

THE TRUTH ABOUT THE VA DISABILITY CLAIMS INDUSTRY



MYTH

The Department of Veterans Affairs is easy to navigate and most often results in the proper level of disability benefits.

FACT

Anyone who has filed a disability claim with the VA knows that the system is extremely onerous and time-consuming. Look no further than the VA disability claims backlog: There are over 378,000 pending claims that are backlogged, or older than 125 days since the submission. That's over one-third of active claims.

MYTH

The VA does a good job of identifying, treating, and compensating veterans' specific disabilities.

FACT

The VA requires that claimants provide proof of their disability, proof of eligibility for VA disability benefits, proof that their disability is related to military service, and medical evidence of all the above. Many disabled veterans need assistance collecting, vetting, packaging, and providing these materials, ranging from general guidance to medical evaluations, to hands-on preparation of their claims. To argue that the VA is an ally in this process is akin to arguing that the IRS is helpful in tax preparation.

MYTH

Assistance provided by VSOs for benefits claims is widely available to veterans nationwide at an expedited speed.

FACT

While well-intentioned, VSO groups can be understaffed and under-resourced in many areas of the country. This leads to bureaucratic slowdown and limited offerings for veterans. Local representatives and members of VSOs don't solely focus on just disability claims and simply don't have the time or expertise to focus on individual disability claims.

MYTH

Private disability claims companies are operating totally unchecked.

FACT

Private disability claims companies are subject to the Federal Trade Commission, Department of Justice, and state Inspector General oversight. Any of these organizations can bring civil and criminal penalties for private companies that break the law.

MYTH

Private disability claims companies took advantage of veterans during the COVID-19 pandemic shutdown.

FACT

There is no evidence of widespread abuse of veterans during the pandemic. VSOs made a conscious decision to shut down during the pandemic. Private businesses did not have that luxury.

MYTH

Any unaccredited disability benefits consultant is acting illegally.

FACT

Federal and state laws **DO NOT** prohibit private claims consultants from assisting veterans with their disability claims.

MYTH

Disability claims companies can be accredited; they just don't want to.

FACT

There is no path to accreditation for private disability claims companies. The way accreditation is currently structured makes it impossible for private companies to maintain their independence as consultants and provide their expertise to a wide variety of veteran disability claims needs.