Department of Veterans Affairs

RAMP REVIEW RIGHTS

After careful and compassionate consideration of your claim, we have reached a decision. This document outlines your rights to seek further review of our decision as part of the *Rapid Appeals Modernization Program* (RAMP).

If you choose to do so, you may **ONLY SELECT ONE** review option for all issue(s) for which you are seeking review under RAMP. **If you are satisfied with our decision, you do not need to take any action, including any of the actions listed below.**

VA must receive your request to proceed with a review of the issue(s) you disagree with within **one year** of the date VA sent you notice of our decision to maintain your eligibility to receive the earliest possible effective date for benefits. Choosing one of the review options described below does not exclude you from choosing another review option after completion of VA's review and issuance of a decision.

You must follow the application requirements outlined below to seek further review until the new decision review system becomes effective **on or after February 14, 2019**, at which time you may select different lanes for each issue and will have to follow the application requirements of the new system. VA will provide additional information to RAMP participants once the new system is operational.

You may select one of the following review options for continued review under RAMP:

- File a **Supplemental Claim**
- Request a **Higher-Level Review**
- File an **Appeal to the Board of Veterans' Appeals (Board)** (Note that the Board will not be able to begin to process your appeal until **on or after February 14, 2019**)

The following is an overview of each option to help you select the most appropriate course of action. You can find more information on the review options at https://benefits.va.gov/benefits/appeals.asp.

File a **Supplemental Claim**

- Use this option when you have additional evidence that is **NEW AND RELEVANT** to support granting the benefit(s) sought or you can identify existing relevant records that you would like VA to obtain. (**NEW evidence** means information not previously considered by the local VA office, and **RELEVANT evidence** means information that tends to prove or disprove a matter at issue.)
- To be a complete application, you must submit evidence with your application or identify evidence that VA can assist you in gathering to support the Supplemental Claim.

Request a **Higher-Level Review**

- Use this option when you have **NO** additional evidence to submit, or that you would like VA to obtain, in support of any of the previously decided issue(s), and you would like VA to conduct another review of the issue(s) with only the evidence of record at the time of the last decision.
- The designated reviewer will conduct a brand new review of the issue(s) based on the evidence that was previously considered by the local VA office, but any factual or legal finding in the decision that was **favorable** to you **cannot be changed** unless there is evidence to the contrary that is clear and unmistakable. VA **WILL NOT** consider any new evidence submitted after VA issued the decision under review or assist you in obtaining new evidence.
- The designated reviewer may find that VA did not fulfill its duty to assist you in the original claim process with respect to obtaining documents or providing an examination. The reviewer will return the claim on that basis for further development and readjudication.
- An **informal conference** is available to you and/or your representative, if you choose to exercise this option. The purpose of this telephonic contact is to point out specific errors in the case. VA will not receive new evidence during an informal conference. **This option may cause some delay in the processing of your higher-level review.**
- You MAY NOT request a higher-level review after receiving a decision on a higher-level review or an appeal to the Board.

File an **Appeal to the Board**

- Use this option to appeal to the Board for consideration by a Veterans Law Judge.
- The Board will not process your appeal until **ON OR AFTER FEBRUARY 14, 2019**.

- When appealing to the Board, you have three options. By selecting one of these options, the Board will place your appeal onto a list for consideration in the order it was received.
  - **Direct Review**. Choose this option if you do not have additional evidence to submit and you do not want a hearing.
  - **Evidence Submission**. Choose this option if you **DO NOT** want a hearing, but you do have additional evidence to submit. The Board will review the issue(s) in your appeal considering the evidence that the local VA office considered, along with any additional evidence that you submit **within 90 days** of the date that the Board receives your request. After 90 days, any additional evidence added to your claims file will not be considered by the Board.
  - **Hearing**. Choose this option if you want to testify before a Veterans Law Judge, and have the opportunity to submit additional evidence. **This option may cause some delays in receiving a decision by the Board.** The Board will contact you regarding the scheduling of your hearing **ON OR AFTER FEBRUARY 14, 2019**. After your hearing has been held and you have had the opportunity to submit additional evidence, the Board will review the issue(s) in your appeal, considering the evidence that the local VA office considered along with your hearing testimony and any additional evidence that you submit **within 90 days** of your hearing. After 90 days, any additional evidence added to your claims file will not be considered by the Board.

How do I request review by VA of my decision? To select a review option during RAMP, you **must** submit the attached VA Form 21-4138, *Statement in Support of Claim, "RAMP Selection"* form to the appropriate office for review.

For a ***Supplemental Claim*** or a ***Higher-Level Review***, complete and mail or fax VA Form 21-4138, "RAMP Selection" and the provided coversheet to:	**DEPARTMENT OF VETERANS AFFAIRS** **EVIDENCE INTAKE CENTER** **PO BOX 4444** **JANESVILLE WI 53547-4444** **FAX: 844-531-7818**
For an ***Appeal to the Board,*** complete and mail or fax VA Form 21-4138, "RAMP Selection," to:	**BOARD OF VETERANS' APPEALS** **P.O. BOX 27063** **WASHINGTON DC 20038** **FAX: 202-495-6803**

If requesting the opportunity to submit evidence without a hearing before a Veterans Law Judge, you may submit evidence to the address or fax number above **within 90 days** of your Appeal to the Board.

Can I get someone to help me with my request for review? Yes. You can have a Veterans Service Organization representative, an attorney, or an "agent" help you with your request. You are not required to have someone represent you. It is your choice. You can have a Veterans Service Organization representative help you with your review free of charge.

An attorney or agent can also represent you but may require you to pay for their services. VA cannot pay any attorney or agent fees. VA only recognizes attorneys licensed to practice in the United States or in one of its territories or possessions. An agent is a person who is not an attorney, but who VA recognizes as being knowledgeable about veterans' law. If you do hire an attorney or agent to represent you, a copy of any fee agreement must be sent to VA. You can find more information on accredited representatives (VSOs, attorneys, and agents) and fee agreements at: https://www.va.gov/ogc/accreditation.asp.

How long do I have to request a review of my decision? You must act within **one year** of the date VA sent you notice of our decision to preserve your right to receive the earliest effective date for benefits. Upon the conclusion of RAMP, if you are still within your one-year period, you may seek review by filing under the new claims and appeals system.

What happens if I do not submit my request for review on time? If you do not request a review option within the required time limit, you may only seek review through the following options:

- File a request for review based on a clear and unmistakable error in our decision ***or***,
- File a Supplemental Claim along with new and relevant evidence to support your issue(s).

OMB Control No. 2900-0075
Respondent Burden: 15 minutes
Expiration Date: 01/31/2018

Department of Veterans Affairs

STATEMENT IN SUPPORT OF CLAIM

PRIVACY ACT INFORMATION: The VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses (i.e., civil or criminal law enforcement, congressional communications, epidemiological or research studies, the collection of money owed to the United States, litigation in which the United States is a party or has an interest, the administration of VA Programs and delivery of VA benefits, verification of identity and status, and personnel administration) as identified in the VA system of records, 58VA21/22/28, Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records - VA, published in the Federal Register. Your obligation to respond is required to obtain or retain benefits. VA uses your SSN to identify your claim file. Providing your SSN will help ensure that your records are properly associated with your claim file. Giving us your SSN account information is voluntary. Refusal to provide your SSN by itself will not result in the denial of benefits. The VA will not deny an individual benefits for refusing to provide his or her SSN unless the disclosure of the SSN is required by Federal Statute of law in effect prior to January 1, 1975, and still in effect. The requested information is considered relevant and necessary to determine maximum benefits under the law. The responses you submit are considered confidential (38 U.S.C. 5701). Information submitted is subject to verification through computer matching programs with other agencies.

RESPONDENT BURDEN: We need this information to obtain evidence in support of your claim for benefits (38 U.S.C. 501(a) and (b)). Title 38, United States Code, allows us to ask for this information. We estimate that you will need an average of 15 minutes to review the instructions, find the information, and complete this form. VA cannot conduct or sponsor a collection of information unless a valid OMB control number is displayed. You are not required to respond to a collection of information if this number is not displayed. Valid OMB control numbers can be located on the OMB Internet Page at **www.reginfo.gov/public/do/PRAMain**. If desired, you can call 1-800-827-1000 to get information on where to send comments or suggestions about this form.

FIRST NAME - MIDDLE NAME - LAST NAME OF VETERAN *(Type or print)*	SOCIAL SECURITY NO.	VA FILE NO. C/CSS -

The following statement is made in connection with a claim for benefits in the case of the above-named veteran:

RAMP SELECTION

Use this form to seek additional review under RAMP until the new system becomes effective **on or after February 14, 2019**, at which time you will have to follow the new application requirements outlined in the new appeals system. Filing instructions will be available at https://www.benefits.va.gov/benefits/appeals.

Instruction: Please list the issues you are seeking review of below and on the next page select the type of review you would like from the choices provided. Note that you may select **ONLY ONE** type of review for all issues identified on this form. See the "RAMP Review Rights" document for information on each review option and mailing instructions.

I would like to seek further review of the following issues (use additional page if necessary):

I CERTIFY THAT the statements on this form are true and correct to the best of my knowledge and belief.

SIGNATURE	DATE SIGNED	
ADDRESS	TELEPHONE NUMBERS *(Include Area Code)*	
	DAYTIME	EVENING

PENALTY: The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false.

I elect to have all issues reviewed under the following option (Check **ONLY ONE** of the boxes below):

- ☐ I am filing a **Supplemental Claim**. I understand that I must submit or identify new and relevant evidence that was not previously considered by the local VA office.
- ☐ I am requesting a **Higher-Level Review** based on the evidence of record at the time of the prior decision.
- ☐ I am requesting a **Higher-Level Review** based on the evidence of record at the time of the prior decision and I am requesting a one-time **informal conference** with the Higher-Level Reviewer. If you have an accredited representative (VSO, attorney, or agent) please include his or her contact information below. (This option may cause some delay in the processing of your higher-level review.)

Representative/Org. _____

Phone Number _____

I am appealing to the Board of Veterans' Appeals (Board). I understand the Board will review the issue(s) in my appeal **on or after FEBRUARY 14, 2019.** I would like the following review option:

- ☐ **Direct Review** (Based on the evidence of record at the time of the prior decision; NO evidence submission or hearing request)
- ☐ **Evidence Submission** (Evidence submission within 90 days; NO hearing request)
- ☐ **Hearing** (Hearing with evidence submission allowed) (This option may cause some delay in receiving a decision by the Board.)