

**VA Form 21-526EZ – Application for Disability Compensation
and Related Compensation Benefits**

Comment on Information Collection Revision

March 22, 2019

VA-2018-VACO-0001-6804 (Ms. Darla Roote of Steuben County, NY)

Instructions on the form: Do I agree what the form should be used for and why.

- The **commenter** provided agreement and/or disagreement on the information listed within the instructions/notice of the information collection under control number 2900-0747.

VBA response: The notice included within the instructions of control number 2900-0747, provides the necessary evidence needed to substantiate a claim whether an additional information collection is needed or not. No specific questions were asked and thus VBA is not required to answer.

- The **commenter** provided a recommendation to remove reference to pension benefits under the '*Want your claim processed faster?*' paragraph.

VBA response: The notice included within the instructions of control number 2900-0747, provides the necessary information collection(s) needed to apply for pension or survivor claims. This information is stated as a courtesy to the claimant filling out this information collection should they be interested in non-service connected pension or survivor benefits.

- The **commenter** asked why VA Form 21-526EZ was needed if VA Form 21-8940 was required to apply for the individual unemployability benefit? The commenter asked similar questions regarding other benefits, such as; Specially Adapted Housing, Auto Allowance, and Aid and Attendance.

VBA response: The notice included within the instructions of control number 2900-0747, provides the necessary information collection(s) needed to apply for additional benefits. This information is listed as a courtesy to the claimant filling out this information collection should they be interested in applying for additional benefits.

- The **commenter** stated; PTSD: There is no way that I would assist a person with PTSD to fill out VA Form 21-0781 or 21-0781a. I do not want to bring up any type of reaction in my office. I am not a trained mental health provider.

VBA response: As there is no question asked regarding PTSD, VBA is not required to respond.

- The **commenter** stated regarding the '*Where to send the form*' paragraph; NYS VSO's are not allowed to send the forms directly to WI. They must be sent to the regional office for processing. This takes additional time to get the claim in the hands of an adjudicator. I would estimate at least 3 weeks longer. Why can they not be sent electronically, instead of paper form, to an address/system?

VBA response: The Department of Veterans Affairs does not have say in whether New York State VSO offices acquire an electronic system to help send claim submissions to VA's intake sites.

- The **commenter** asked regarding; the '*Reopening a claim previously denied,*' paragraph. Why fill out a whole new form? Just send in a statement in support of claim with the new and material evidence. Reduce paperwork.

VBA response: The language in this paragraph has been changed to incorporate the new process for filing a supplemental claim and what you must submit or identify regarding new and relevant evidence.

- The **commenter** requests the removal of the IMPORTANT paragraph that mentions non-service connected pension benefits.

VBA response: The IMPORTANT paragraph was added to help navigate the claimant to the information collection for non-service connected pension should they want to apply. It also notes that should they not be able to access the form online, then writing 'pension' in Item 16 (Claim Information) will trigger VA to send a copy to them.

Actual Claim Form 21-526EZ:

- The **commenter** requests to remove Question 13 and asks what difference does it make if the claimant is a VA employee?

VBA response: Question 13 asks if the claimant is a VA employee or not. VA needs this information to identify and safeguard the benefit records VA maintains in order to insure the security and confidentiality of the records and the claimant (5 U.S.C. 552a(e) (10)).

- The **commenter** requests the removal of Section II: Change of Address, as it is possible to use a separate form to do so.

VBA response: VA will not remove Section II: Change of Address. Section II is used to change the address of IDES or BDD claimants applying for benefits prior to discharge from service.

- The **commenter** provided a recommendation for the Veteran's Social Security Number to be prefilled at the top of each page.

VBA response: VBA's automated system automatically prefills the SSN.

- The **commenter** provided a recommendation for; Section III: Homeless Information: If the veteran is homeless or at risk, he will be filling out other paperwork with or alongside this paperwork. Not necessary for a disability claim. If this section is kept on the form, remove the "Important" instructions. If this form is sent in without the NO boxes checked, it is returned to be completed. Does not follow the "Important" instructions.

VBA response: As there is no question asked regarding Section III: Homeless, VBA is not required to respond.

- The **commenter** provided a recommendation to allow entry of text (Ex: present), under all dates.

VBA response: The word 'present' may be used in the appropriate entries; such as in Question #17, medical treatment. It would not be appropriate in the other sections because an end date is needed to determine eligibility for effective date purposes or for proper mailing addresses, etc.

- The **commenter** provided a recommendation for; Question #17. Only asks for VAMC or DOD MTF's. Where are the private doctors supposed to go?

VBA response: Under the FDC program, private medical records are required to be sent along with the completed VA Form 21-526EZ. However, if the standard claim process is selected, a VA Form 21-4142, *Authorization to Disclose Information to the VA*, & 21-4142a, *General Release for Medical Provider Information to the VA*, must be completed. Page 2 of the instructions explains this process.

- The **commenter** asks why both VA Forms 21-0781 and 21-0781a are required.

VBA response: Both VA Forms 21-0781 and 0781a are **not** required. This is a typo. The language has been changed to; VA Form 21-0781 **or** 21-0781a. This language change is consistent with the reference to the form on Page 2 in the instructions.

- The **commenter** states; Section V: Service Information: Redundancy. 19B Component also 21B, 20A Dates also 21C, and 20B last separated also 21D.

VBA response: Question 19B has been modified to direct the claimant to Question 21A through 21F, if they check the box for 'Reserves' or 'National Guard.' However, the 'place of separation' and 'date are not in duplication as they are separate due to active duty versus reserve or national guard duty.

- The **commenter** states; Electronic Submission: NYS County service officers are still being required to send in paper claims to the regional office. Electronic submission of documentation is needed to catch up with the 21st century. Can the VSO's submit a claim through the VBMS system? Or can the system be set up to notify VBA that a new claim has been uploaded by a VSO? Need to be able to submit claims electronically.

VBA response:

Question 1: If a Veteran has a VSO, can the VSO submit a claim through VBMS?

Answer 1: The claim would be submitted via Direct Upload in the Centralized Mail portal. This would ensure that the claim and contentions are loaded properly. A VSO does not have the capability to establish their own claims directly by user role definitions.

Question 2: Does VBMS notify VBA that a new claim has been uploaded by a VSO? If not, can this be implemented into the system?

Answer 2: There is a report that can be generated to know the systems source and document type of what was added into a Veteran's folder.

- The **commenter** states; If the VSO's organization is chosen in e-benefits, the VSO is not notified nor, can they see documents on e-benefits. If the veteran chooses an organization, that organization should be able to see their information in VBMS. Can they?

VBA response: The VSO must be signed off by the Veteran as to be granted access to their information without limitations. If the POA has any limitations, or is not the most recent assigned VSO, the constituent's information is not made available.