#### Department of Veterans Affairs M29-1, Part 6, Chapter 21

**Veterans Benefits Administration March 20, 2020**

**Washington, DC 20420**

#### Key Changes

|  |  |
| --- | --- |
| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Insurance Manual M29-1, Part 6, Chapter 21.***Notes***: * **M29-1, Part 6, Chapter 21** has been rewritten in its entirety for the purpose of improving clarity and readability. Any substantive changes are itemized in the table below.
* Minor editorial changes have also been made to
* improve clarity and readability
* add references
* update incorrect or obsolete references
* update obsolete terminology, where appropriate
* reorganize/relocate content within **M29-1, Part 6, Chapter 21** so that it flows more logically
* reassign alphabetical designations to individual blocks, where necessary, to account for new and/or deleted blocks within a topic
* update the labels of individual blocks and the titles of sections and topics to more accurately reflect their content, and
* bring the document into conformance with M29-1 standards.
 |

|  |  |
| --- | --- |
| Reason(s) for Notable Change | Citation |
| Explains the additional appeal rights granted to claimants under PL 115-55; explains that claimants will be provided timely notifications of a decision and their rights to appeal on VA Form 20-0998 | Subchapter 21.01 |
| Explains that 38 CFR 8.30 provides for review of specific types of insurance decisions, including: an application for benefits, a claim for benefits, decision on total disability income provision and reinstatement, decision finding fraud or reason for forfeiture of benefits  | Subchapter 21.02 |
| Explains the specific elements that must be included in a notification letter to the claimant for decisions subject to review | Subchapter 21.03 |
| Explains the options available to claimants who disagree with a decision by the Insurance Center: option to request a Supplemental Claim Review, option to request a Higher-Level Review, option to file a Notice of Disagreement with the Board of Veterans Appeals, option to file a complaint with the federal district court of jurisdiction | Subchapter 21.04 |
| Explains that claimants who currently have an appeal pending in the legacy appeals process may choose to continue in that system, or they may opt to transfer to the Supplemental Claims Review or Higher-Level Review process; explains that claimants can opt in to the modernized appeals system if they received a Statement of the Case or Supplemental Statement of the Case prior to February 19, 2019 | Subchapter 21.05 |
| Explains the steps involved and key data recorded in processing an appeal under the Supplemental Claims Review or Higher-Level Review process | Subchapter 21.06 |
| Explains that a decision favorable to the claimants in the modernized appeals process is not subject to reversal by any administrative or judicial authority unless rebutted by clear and convincing evidence to the contrary.  | Subchapter 21.07 |

|  |  |
| --- | --- |
| **Reason(s) for Change** | **Citation** |
|  |  |
|  |  |
|  |  |

|  |  |
| --- | --- |
| Rescissions | None |

|  |  |
| --- | --- |
| Authority | By Direction of the Under Secretary for Benefits |

|  |  |
| --- | --- |
| Signature | Timothy Sirhal, Acting DirectorInsurance Service |

|  |  |
| --- | --- |
| Distribution | LOCAL REPRODUCTION AUTHORIZED |