



BERRY LAW

**VA COMPENSATION
BENEFITS
OCTOBER 3, 2024**

VA BENEFITS AVAILABLE TO VETERANS

- ◆ VA Compensation
- ◆ VA Healthcare
- ◆ Education Benefits (GI Bill, Post 9/11, tuition assistance)
- ◆ Vocational Rehabilitation
- ◆ Life Insurance
- ◆ Burial and Survivorship Benefits
- ◆ VA Home Loan

VA Disability compensation

- ◆ VA disability compensation offers a monthly recurring and tax-free payment to Veterans who are sick or injured by their military service, or whose service made an existing condition worse.
- ◆ Veteran files a claim with the VA for their current condition that is related to military service (PTSD, low back condition, etc.) or caused or aggravated by an already service-connected condition
- ◆ If granted service connection, the VA assigns a disability percentage based on the current severity of the condition based on the rating criteria between 0% and 100% (in 10% increments).
- ◆ If a Veteran has more than one service-connected disability, the VA uses a method called the “whole person theory” to determine the combined disability rating, which is the rate of the Veterans monthly compensation.

2024 Disability Compensation Rates

Chart is based on a single Veteran with no dependents (Veteran with spouse)

Disability rating	Monthly payment
10%	\$171.23 (cannot claim dependent)
20%	\$338.49 (cannot claim dependent)
30%	\$524.31 (\$586.31)
40%	\$755.28 (\$838.28)
50%	\$1,075.16 (\$1,179.16)
60%	\$1,361.88 (\$1,486.88)
70%	\$1,716.28 (\$1,861.28)
80%	\$1,995.01 (\$2,161.01)
90%	\$2,241.91 (\$2,428.91)
100%	\$3,737.85 (\$3,946.25)

DISABILITIES VETERANS CAN FILE FOR IF RELATED TO SERVICE

- ◆ Musculoskeletal conditions
 - ◆ Knee, ankles, back, neck, shoulder, etc.
 - ◆ Strains, arthritis, degeneration of joints
- ◆ Hearing loss
- ◆ Infectious diseases and immune disorders
 - ◆ Chronic fatigue syndrome, tuberculosis, malaria
- ◆ Respiratory conditions
 - ◆ Asthma, lung cancer
- ◆ Heart conditions
 - ◆ Coronary heart disease, hypertension
- ◆ Gastrointestinal conditions
 - ◆ GERD, IBS, ulcers, etc.
- ◆ Skin conditions
- ◆ Mental disorders
 - ◆ PTSD, depression, anxiety, bipolar, chronic adjustment disorder
- ◆ Cancers
 - ◆ Leukemia, Non-Hodgkin's lymphoma, prostate cancer, etc.
- ◆ Neurological disorders
 - ◆ Brain cancer, headaches, TBI, epilepsy, etc.

WHAT DOES THE DISABILITY CLAIM PROCESS LOOK LIKE

- ◆ Gather the evidence
 - ◆ Medical records, service records, statements, letters from doctors
- ◆ File the claim
- ◆ VA develops the claim
 - ◆ Sends letters asking for information needed to make a decision
- ◆ VA examinations
 - ◆ Reviews the medical records, evaluates the Veteran
 - ◆ Reports to the VA the severity of the condition, and if requested, whether the condition was incurred in service or related to an already service-connected condition
- ◆ Decision
- ◆ Appeal

HOW TO PROVE SERVICE CONNECTION

◆ Three lanes of entitlement

- ◆ Direct service connection – disability is directly caused by service
 - ◆ Must show: (1) current diagnosis; (2) evidence of an in-service incurrence/injury; and (3) a nexus between your current diagnosis and your in-service event
- ◆ Secondary service connection – disability is secondarily related to a service-connected condition
 - ◆ Must show: (1) current diagnosis; and (2) current diagnosis was caused or aggravated by a service-connected condition
- ◆ Presumptive service connection – VA presumes that a specific condition was caused by service
 - ◆ Must show: (1) current diagnosis; (2) qualifying service in an area eligible for presumptive exposures/incurrences
 - ◆ Note: certain conditions eligible for presumptive service connection must develop within a specific timeframe in order to qualify

HOW VETERANS CAN GET ASSISTANCE WITH FILING CLAIMS AND APPEALS

- ◆ Berry Law (esp. for appeals)
 - ◆ Have Veteran email taylor.wikum@berrylaw.com and/or david.hoeser@berrylaw.com with a brief description of where they are in the disability claim process.
 - ◆ If they have never filed a claim
 - ◆ Berry Law has an initial claims advocate
 - ◆ Veterans Service Officer (County VSO, DAV, VFW, etc.)
 - ◆ File on their own on va.gov
- ◆ How our fee's work
 - ◆ 20 or 30% of the back pay if we win the Veteran's claim on appeal
 - ◆ No fee if the claim is not granted
 - ◆ No fee if claim is granted based on initial claim



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QUESTIONS?