

Media Report 07 June 2019 Part 2 of 2

If I apply for the benefit and get declined, can I appeal?

Yes. If you are not satisfied with a decision you may apply in writing for a review. Learn more about [your review and appeal options](#)

Reviews and Appeals

If you do not agree with the Departmental decision made regarding your application for disability benefits, you may request a Departmental review or appeal the decision to the [Veterans Review and Appeal Board](#) (VRAB).

The Veterans Review and Appeal Board is the independent tribunal that offers an avenue of appeal for Departmental decisions on disability benefits. In order to ensure a fair appeal process, the Board is an entirely separate and independent organization from Veterans Affairs Canada (the Department).

If you are dissatisfied with your Departmental decision, you can contact the [Bureau of Pensions Advocates](#) (BPA) which provides free legal assistance. The BPA has offices across Canada staffed by experienced lawyers who have the responsibility to represent applicants before the Veterans Review and Appeal Board.

Veterans' organizations such as the [Royal Canadian Legion](#) also provide assistance, free of charge, in preparing your review or appeal.

Options for review or appeal include:

- A Departmental Review

This option gives you the opportunity to provide any important new evidence in support of your application and have your claim reviewed again by VAC.

Veterans Review and Appeal Board

- Review Hearing

The Review Hearing is the only time in the process when you may appear before decision-makers and testify regarding the facts of your case. During the hearing, Board members listen to your testimony and to the arguments made by your representative, and ask questions to clarify all

the details of your application. Review Hearings are normally conducted by two Board members, and take place at approximately 23 locations across Canada (your travel expenses will be covered by Veterans Affairs Canada). The Board also offers Review Hearings by teleconference and video conference.

- Appeal Hearing

If you are dissatisfied with your VRAB Review decision, you can request an Appeal hearing. An Appeal hearing is a further opportunity for your representative to make oral and/or written arguments in support of your case. The legislation does not permit oral testimony at this level.

Three Board Members who were not involved in the Review Hearing conduct the Appeal Hearing. Appeal Hearings are usually held at the Board's Head Office in Charlottetown as well as by teleconference.

How is my request for Disability Benefits decided?

Learn more about [how we review a disability benefit claim](#).

How we review a disability benefit claim

A completed application for a disability benefit will show that you have a diagnosed medical condition (or disability) and that your condition is related to your service.

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Do we have everything?

A complete [application for a disability benefit](#) (form #PEN923AP) will have all the information needed to determine that you have a diagnosed medical condition related to your service. In this first step, we will review your:

1. [Disability benefit application](#) (form #PEN923);
2. Medical reports or CAF/RCMP health reports;
3. Medical questionnaire(s);
4. Your service health records; and if needed one or all of the following,
5. Your profile (form #VAC1055) including your proof of identify, third-party consent, and direct deposit form (form #VAC441).

Learn more about how to [complete an application](#) for a disability benefit.

Who reviews the claim?

Once your application package is complete, it is assigned to an adjudicator.

Every application for a disability benefit is reviewed by an adjudicator – who are specially-trained to review and make decisions on claims for a disability benefit. The adjudicator must base their decision on the evidence they receive. To ensure they review your claim accurately and quickly, it is very important to provide only

information that clearly shows that you have a diagnosed medical condition. Your service records will confirm if that diagnosed condition is related to your service.

How is my service covered?

If your service records show that you were serving in a Special Duty Area (SDA) or Special Duty Operation (SDO) when you became ill or were injured, any disability from that service is covered by the Insurance Principle, which provides 24-hour coverage.

If you were serving outside an SDA or SDO, you will be covered through the Compensation Principle, which provides coverage for an illness or injury that occurred while you were on duty.

Assessment tools used to review the claim

If the adjudicator determines that there is clear medical evidence of a chronic or permanent disability, they must then determine:

1. Your entitlement – is the disability directly or partially-related to service?
and
2. Your assessment – what is the severity or extent of the disability and its impact on your quality of life?

To ensure that all decisions are fair and consistent, adjudicators always use the following tools to review your entitlement and assessment:

- [Entitlement Eligibility Guidelines](#) - These policy statements are based on evidence from peer-reviewed medical research and literature both in Canada and abroad. They help to ensure the consistency, equity and quality of decisions made regarding the relationship between your service and your disability.
- [Table of Disabilities](#) - The table is used by an adjudicator to assess the extent of a disability for the purposes of determining disability benefits. Specifically, to assess the level of an impairment and the impact that impairment has on your quality of life.
- [Medical questionnaires](#) - The purpose of a questionnaire is to support your diagnosis and supplement the information found in the Table of Disabilities.

The decision letter

Once the adjudicator reaches a decision on your claim, you will receive a decision letter. The letter will let you know the decision and what evidence the adjudicator used to reach their decision. If they confirmed you have a service-related disability, the letter will also show your entitlement and your assessment.

If you receive an unfavourable decision, the letter will explain the reasons why your claim was not accepted. It will also provide the name and telephone number to call if you wish to discuss this decision further or to identify what evidence your

claim requires to be approved. The letter will also explain your appeal rights if you believe the adjudicator has made an error in reviewing your application and supporting evidence.

Additional information

Learn more about how to provide all the components of a [complete application for a disability benefit](#).

How long does it take to be approved for a disability benefit?

We are committed to providing a decision as quickly as possible. To make their decisions, adjudicators must use only the evidence they received. Once adjudicators have received all the information they require – complete and signed form(s), service records, medical reports and questionnaire(s) - they can usually make a decision within 15-41 weeks.

This timeframe will vary depending on several factors such as:

- the complexity of your condition,
- the complexity of the medical reports and questionnaires explaining that condition,
- how long it takes to receive service health records from DND or Library and Archives Canada,
- the level of detail (or lack of detail) in those service health records, and
- any challenges in getting other needed evidence to support your claim.

The [Wait time tool](#) provides current average wait times for receiving a decision on certain applications.

Are there policies for this program?

Yes. Read more about the [Disability Benefits](#) policies.

[Read more FAQs](#) about the disability benefits program

Service Health Records for Disability Benefit Application – Fact Sheet

Veterans Affairs Canada (VAC) disability benefits are provided to those who have a service-related disability. To receive a disability benefit you must have a diagnosed medical condition or disability and show that the condition or disability is related to your service.

VAC will obtain your health records

When your application for disability benefits is received, we will obtain a copy of your service health records. Your records will be reviewed as part of your application. Under the Pension Act and the Canadian Forces Members and Veterans Re-establishment and Compensation Act, VAC has the authority to obtain these records directly from the Department of National Defence or Library and Archives Canada.

Service relationship

To be eligible for a disability benefit, your service health records should contain sufficient evidence to show that your disability is related to your service.

You may request your service health records

The Privacy Act provides you the right to request a copy of your personal information held by a government institution and the right to request corrections or have a notation added to any recorded personal information. VAC has no authority to change or update your service health records. You may send your request to the Access to Information and Privacy section of the appropriate department:

- [Department of National Defence](#) (if you are still serving or recently released)
- [Library and Archives Canada](#) (if you are no longer serving)
- [RCMP Health Services](#) (if you are still serving or have served with the RCMP)

1. How is the amount of a disability benefit determined?

The amount of a disability benefit you receive will be determined by:

- the degree to which that disability is related to your service (entitlement); and
- the extent of the disability (assessment).

Once it is established that your disability is related to your service, the next step is to determine the extent or severity of your disability so that we can assign an assessment level.

To learn more, see the [How Benefits Are Determined](#) section.

2. What are Entitlement Eligibility Guidelines?

[Entitlement Eligibility Guidelines](#) are policy statements used to guide the decision-making process and help in determining the relationship between your medical condition or disability and your service. The guidelines are based on credible medical evidence and research. Similar guidelines from across the country as well as the United States and Australia were reviewed during the development process. Entitlement Eligibility Guidelines help to ensure our decisions are consistent and fair.

3. What is the Table of Disabilities (TOD)?

The [TOD](#) is a legislated/statutory instrument used to assess the extent of a disability for the purposes of determining disability benefits. The table considers the relative importance of a certain body part/system in assessing the level of impairment and the impact of on an individual's lifestyle. The disability assessment is established based on the medical impairment rating, in conjunction with quality of life indicators.

4. What are medical questionnaires?

[Medical questionnaires](#) are forms we have developed for your healthcare provider to complete with all of the details of your disability. These standardized forms provide guidance for your health care provider to ensure he or she provides all of the necessary and relevant information we need to make a decision on your application for disability benefits. The medical questionnaires are used, along with other submitted medical information, to confirm your medical diagnosis and determine the impairment rating of your disability.

When you give your health care provider the [medical questionnaire](#), please be sure to also provide your completed and signed [Consent for Veterans Affairs Canada to Collect Personal Information from Third Parties](#) form which gives him or her the authority to release your personal medical information to us. If your health care provider does not wish to fill out the questionnaire, they can provide a "narrative report" as an alternative. This report must include the same basic information as the questionnaire. Please do not have a medical questionnaire completed until you have been provided with specific instructions from us regarding the questionnaire(s) required. .

5. When can I expect to receive a decision?

We are committed to getting you a decision as soon as possible. There are several ways to check the progress of your Disability Benefit application, you can: visit "Track your applications" through your My VAC Account; contact your case manager, if you have one; or call 1-866-522-2122 and speak to a Veterans Affairs Canada representative.

Note: If you do not have a My VAC account you can register on the [Registration page](#).

6. What happens if my disability gets worse?

If the disability for which you are receiving VAC benefits worsens, you can request a reassessment if there is medical evidence to show that there has been a change in the severity of your disability. If a new condition develops that you think is related to your service, you can submit an application for that condition. If the reassessment confirms that your condition has worsened, your benefit will be adjusted accordingly-unless you are already receiving the maximum assessment as set out in the [Table of Disabilities](#). If that is the case, no additional amount can be provided.

7. I do not agree with the Department's decision on my application? What can I do?

If you do not agree with the decision you have received regarding your application for disability benefits, you have the right to appeal the decision or request a Departmental Review if you have new evidence. The [Bureau of Pensions Advocates \(BPA\)](#) and [The Royal Canadian Legion](#) both provide free assistance with reviews and appeals.

8. I'm having difficulty preparing my application for Disability Benefits. Can anyone help?

Yes, VAC staff are always happy to help you with your application or any other questions you may have. In addition, Service Officers with The Royal Canadian Legion or The War Amps of Canada also provide assistance with applications free of charge. You can find out more in the "[Who Can Help?](#)" section.

9. I am no longer living in Canada. Can I still get benefits?

In some circumstances, we can provide benefits to you while you are living or vacationing outside of Canada.

You can contact us toll-free, from:

- United States – Call 1-888-996-2242 (toll free)
- United Kingdom, Germany, France, or Belgium – Call 00-800-996-22421 (toll free)
- Any other country – 613-996-2242 (collect)

10. When will benefits start?

If you receive a favourable decision letter, it will indicate a start date.

11. [How do I get my service health records?](#)

12. [How do I calculate my Disability Award payment?](#)

13. Why can I only get a Disability Award and not a monthly pension?

The monthly disability pension has been replaced with a combination of financial benefits that have been designed to meet your individual needs.

Our [Earnings Loss program](#), for example, provides you with a monthly income of 90 % of your pre-release salary while you are participating in our [rehabilitation program](#) or until age 65 if you are not able to work. The Disability Award is paid as a one time award to help you overcome any immediate financial concerns and as an opportunity for you to generate income. It is not taxable. There are flexible Disability Award payment options from which to choose: a lump-sum payment, annual payments over the number of years of your choosing, or a combination of these two payment options.

14. If I receive a significant compensation through the Disability Award, can I get advice to help me manage it?

Yes. In fact, we encourage you to get a financial expert's [advice](#) to help you manage this compensation. Veterans Affairs Canada will cover the cost of that advice up to \$500.

[Op LENTUS: Feux de forêts et évacuations en Ontario et en Alberta, consolidation des infrastructures au Québec](#)

45e Nord

Pendant que la consolidation des infrastructures se poursuit au Québec après les inondations printanières et que les évacuations des résidents menacés par le feu se poursuivent dans le Nord-

Ouest de l'Ontario, Ottawa a annoncé que suite à la demande des autorités provinciales, les Forces armées canadiennes aideront également à combattre les incendies de forêt en Alberta. [LIRE PLUS](#)

[Chilliwack son of Second World War veteran retraces his fathers steps in France](#)

Chilliwack Progress

"The new bridge is there," pointed my war-sites guide. "So the old Bailey bridge would have to be pretty close ...on one side or the other." I went crawling through the bush and the undergrowth along the edge of the murky river, and in short order came across a cement footing which had a rusting steel support piling rising up from its centre. Into the cement were scratched four names and serial numbers. [READ MORE](#)

[Meet the man charged with ridding war zones of landmines](#)

Yorkshire Post

Across the Middle East, thousands of landmines and unexploded bombs lie ready to maim and kill at any moment. They are often found in and around people's homes where children live and play. Every day, 20 people are killed or injured by landmines and unexploded bombs globally. Almost half of civilian casualties are children and many are left with life-changing injuries. One of the men charged with trying to tackle this deadly legacy is Guy Petts. [READ MORE](#)

[1st Engineer Soldiers moving across bridges](#)

DVIDS

Combat Engineers with 1st Engineer Battalion, 1st Armored Brigade Combat Team, 1st Infantry Division successfully deployed an M60 Armored Vehicle Launched Bridge system and crossed an 85-class bridge as part of a day of breach training they conducted at a range near Camp Trzebień, Poland May 22, 2019. [READ MORE](#)

[Op MAISON NETTE : à l'assaut des déchets](#)

Journal Adsum

L'opération annuelle MAISON NETTE s'est tenue aux champs de tir et secteurs d'entraînement (CTSE) de la Base Valcartier, en mai, pendant une vingtaine de jours. Voici le portrait de cet effort colossal visant à assurer la sécurité des troupes à l'entraînement et la pérennité de l'environnement. [LIRE PLUS](#)

[The machines clearing ISIS's deadly landmine legacy in Iraq](#)

Reliefweb via Mines Advisory Group

Rebel Crusher, Orbit Screener and Large Loop Detector might sound like the names of space ships in a science fiction movie, but they are in fact some of the huge and impressive machines used in the Middle East to help clear landmines and unexploded bombs. The landmine clearance charity the Mines Advisory Group (MAG) uses these highly specialized machines across former conflict zones so people can live in safety. In Iraq alone, over 3.4 million people were displaced at the height of the crisis and the fighting has left large areas littered with improvised landmines (IEDs), manufactured on an industrial scale, and deployed in urban, village and rural settings. Groups such as ISIS have left behind a particularly deadly legacy, explains MAG's Mechanical Operations Manager in Iraq, Guy Petts, due to the size and unpredictability of devices left behind. [READ MORE](#)

[War artist plucked from the Sappers](#)

CMEA

Captain Orville Fisher (Ret'd), one of Canada's most renowned war artists, was the only allied war artist to take part in the D-Day invasion of Normandy, coming ashore with the 3rd Canadian Infantry Division. There is a Sapper connection. Already an accomplished and successful artist, he joined the Canadian Army in 1940 as a Sapper in the Royal Canadian Engineers. After officer training in 1942, he was sent to the Army Historical Section as a war artist. While overseas he took part in the invasion of Normandy and the advance into Holland. On returning to Vancouver in 1946 he resumed his work as a muralist, graphic artist, and painter. Over two hundred of his sketches and paintings are held by the Canadian War Museum with hundreds of reproductions across the land. [READ MORE](#)