

Top Three Reasons VA Denied Your Claim

1. VA Did Not Have Proof of Your Injury In-Service

You must show that your disability is related to an in-service incident. If VA said that there was no proof of what happened in service, then you need to find something to back up what you say happened. The most common evidence to prove your incident in service is service records. These can be either medical records or records of your duty stations or performance evaluations. If VA said it could not find these records and you believe that they exist, then it is worth writing to the National Personal Record Center to obtain them.

Even if the records are missing, proof of an in-service incident can be found through other means. Find others who served with you and have them write buddy statements describing the incident. These statements count as evidence. Also, you can look for unit records through the National Archives or records of your base, ship or unit on the internet.

2. VA Says You Do Not Have a Disability

To obtain service-connected disability benefits your disability must have a diagnosis. Pain is never a diagnosis. Exposure to deadly substances like Agent Orange in Vietnam or TCE in Camp Lejeune is not enough if the exposure does not result in a current diagnosis. So if a Vietnam veteran, exposed to Agent Orange, develops Diabetes then that is a diagnosis.

Two common areas where this is a problem are back problems and mental illnesses. Often veterans will treat for back pain but the doctor will not give a diagnosis. With mental illness you might be treating with a doctor for mental health problems but VA will deny benefits because VA's doctor will state that you do not meet all that is needed for the diagnosis. This problem happens a lot with PTSD cases. It is important if you are treating with a doctor that you ask for them to give you a diagnosis. If it is a mental health case like PTSD, then you need to ask the doctor to lay out all the elements of the diagnosis in the medical record.

3. VA Says That Your Illness is Not Related to Service

To get service-connected benefits, you have to show that there is a link, or nexus, between what happened in service and the current diagnosis. If VA says that they are not connected then it probably did so based on an exam from its own doctors, a C&P exam. If the C&P doctor says that there is no connection, then you should go get an opinion from your doctor or an independent medical exam from an outside doctor. You should give them the service records and medical records that they need to not only say that your disability is related to service but to explain why it is.