

Your Social Security

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News and Information for SSDI and SSI Recipients

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Veterans Groups Sue to Stop VA's New Informal Claims Process

Veterans' advocacy groups are crossing swords with the Department of Veterans Affairs over a recent change. New regulations now require veterans applying for disability benefits to file electronically or use specific, standardized forms. Previously, vets could informally start disability claims with the VA by writing a simple statement on a sheet of paper—it could be as simple as a handwritten note on a scrap of paper. But not anymore. This notification (which is known as "intent

to file a claim") is a critically important step because it establishes an effective date of benefits and protects the applicant for up to one year, meaning if you are seeking compensation or pension benefits, you will have a full year to gather and submit evidence necessary to support your claim.

The American Legion, AMVETS, Military Order of the Purple Heart, the National Veterans Legal Services Program and the Vietnam Veterans of America have filed a lawsuit seeking to overturn the new regulations, saying that "the elimination of informal claims was draconian and did not keep with VA's mandate to be veteran friendly" Ron Abrams, joint executive director of the National Veterans Legal Services Program, quoted in *Stars and Stripes* says "Our nation's promise to care for its injured and disabled veterans is being diluted by this new VA rule."

The VA disagrees and argues that vets will be better served under the new rules. "These new processes will leave no doubt as to the effective dates of claims," said National Service Director Jim Marszalek. "Of course, our 3,815 National, Department and Chapter Service Officers...are ready to help everyone get through and understand these new requirements." Until the lawsuit is settled, the new



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regulations are in effect. Individuals must use Form 21-0966, "Intent to File a Claim". The form is electronically available through www.ebenefits.va.gov and there are only three ways to initiate a disability claim:

- Submit the form on the eBenefits website,
- Mail the paper form to VA,
- Call a VA call center representative at 1-800-827-1000.

The VFW's website (vfw.org) has this cautionary note: "Veterans who notify



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