none"> <li>• in-service death</li> <li>• Parents DIC</li> <li>• accrued benefits</li> <li>• burial benefits, and/or</li> <li>• spousal aid and attendance and/or housebound</li> </ul>



---

## **Q: What happens to a Veteran's claim if it does not meet DRC criteria?**

If a DRC does not contain all of the required information and evidence needed to make a decision at the time of submission, the claim will be routed through the FDC or traditional claim process. The Veteran and VSO will be notified of the reason(s) why the claim was unable to be processed through the DRC program.

## **Q: What is the required application to submit a DRC?**

A DRC must be submitted on a VA Form 21-526EZ, *Application for Disability Compensation and Related Compensation Benefits*, similar to the FDC program, or for DIC, VA Form 21-534EZ, *Application for DIC, Death Pension, and/or Accrued Benefits*. The application and all other required documents must be submitted through the DRC Direct Upload portal.

## **Q: What if a Veteran's complete file is not available electronically in the Veterans Benefits Management System (VBMS), can they still participate in the DRC program?**

Yes, if the VSO notices that the electronic record is incomplete or unavailable, the VSO should attach a cover sheet to the Intent to File (ITF) indicating that the Veteran currently has a paper claims folder needing to be digitized. The ITF should be submitted through the Direct Upload portal so that it is processed by a VBA employee and the paper folder can be scanned as soon as possible.

## **INTENT TO FILE (ITF)**

### **Q: If an ITF was previously submitted and the claim qualifies for DRC, can the claim be submitted under the DRC initiative?**

Yes, as long as the ITF was submitted to VBA within a year of the DRC submission. The effective date of the ITF will apply to the DRC.

### **Q: If a claim does not require a contract exam and is ready for submission to VA, is an ITF required?**

No, if a claim is ready to be submitted, there is no need to submit an ITF at the same time.

### **Q: Can VSOs use the Stakeholder Enterprise Portal (SEP) to submit the ITF and still qualify for the DRC program?**

Yes, VSOs can submit an ITF through SEP by initiating the application process, as long as the current VA Form 21-22 is of record in the Veteran's eFolder. If the 21-22 is not of record in the eFolder, the ITF in support of a DRC should be submitted through the Direct Upload portal along with a current 21-22 so it can be processed and made of record. The DRC must be submitted through the DRC Direct Upload portal.

## **REQUESTING CONTRACT EXAMS**

### **Q: If the Veteran is unable to obtain private Disability Benefits Questionnaire(s) (DBQ) for the claimed conditions, how can a VSO request a contract exam(s)?**

Contract exam(s) can be requested using VA Form 21-4138, *Statement in Support of Claim*. The 4138 should state that the request is in support of a **DRC Contract Exam request**, list the conditions needing an exam, and should



identify any records in the eFolder to be reviewed by the examiner. The request form should be submitted through the Direct Upload portal with an accompanying DRC Documents Coversheet.

### **Q: Does the VSO need to submit anything prior to requesting DRC contract exam(s)?**

Yes, ensure that a current VA Form 21-22, *Appointment of Veterans Service Organization as Claimant's Representative*, is of record in the eFolder and an ITF has been added to the Veteran's record prior to submitting a DRC contract exam request. Additionally, if the Veteran's claims folder has not been converted to an electronic record, the paper folder must be digitized prior to the request of the contract exam.

### **Q: What if the Veteran or VSO wants the contract examiner to review evidence that is not currently in the Veteran's eFolder?**

The VSO should upload any records to be reviewed by the examiner with the contract exam request via the Direct Upload portal. All records to be reviewed should be identified on the contract exam request form.

### **Q: How will the VSO know when a contract exam has been ordered and completed?**

The VSO will receive notifications in the Veterans Benefits Management System (VBMS) VSO work queue once an exam request sheet has been uploaded into the eFolder and again when the exam results are available in the eFolder. The VSO will also receive an email notice once the exam has been requested and when the exam results are available for review in the Veteran's eFolder.

### **Q: What if a completed contract exam DBQ shows that a reduction might be warranted?**

Upon completion of contract exam DBQs, they are automatically uploaded to the Veteran's VBMS eFolder and are part of the record whether a claim is filed or not. If the VSO disagrees with the DBQ findings, they have the remainder of the ITF period to gather additional evidence to support the Veteran's claim that the condition is worsened.

## **SUBMITTING A DRC**

### **Q: If a Veteran has a VA Form 21-22 older than the August 2015 version on file, can the VSO still submit a DRC?**

Yes, as long as the VSO submitting the DRC is the VSO of record, and a VA Form 21-22 is in the eFolder, a DRC can be submitted. However, it is strongly recommended that the current VA Form 21-22 version (from August 2015) is provided to VA to ensure that the VSO does not lose access to the Veteran's records.

### **Q: Can a VSO sign the VA Form 21-526EZ or 21-534EZ on behalf of the claimant when submitting a DRC?**

No, if the VSO is the only individual who signs the 21-526EZ, then the VA is required to send the claimant a 5103 notice and wait 30 days before making a decision unless the claimant submits the 5103 waiver. The requirement to provide 5103 notice will likely inhibit VA's ability to provide the Veteran with a decision within 30 days; therefore, claims signed by a VSO only (without the claimant's signature) will be excluded from the DRC initiative.



---

**Q: What if a VSO receives an email that a correction is needed on a DRC?**

The email the VSO receives will specify the reason(s) for correction. The VSO will have 72 hours to re-submit the correction via **the DRC Direct Upload portal** to ensure proper routing.

**Q: When a VSO is submitting a DRC on behalf of the Veteran in the DRC Direct Upload portal, what if they cannot find the appropriate condition classification?**

If the VSO cannot find the appropriate condition classification, they should use the closest option. For example, if they cannot find “tinnitus”, select hearing loss. The selections made from this list will not be used by VA; they are intended for the VSO to track what is being submitted.

**Q: How long does it take for documents submitted through the Direct Upload portal to appear in the Veteran’s eFolder?**

Once documents are submitted through the Direct Upload portal, the scanning vendor has 3 days to scan, label and route to VA. Once VA receives the documents, it takes an average of 3.5 days to be added to the Veteran’s eFolder.

**Q: Will the DRC be processed at the Veteran’s local regional office?**

Not necessarily. The regional office in the state where the Veteran resides will continue to be the first option for determining where the claim will be assigned, provided that office has the capacity to provide the Veteran with a timely decision. If not, the claim will be processed by the next available office that has the production capacity.

