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How to Appeal When You've Been Denied Veterans' Benefits

If your veteran's disability benefits have been denied, an appeal can help you get a second opinion.

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August 19, 2012 /24-7PressRelease/ -- Don't assume that the Veterans Administration will get it right the first time. The law of veterans disability benefits is complex and often misunderstood. Veterans regularly appeal VA decisions either because they are not compensated at the correct disability percentage or they are completely denied service connection.

There is recourse for those who need a second opinion or want to fight for their benefits:

Veterans who are denied benefits can take advantage of an appeals system that allows them to [challenge the decisions](#) made by a regional Department of Veterans Affairs office or medical center.

The Appeals Process

While receiving a denial letter from the agency might leave you feeling like you have another battle on your hands, here are some of the basics regarding filing an appeal. You can file an appeal when a local VA has denied benefits for health care, education or pensions.

The first step is to send a Notice of Disagreement, or NOD, to your local VA office. This letter should include specific information about why the VA might have made a mistake when it denied your claim. It must clearly state that you want to [appeal the denial](#). This letter must be sent within one year of your claim being denied.

Then you may need to take additional action after the VA receives your NOD:

- Send evidence to the VA -- such as medical records -- that supports your claim. A veterans benefits attorney can assist you with developing your claim, locate additional evidence and make legal arguments based on the evidence presented.

- If the VA Regional Office does not grant the disability benefits you seek in your Notice of Disagreement (NOD), you may appeal your case to the BVA (Board of Veterans Appeals) through filing a VA Form 9.

Fill out VA Form 9. When the VA receives your NOD, you will be sent a Statement of the Case (SOC), which explains the evidence, laws and regulations that are used when making a decision on a claim. Included in this SOC will be VA Form 9. In order to continue the claim or appeal, the VAF-9 should be filled-out and send back to the local VA office within 60 days of receiving the

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SOC so that the appeal can be reviewed by an administrative law judge.

Do You Need Legal Help?

If your disability claim has been denied, you may contact an attorney immediately. A qualified veterans disability lawyer can advise you of your rights and help you navigate your way through the system to get the benefits that you deserve.

Article provided by Berry Law Firm

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