



U.S. Department of Veterans Affairs Veterans Benefits Administration

Steps for Requesting a Higher-Level Review

The Department of Veterans Affairs (VA) provides claimants with three decision review options when they disagree with a VA benefits decision.

- These options include a higher-level review, a supplemental claim, or an appeal to the Board of Veterans' Appeals (Board).
- You can learn more at www.va.gov/decision-reviews/ and find guidance for choosing the option right for you at www.va.gov/resources/choosing-a-decision-review-option/.
- Within 1 year of a decision notice, all three options are available and you should consider the criteria for each to determine which is the best fit for your specific scenario.

If you decide to pursue a higher-level review, this guide will walk you through the request process.

Step 1: What You Should Know About a Higher-Level Review

- A higher-level review is a new review of VA's decision on an issue or issues and is based on the same evidence – called the evidence of record – considered in the prior decision. When conducting a higher-level review, VA cannot consider any new evidence received after the date you were notified of the prior decision.
- A new decision will be made by a higher-level reviewer. This is an experienced VA employee who did not participate in the prior decision.
- You have 1 year from the date on your VA decision notification letter to request a higher-level review.
- You may not request a higher-level review of a previous higher-level review decision or a Board decision on the same issue. For those situations, other disagreement options are available at <https://www.va.gov/resources/choosing-a-decision-review-option/>.

Step 2: Getting Started

- To request a higher-level review, use VA Form 20-0996, *Decision Review Request: Higher-Level Review*. The form is available online at <https://www.vba.va.gov/pubs/forms/VBA-20-0996-ARE.pdf>. If you are requesting a review of a disability compensation decision, you also have the option of completing the form electronically at <https://www.va.gov/decision-reviews/higher-level-review/request-higher-level-review-form-20-0996/start>.

Step 3: What You Will Need to Complete Your Request

In preparation for completing the form, you should gather the following:

- The VA decision notification letter which includes the decision you disagree with.
- Your VA file number, if applicable.
- Your insurance policy number, if you are requesting a review of an insurance decision.
- If you are not the Veteran, you will need the Veteran's Social Security number, VA file number (if applicable), and date of birth.

Step 4: Complete the Higher-Level Review Request Form

This guide helps you complete the paper form. The online version is similar and incorporates built-in prompts to assist you.

- Section I: Veteran's Identification Information
 - This section asks you to provide information about the Veteran which will help us identify the right person. Be sure to complete this section entirely, as we may need to return an incomplete form to request additional information.
 - If you are experiencing homelessness or at risk of experiencing homelessness, be sure to mark the checkbox at the bottom of item 6.
 - If you wish to receive electronic communication, provide your email address in item 8 (if you are the Veteran) or item 14 (if you are a claimant other than the Veteran).
 - If you want to request priority processing for reasons other than homelessness, you should complete VA Form 20-10207, *Priority Processing Request*, and submit it with your higher-level review form. You can find this form at www.va.gov/find-forms.
- Section II: Claimant's Identification Information
 - If you are the claimant but you are not the Veteran, you should complete the information requested in this section. Examples include the Veteran's spouse

and dependents. If you are the Veteran and are applying for a decision regarding your own benefits, you may skip this section.

- If you are a health care provider and are requesting a review of a VA payment decision, you should indicate the health care provider as the claimant and include all relevant information requested in this section.
- Section III: Benefit Type
 - You should select the benefit type of the decision you disagree with. The options are: Compensation, Pension/DIC/Survivors Benefits, Fiduciary, Life Insurance, Education, Loan Guaranty, Veteran Readiness and Employment, Veterans Health Administration, and National Cemetery Administration.
 - You may include more than one decision on the form, however, they must all be the same benefit type. If you would like to submit a higher-level review for more than one benefit type, you should complete a separate request form for each benefit type.
- Section IV: Optional Informal Conference
 - You have the option to request an informal conference as part of your higher-level review. An informal conference is a meeting conducted by telephone with the higher-level reviewer. During the informal conference, you have the chance to point out the error(s) you believe were made in your decision.
 - To request an informal conference, you should complete items 16A and 16B or your representative must complete items 16A, 16B, and 17. If you want to request an informal conference, you must make the selection on your form. If you do not want to request an informal conference, you can skip items 16 and 17.
 - During the informal conference, you should not discuss or introduce any new evidence, since the higher-level reviewer can only consider the evidence which was on record at the time of your decision.
 - Instead of requesting an informal conference, you may submit a written statement with your claim form outlining errors you believe were made in your decision. Your review may be completed more quickly if you do not request an informal conference.

- Section V: Issues for Higher-Level Review
 - In item 18A of this section, you should identify each issue you would like to include in your higher-level review.
 - In item 18B, enter the date of the VA decision notification letter for each issue.
 - You may “opt in” to the modernized review system from the legacy appeals system. You should list the issue(s) you wish to opt-in to the modernized system. Doing so will withdraw the identified issue(s) from the legacy appeals system. You are eligible to opt-in within 60 days of the date on your statement of the case (SOC) or supplemental statement of the case (SSOC). You should list the date of your SOC or SSOC in item 18B.
- Section VI: Certification and Signature
 - Be sure to sign your higher-level review request form. It is recommended that you sign with a pen, as forms signed with a pencil may be returned.
 - If you are not able to sign your form, you have the option to have someone sign on your behalf. This is completed through an alternate signer certification. The person who is signing should complete VA Form 21-0972, *Alternate Signer Certification*, and submit the completed form with your higher-level review form. You can find the alternate signer certification at www.va.gov/find-forms.
- Section VII: Authorized Representative Signature
 - If you have appointed an authorized representative to assist you with your request, they may sign this section in place of your signature in Section VI.
 - An authorized representative may be an accredited attorney, claims agent, or Veterans Service Organization representative. You can learn more about finding an accredited representative at www.va.gov/ogc/apps/accreditation/index.asp.

Step 5: Submit Your Request

- Once you complete your form, you should submit it to the VA office or processing center identified in your VA decision notification letter. If you can’t locate the information or don’t have your VA decision notification letter, you can also find mailing address information at www.va.gov/decision-reviews/higher-level-review/ under the section, “How do I request a Higher-Level Review?”.

Step 6: Do you need assistance?

- If you would like assistance filling out your higher-level review form or if you have questions about the higher-level review process, you can call VA at 1-800-827-1000.

Examples of Higher-Level Review Issues by Benefit Type

The following are examples of the more common reasons a Veteran or claimant may request a higher-level review. The list is organized by “Benefit Type” and listed in the order the benefit types are presented on the form. This is not an all-inclusive list and the issue(s) you are requesting for a higher-level review may not be listed.

BENEFIT TYPE	EXAMPLES
Compensation	<ul style="list-style-type: none">• Denial of service connection for a specific medical condition• Identification of an error in an assigned effective date• Evaluation assigned for a service-connected condition• Denial of entitlement to ancillary benefits, e.g., automobile allowance, Chapter 35 benefits, or special monthly compensation (SMC) including Aid and Attendance, Housebound benefits, and SMC-K for loss of use of a creative organ• Unfavorable outcome to an administrative decision (e.g., administrative decision, character of discharge, or insanity)• Failure to adjudicate unclaimed subordinate issue, such as service-connection for treatment purposes under 38 U.S. C. 1702 or disagreement with a decision on such issue• Failure to address complications of an expressly claimed issue• Denial of Individual Unemployability
Pension/DIC/ Survivor Benefits	<ul style="list-style-type: none">• Denial of Veterans Pension• Denial of Survivors Pension• Denial of Aid and Attendance or Housebound allowance• Denial of Dependency and Indemnity Compensation (DIC)• Denial of Parents’ DIC• Countable income, expenses, or net worth for Pension and Parents’ DIC payment amount for Veterans Pension / Survivors Pension / Aid and Attendance / Housebound allowance / DIC / accrued / burial / plot / transportation• Earlier effective date for grant of Veterans Pension / Survivors Pension / Aid and Attendance / Housebound allowance / DIC• Denial of accrued benefits and/or substitution of claimant• Denial of burial benefits, plot and interment allowances, and transportation

	<ul style="list-style-type: none"> • Issues relating to adding or removing dependents for Veterans Pension / Survivors Pension / Aid and Attendance / Housebound allowance / DIC
Education	<ul style="list-style-type: none"> • Denial of eligibility for VA education benefits • Denial of delimiting date extension request • Denial of Rudisill eligibility • Denial of additional entitlement based on Rudisill eligibility • Denial of Chapter 35 eligibility date for benefits • Denial of earlier Chapter 35 start date • Denial of higher Chapter 33 eligibility percentage • Denial of licensing and certification exam • Denial of transfer of entitlement based on obligated end date not met • Denial of Fry Scholarship eligibility • Denial of restoration of entitlement under the Colmery Act (§ 109)
Loan Guaranty	<ul style="list-style-type: none"> • Denial of eligibility for home loan guaranty benefits • Amount of entitlement encumbered by a foreclosure loss, guaranty claim, or the amount necessary to repay such a loss • Denial of restoration of previously used entitlement • Denial of eligibility for an adapted housing grant
Life Insurance	<ul style="list-style-type: none"> • Denial of entitlement to Veterans Affairs Life Insurance • Denial of entitlement to Service-Disabled Veterans Insurance • Denial of entitlement to Veterans' Mortgage Life Insurance • Denial of a medical reinstatement • Contested death claim • Cause of death shown as homicide
Veteran Readiness and Employment	<ul style="list-style-type: none"> • Denial of entitlement to Veteran Readiness and Employment benefits and services • Denial of reentrance to Veteran Readiness and Employment Program
Veterans Health Administration	<ul style="list-style-type: none"> • Denial of enrollment in VA health care • Denial of reimbursement for non-VA emergency medical expenses • Denial of entitlement to a clothing allowance • Denial of reimbursement for beneficiary travel expenses • Denial of eligibility for benefits under the Program of Comprehensive Assistance for Family Caregivers
National Cemetery Administration	<ul style="list-style-type: none"> • Denial of eligibility to be buried in a VA national cemetery • Denial of eligibility for a headstone or marker