

POST SERVICE OFFICER TRAINING

VA Form 21-22 & VA Form 21-0966



VFW Department of Pacific Areas





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VA administrative decisions



Veteran status...

Who can we assist and what can we assist them with?

Honorable	Always
General, General under Honorable	For most benefits, except Chapter 30
Other than Honorable	Requires VA admin decision first
Uncharacterized/Entry Level Separation	Requires VA admin decision first
Bad Conduct	Requires VA admin decision first
Dishonorable	Not until discharge is upgraded



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❖ Power of attorney; disclosure of claimant information

➤ VA Form 21-22

- Required for representation
- Authorizes VA disclosure of information to VFW
- Requires signature of claimant and the VFW
- If an outdated form is used or of record VA will **restrict access to the file** and send a current version to the veteran to fill out and return
- A new 21-22 revokes current POA



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- Claimant must **NOT** be represented by an attorney on any issue before the VA
- Claimant must **NOT** restrict access to any records (See VA Form 21-22, Block 19 **must be checked**)
- Block 20 **CANNOT** be checked



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❖ VFW Policy – Refusing Representation

- Repeated changes of powers of attorney where the claim is without apparent merit.
- Fraud or attempted fraud
- Dishonorable discharge
- Abusive verbal or physical behavior towards a VFW representative or staff by a client or prospective client
- Client's repeated and persistent failure to cooperate with a VFW representative



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- ❖ How can a Veteran find out if they have a representative?
 - Log into E-Benefits – Click on representation
 - Inquire with the VA
 - Ask the ADSO or DSO to check



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❖ Section I

- Key notes: Only fill out block 3 (VA File number) and block 5 (Veteran's service number) if you have that information otherwise leave them blank

❖ Section II

- Key notes: Only fill out this section if someone other than the veteran is requesting representation (Surviving spouse, child)

❖ Section III

- Key notes: Accredited service officer information



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❖ Section IV

- Block 19 **MUST** be checked to allow access to medical records
- Block 20 **CANNOT** be checked
- Block 21 to allow address change is optional but we recommend checking it

❖ Section V

- Veteran/Claimant must sign block 22A



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POST SERVICE OFFICER TRAINING VA Form 21-0966



❖ INTENT TO FILE (ITF) – WHAT IS IT

➤ VA Form 21-0966

➤ Alerts VA that you are going to file a claim within 1 year of submission of the ITF

➤ Protects date of claim

➤ Allows time to gather information

➤ Use if the Veteran is not sure what issues he/she wants to claim yet.



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❖ INTENT TO FILE (ITF) – WHAT IS NEEDED

➤ Personal Information

➤ What benefit is being sought (Compensation, Pension, Survivors Benefits)

- **For surviving dependents:** If unsure, check survivors pension and/or dependency and indemnity compensation (DIC) block

➤ Signature



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❖ INTENT TO FILE (ITF) – How to file

- ADSO or DSO can initiate electronically
- Veteran can initiate electronically using eBenefits, VA.gov, over the phone (800-827-1000), or by submitting VA form 21-0966 via snail mail
- If you attempt to submit a 2nd ITF while the first is still active, the 2nd ITF will not be recognized.



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- Must file the claim within 1 year of ITF – this timeline cannot be extended by submitting an additional 21-0966
 - Pre-discharge claims/BDD
 - Survivor benefits (DIC)
 - For these programs, if ITF is filed within the one year timeframe, it preserves the effective date as if the claim was filed within the original year.
- VA only recognizes one ITF per general benefit
- ITF is no longer active once you submit a completed claim



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- If a veteran was previously denied a benefit, VA will not accept an ITF for that specific issue
- If an ITF is submitted for a previously denied issue VA will notify the veteran that they did not accept the ITF and the effective date will not be preserved
- Instead the veteran must submit a Supplemental Claim, VA Form 20-0995
- The veteran can still submit an ITF for other issues



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➤ Section I

- Block 1 – Use the claimant's name, usually this is the veteran but may be a dependent
- Block 3 – Only complete if you have it otherwise leave blank
- Block 5 – Do not use if the veteran is the claimant
- Block 10 – Ask – if claimant is unsure check yes

➤ Section II

- Key notes: select which benefit(s) the veteran or claimant will file for

➤ Section III

- Key notes: Remember to put Veterans of Foreign Wars in block 15