

## Appeals Modernization Act

### 1. *What is Appeals Modernization Act?*

- On August 23, 2017, the President signed the Veterans Appeals Improvement and Modernization Act of 2017 (Appeals Modernization Act) into law, creating a new decision review process that allows VA to improve the delivery of benefits and services to Veterans and their families. The new process gives Veterans choice and control, and all communications are written in plain language.
- The new Appeals Modernization process allows Veterans to seek faster resolution of their disagreement with a VA decision. If you receive an initial claim decision after February 2019 and you disagree, you can choose one of three new lanes to have your disagreement reviewed: as a supplemental claim, through a higher-level review, or by appealing directly to the Board of Veterans' Appeals. The Appeals Modernization Act establishes a new decision review process for disagreements with VA decisions that is timely, transparent and fair.
- The new law modernizes the current claims and appeals process that allows three review options for disagreements with decisions.

### 2. *Supplemental Claim*

- When you choose to file a Supplemental Claim, you're adding new evidence that's relevant to your case or identifying new evidence for review. A reviewer will determine whether the new evidence changes the decision.
- VA goal for completing Supplemental Claims is an average of 125 days.
- In order to file a Supplemental Claim, you must add evidence that is new (or not provided to VA previously) and relevant to your case. You can file a Supplemental Claim anytime, but we recommend you file within one year from the date on your decision letter.
- What's considered new and relevant evidence?
  - New evidence is information that VA didn't have before the last decision.
  - Relevant evidence is information that could prove or disprove something in your claim.
  - You can submit evidence yourself or ask VA to get evidence, like medical records from a VA medical center, other federal facility, or your private health care provider. VA can't accept your Supplemental Claim without new and relevant evidence.
- How do I file a supplemental claim with new evidence?
  - To file a Supplemental Claim, fill out the Decision Review Request: Supplemental Claim ([VA Form 20-0995](#)).
  - With help of a Veteran Service Officer or Veteran Claim Representative, please find your local [VSO](#).

### 3. *Higher-Level Review*

- If you disagree with VA's decision, you can request to have a senior reviewer take a new look at your case. The reviewer will determine whether the decision can be changed based on a difference of opinion or an error.
- VA goal for completing Higher-Level Reviews is an average of 125 days.

- You can request a Higher-Level Review of an initial claim or Supplemental Claim decision. You have one year from the date on your decision letter to request a Higher-Level Review.
- This option isn't available after a previous Higher-Level Review or Board Appeal on the same claim. It's also not available if you have a contested claim (this is rare).
- **Note:** You can't submit any evidence. You and/or your representative can speak with the reviewer on the phone. You can tell them why you think the decision should be changed and identify errors.
- If you request an informal conference with a senior reviewer, they'll call the phone number that you or your representative provided on the Higher-Level Review form to schedule a time to discuss your case with you. During the call, you and/or your representative can talk about why you think the decision should be changed and identify errors, but you cannot submit new evidence.  
**Note:** The senior reviewer will try to reach you or your representative by phone, and if no one answers, they'll leave a voicemail. If the senior reviewer is unable to leave a message or make contact after 2 attempts, they'll proceed with their review and issue a decision.
- How do I request a Higher-Level Review?
  - To request a Higher-Level Review, fill out the Decision Review Request: Higher-Level Review ([VA Form 20-0996](#)).
  - With help of a Veteran Service Officer or Veteran Claim Representative, please find your local [VSO](#).

#### 4. *Appeal to the Board*

- When you choose this option, you're appealing to a Veterans Law Judge at the Board of Veterans' Appeals in Washington, D.C. A judge who's an expert in Veterans law will review your case.
- You can request a Board Appeal after an initial claim, Supplemental Claim, or Higher-Level Review decision. You can't request 2 Board Appeals in a row for the same claim.
- You have one year from the date on your decision letter to request a Board Appeal, unless you have a contested claim.
- This option allows you to appeal directly to the Board of Veterans' Appeals. You can choose between *three* options:
  - **Direct Review:** A Veterans Law Judge will review your appeal based on evidence already submitted. You can't submit evidence and can't have a hearing.
  - The Direct Review option will take about one year for the Board to complete.
  - **Evidence Submission:** You can submit more evidence for a Veterans Law Judge to review. You must submit this evidence within 90 days of the date we receive your Decision Review Request: Board Appeal (VA Form 10182). Download [VA Form 10182 \(PDF\)](#)
  - The evidence submission option will take more than one year for the Board to complete.

- **Hearing:** You can request a hearing with a Veterans Law Judge. You can choose to add new and relevant evidence, either at the hearing or within 90 days after the hearing. Adding evidence is optional. Your hearing will be transcribed and added to your appeal file.
- You can choose from 3 different ways to speak with the Veterans Law Judge:
  - Virtual hearing from your home
  - Videoconference hearing at a VA location near you
  - In-person hearing at the Board in Washington, D.C.
- The hearing request option will take more than one year for the Board to complete.
- How do I request a Board Appeal?
  - To request a Board Appeal, fill out the Decision Review Request: Board Appeal ([VA Form 10182](#)).
  - With help of a Veteran Service Officer or Veteran Claim Representative, please find your local [VSO](#).
- 5. *What if I get a Board Appeal decision that I don't agree with?*
  - If you disagree with the Board's decision, you have 2 options. You can file a Supplemental Claim by adding new and relevant evidence to continue your case, or you can appeal to the U.S. Court of Appeals for Veterans Claims.
  - With help of a Veteran Service Officer or Veteran Claim Representative, please find your local [VSO](#).
- 6. For more information please see below.
  - [VA Appeals Modernization](#)
  - [VA Decision reviews and appeals](#)