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Different Types of Disability Claims and How To File Your Claim

What are the different types of disability claims and how do they affect you?

Below you will find the different claim types as well as tips on how to file your claim.

Five Different Types of Claims

Pre-Discharge Claims:

Servicemembers that are within 180 days of separation or retirement from active duty or full time National Guard duty may file claims for disability compensation. Learn more about pre-discharge claims by following [this link](#).

Claims Based on Pre-Service Disabilities:

Individuals may enter military service with a known disability. Should this disability become worse due to military service, VA may be able to pay compensation. This is known as aggravation; however, compensation can only be paid for the level of aggravation. For example, at entry into military service, an individual has a disabling condition that could be considered 10% disabling. In order for this condition to be considered aggravated, it would have to have worsened due to military service to at least 20%.

Claims Based on In-Service Disabilities:

These claims are based on disabilities that are a result of an injury or disease that occurred in active service, and in the line of duty. Injuries or diseases as a result of the Veteran's own willful misconduct or abuse of alcohol or drugs are excluded.

Claims Based on Post-Service Disabilities:

Claims for post-service disabilities would include claims for disabilities that are a result of disabilities considered to be service-related, even though the disability arose after service. There are various classifications of presumptive disabilities which can be based on location or circumstances of service or just by military service itself. Learn more about post service claims by following [this link](#).

Claims Based on Combat-Related Special Compensation (CRSC):

Combat-Related Special Compensation provides tax-free payments to retired Veterans with combat-related disabilities. You must apply for CRSC through your uniformed service. Learn about CRSC claims by following [this link](#).

Claims Based on the new PACT Act:

The PACT Act is a new law that expands VA health care and benefits for Veterans exposed to burn pits, Agent Orange, and other toxic substances. The PACT Act adds to the list of health conditions that we assume (or “presume”) are caused by exposure to these substances. Learn more about the PACT Act by following [this link](#).

Tips for Filing Your Claim

The claims process doesn’t need to be a hassle. Here is what you can do to help yourself and VA:

1. **Appoint a representative.** While there are attorneys who will represent you for a fee, it is rarely necessary to pay to have your claim processed efficiently and successfully. National Service Organizations such as the Disabled American Veterans, Veterans of Foreign Wars, American Legion, Vietnam Veterans of America, Paralyzed Veterans of America, as well as State Departments of Veterans Affairs or Veterans Commissions and County Veteran Service Officers can give excellent assistance and it’s free. Call your local regional office to see what organizations are available at that office. To find a local Virginia Department of Veterans Affairs Benefit Office click [here](#).

2. **Consider what you want to claim.** Many Servicemembers and veterans have been told they should go through their service medical records and claim everything they have ever had or been treated for. While you can do that, it is likely to significantly increase your frustration level, result in unnecessary examinations, and slow the process without getting added benefits. You should not claim acute

disabilities or illnesses you had in service unless they left a residual. For example, if you got the flu in service and got over it, the claim will be denied. On the other hand if you broke your leg and recovered from it you should claim that because the fracture, if found on x-ray, can be service connected. While it might only warrant a zero percent evaluation now, if you develop arthritis at the site later, you are covered. Don't claim things like personality disorders, baldness, the fact that you wear glasses, or similar kinds of things because they are considered "constitutional or developmental abnormalities" that you would have gotten whether or not you were in service. The law doesn't permit payment for these. Do not claim lab results like hematuria (blood in the urine) or high cholesterol. The VA does not pay for those either. On the other hand, you should claim pseudofolliculitis barbae (a skin condition that affects some black people).

3. If private providers have treated you, get the records and send them to the VA. While the application you fill out does offer the opportunity to sign a release and they will be requested for you, the VA cannot compel providers to send them records nor can the VA pay for them.

4. Show up for your examinations.

5. The first thing you will get from VA once you file your claim is a lengthy letter commonly referred to as a "VCAA letter". This is a letter required by the law that tells you what the VA will do, what you will be expected to do, and in very general terms tell you how the VA will decide. The letter may also include specific requests from your local regional office for information. Read it carefully for specific requests for information from us. Finally, the letter offers the option of completing an attachment telling the VA you have no more information. If that is the case, complete the form and return it immediately. If you don't and you have no more information, the VA will wait for 30 days before proceeding for no good reason. Even if, during the course of working the claim you do get additional information you can always submit it when you get it.

6. When you get your decision, read it carefully. It will have attached to it the text of the actual rating decision explaining why the VA decided what they did. If you think their decision didn't consider something, didn't cover a topic, or is wrong, call your representative right away. If the VA has made a mistake they would rather just fix it now, rather than get involved in a lengthy appeal that isn't terribly satisfying for you or the VA.

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