



VETERANS CLAIMS EDUCATION · FREE GUIDE

VA Claim Deadlines

Every deadline that protects your effective date and back pay, from 180 days before you get out to years after you're rated, with examples, steps, a worksheet and a checklist

Before you start: we are a free education resource. We are not VA, a VSO, an attorney or an accredited claims agent, and we don't decide what applies to you. Only VA decides. Examples in this guide are made up to show how the rules work.

The key idea: a missed deadline usually costs back pay, not the claim

Most VA deadlines don't stop you from filing. They decide your effective date, the day your pay counts from. Miss one, and the date usually moves to whenever VA gets your next filing. Same evidence, same rating, years of back pay gone.

There's no deadline to file a first claim, PACT Act claims, or Gulf War undiagnosed illness claims. But every month you wait can be a month you don't get paid for.

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SECTION 1

The date on your letter **starts the clock**

Most deadlines count from the date printed on the letter, not the day it arrived. Mail delays don't pause the clock.

Count from the letter date

Write it on the envelope and your folder the day it arrives.

Weekend or holiday?

If the last day falls on a weekend or federal holiday, it moves to the next business day ([§ 3.110](#)).

Aim early

Treat a 1-year deadline as 10 months, and a 30-day deadline as 20 days.

EXAMPLE

The late letter

Kevin's decision letter is dated March 4, but it reaches him March 20.

His one-year deadline is March 4 of next year. He sets a reminder for January 4, ten months out, and files in January.

EXAMPLE

Opened late

Tasha's proposed-reduction letter is dated May 1. She's traveling and opens it May 25.

Her 30-day hearing deadline is May 31, only 6 days away. She requests the hearing online that day, so her payments stay the same.



2 · EVERY DEADLINE THAT MATTERS

Time limit	What it's for	If you miss it
180–90 days before separation	File a BDD claim	You can still file before or after separation
1 year after separation	File so pay can start the day after discharge	Pay starts when VA gets your claim
1 year after Intent to File	File the full claim and keep the Intent to File date	The Intent to File expires
1 year from a decision	Supplemental Claim, HLR or Board Appeal to keep your date	HLR and Board expire; a new filing gets a new date
1 year from an evidence request	Send evidence VA asked for	The claim can be treated as abandoned
1 year before an increase claim	Pay can reach back to documented worsening	Pay starts when VA gets the claim
1 year after marriage, birth, adoption	Add a dependent with pay from the event date	Extra pay starts when VA gets it
1 year after a veteran's death	DIC from the month of death; accrued benefits; substitution	Later dates, or the option ends
1 year from a debt letter	Request a waiver of an overpayment	The waiver option ends
120 days from a Board decision	Appeal to the Court of Appeals for Veterans Claims	The court option ends
90 days at the Board	Evidence on the Evidence Submission or Hearing docket	The judge won't consider it
60 days	Evidence against a proposed reduction · Board Appeal on a contested claim	Reduction can be finalized · appeal ends
30 days	Hearing on a proposed reduction · dispute a debt or request a waiver to stop collection	Pay can drop first · collection can start
No deadline	First claims · PACT Act · Gulf War undiagnosed illness · CUE · service records found later	Timing still affects your date

SECTION 3

Why one year keeps coming up

Your effective date is generally the later of the date VA received your claim or the date entitlement arose. Pay starts the first day of the next month. Most one-year rules exist to protect that date:

- File within a year of discharge → pay from the day after discharge.
- File the claim within a year of your Intent to File → pay from the Intent to File date.
- File each review within a year of the last decision → pay from your original claim.
- File an increase within a year of documented worsening → pay from the worsening.

EXAMPLE

An unbroken chain

James files in March 2020 → denied September 2020 → Supplemental Claim June 2021 (9 months later) → denied January 2022 → Board Appeal November 2022 (10 months later) → granted at 40% in March 2025.

Paid from March 2020. Every step was filed within a year of the one before.

If he had waited 14 months after the January 2022 denial, his date would have reset to that new filing. Years of back pay, gone.

EXAMPLE

Increase claim

Ana's migraines got worse, and her doctor's notes show it in February. She files for an increase in September of the same year.

Pay at the higher rate can go back to February, because the records show the worsening within the year before her claim.

The rules: [38 CFR § 3.400](#) · [§ 3.31](#) · [§ 3.2500](#)

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Before you get out: BDD

Benefits Delivery at Discharge (BDD) lets you file your disability claim while you're still serving, so a decision can come soon after you separate.

More than 180 days out
Too early. Copy your records; go to sick call.

180–90 days out
The BDD window. File now.

Fewer than 90 days
File a pre-discharge claim, or within 1 year after.

You can use BDD if

- You're on full-time active duty, including Guard, Reserve or Coast Guard
- You have a known separation date 180–90 days away
- You can go to VA exams within 45 days of filing

You can't use BDD if

- You need case management for a serious injury or illness
- You're terminally ill
- You're waiting for discharge while in a VA or military hospital
- VA must decide your character of discharge
- You can't go to exams within 45 days

BDD step by step

- ☐ Confirm my separation date and count back 180 and 90 days
- ☐ Got a full copy of my service treatment records
- ☐ Went to sick call for everything that bothers me, so it's documented
- ☐ Completed the Separation Health Assessment, Part A, and listed every issue
- ☐ Filed VA Form 21-526EZ online inside the window; listed every condition; answered the toxic exposure questions
- ☐ Kept 45 days open for VA exams (no leave or move that blocks them)
- ☐ Updated my address with VA before moving

EXAMPLE

Counting the window

Jordan's last day of service is June 30. 180 days before is January 1; 90 days before is April 1.

He files in February, goes to exams in March, and is granted. His effective date is July 1, the day after he got out.

If he'd missed the window, he could still file a pre-discharge claim, or file within a year after separating, and keep the July 1 date.

Medical board? If you're going through an MEB, you'll use the Integrated Disability Evaluation System (IDES), not BDD.

The rules: [VA: Pre-discharge claims \(BDD\)](#)

SECTION 5

Your first year **after** separation

File within one year after you separate, and your effective date can be the day after discharge, even if you filed months later.

ON TIME

Lee files in month 11

Lee separates June 30, 2025 and files in May 2026.

Effective date: July 1, 2025. Pay starts Aug. 1, 2025.
About 10 months of back pay.

TOO LATE

Sam files in month 14

Sam separates June 30, 2025 and files in August 2026.

Effective date: August 2026. About 13 months of pay he can't get back.

Running out of time? File an Intent to File before the one-year mark. If you file the full claim within a year of the Intent to File, VA treats it as filed on the Intent to File date, inside your first year.

EXAMPLE

The Intent to File save

Mia separates June 30, 2025. In June 2026, she still doesn't have her records, so she files an Intent to File online on June 20. She files the full claim in March 2027.

Her claim counts as filed June 20, 2026, inside her first year. Effective date: July 1, 2025.

A different 1-year rule: certain chronic diseases, like arthritis, diabetes, hypertension and psychoses, can be presumed service-connected if they show up to at least 10% within one year of discharge. See a doctor in your first year if something starts.

The rules: [38 CFR § 3.400\(b\)\(2\)](#) · [§ 3.155\(b\)](#) · [§ 3.307](#) · [§ 3.309\(a\)](#)

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Intent to File

An Intent to File locks in your start date for one year while you gather evidence. It takes about five minutes and costs nothing.

1. Online: start your disability application on VA.gov; that creates one.
2. By phone: 800-827-1000. Make sure the person records it; write down the date and their name.
3. By form: VA Form 21-0966.

EXAMPLE

Marcus and Elena

Marcus files an Intent to File in January and his full claim in November. Elena files the same claim in November, with no Intent to File.

Marcus is paid from January.

Elena is paid from November: about 10 months of back pay she'll never get.

It expires. One year after you file it, it's gone. Calendar the expiration, and file the claim before it. A handwritten note doesn't count.

The rules: [38 CFR § 3.155\(b\)](#) · [VA: Your intent to file](#)



SECTION 7

After a decision

From the date on any decision, you have one year to file a Supplemental Claim, Higher-Level Review or Board Appeal and keep your effective date.

Board evidence: 90 days

Evidence Submission docket: with your form or within 90 days.
Hearing docket: at the hearing or within 90 days after.

Court: 120 days

Appeal a Board decision to the Court of Appeals for Veterans Claims within 120 days ([§ 7266](#)).

Contested: 60 days

When two people claim the same benefit, a Board Appeal is due within 60 days.

Step	Date	Next deadline
Claim filed	March 3, 2024	–
Denied	Nov. 12, 2024	Nov. 12, 2025 (reminder: Sept. 12, 2025)
HLR requested	April 2, 2025	Inside the year ✓
HLR denied	Oct. 15, 2025	Oct. 15, 2026 (reminder: Aug. 15, 2026)
Board Appeal filed	March 30, 2026	Inside the year ✓ · Evidence docket: send evidence within 90 days

Result: if the judge grants, the effective date is March 3, 2024, because the chain never broke.

The rules: [38 CFR § 3.2500](#) · [§ 20.202](#) · [VA: Decision reviews](#)

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Deadlines while your claim is pending

VA asks for evidence

The letter may ask for a reply in 30 days, and VA can decide after that. But you have up to one year from the request to send it and keep your original date. Send it as soon as you can.

VA schedules an exam

Go. Missing it without good cause can lead to a denial. Need to reschedule? Call right away and get the new date in writing.

You move

Update your address with VA. A letter you never got still has a deadline.

You find new evidence

Upload it any time before the decision.

EXAMPLE

The evidence letter

VA asks Ray for his private knee records. His doctor's office takes 6 weeks to send them, and VA decides the claim at day 30, denying it.

Ray sends the records within a year of VA's request. VA must consider them, and if it grants, the effective date stays tied to his original claim.

The rules: [38 CFR § 3.159\(b\)](#) · [§ 3.158](#) · [§ 3.655](#)



Reduction deadlines

Before VA lowers a rating, it must send a proposal. That letter starts two clocks:

Day 0

Proposal letter date

By day 30

Ask for a predetermination hearing.
Pay stays the same until VA decides after it.

By day 60

Send evidence: treatment records, statements.

Your due process rights: before VA lowers or stops a benefit, it must tell you in advance, explain why, give you time to respond, and offer you a hearing ([38 CFR § 3.103](#)). If VA skipped a required step, the reduction can be invalid. Full details are in our [Protecting Your Rating guide](#).

EXAMPLE

Dee's proposed reduction

Dee has been rated 50% for PTSD for 6 years. After a short exam, VA proposes 30%.

She asks for a hearing on day 12, so her pay stays at 50%, and sends her therapist's notes by day 45. Because she's been at 50% for over 5 years, VA must show lasting improvement on a thorough exam.

- ☐ Found the date on the proposal letter
- ☐ Requested a hearing by day 30
- ☐ Got current treatment records and a statement from my provider
- ☐ Wrote my own statement about how the condition affects me
- ☐ Sent everything by day 60 and kept proof

Payments held back because of severance or separation pay? That's recoupment, not a reduction. Your rating hasn't changed. See [Section 12](#).

The rules: [38 CFR § 3.105\(e\),\(i\)](#)

10 · PROTECTING A RATING YOU ALREADY HAVE

After	Protection
5 years at the same rating	Stricter rules to reduce: a thorough exam, a look at your whole history, and improvement reasonably certain to last (§ 3.344)
10 years service-connected	Service connection can't be cut off, except for fraud (§ 3.957)
20 years at a rating level	Can't be reduced below that level, except for fraud (§ 3.951(b))

EXAMPLE

The 20-year floor

Walt has been rated 40% for his back since 2005. A new exam suggests 20%.

After 20 years at 40%, his rating can't go below 40% unless VA shows fraud.

More detail is in our [free Protecting Your Rating guide](#).

Debts and overpayments

30 days: act fast

Dispute the debt or request a waiver within 30 days of the first debt letter to stop collection while VA reviews it.

1 year: waiver deadline

You have one year from your first debt letter to ask VA to waive (forgive) an overpayment.

EXAMPLE

An overpayment letter

Rosa gets a letter saying she was overpaid because her ex-spouse wasn't removed from her award in time.

She requests a waiver within 30 days, explaining the hardship, so collection pauses while VA decides.

If she'd waited, she still had up to a year to ask, but VA could have started withholding her payments first.

Debt Management Center: 800-827-0648 (TTY: 711) · va.gov/manage-va-debt

The rules: [VA: Options to request help with VA debt](#) · [38 U.S.C. § 5302](#)



Severance and separation pay: **recoupment**

If the military paid you disability severance pay or separation pay when you left, VA may hold back your disability compensation until that amount is recovered.

Why: the law doesn't let you be paid twice for the same thing. Disability severance pay already paid you for a disability, so VA deducts it from compensation for that same disability ([10 U.S.C. § 1212\(d\)](#)). Separation pay is deducted from your VA compensation ([38 CFR § 3.700\(a\)](#)).

If you received	How much VA recovers	From which payments	Exceptions
Disability severance pay	The total, minus federal income tax withheld	Only compensation for the same disability	Not recovered for a disability from a combat zone or combat-related operations, if you separated on or after Jan. 28, 2008
Separation pay or special separation benefits	The total, minus federal income tax withheld	Your VA disability compensation	Ask a VSO about your type of separation pay

What happens: VA rates your claim like anyone else, holds back the compensation the recoupment applies to, and sends a letter explaining it. When the amount is recovered, full payments start automatically. Your rating still counts for VA health care, state benefits and other benefits.

EXAMPLE

Severance pay for a knee

Tony got \$30,000 in disability severance pay for his knee; \$6,000 in federal tax was withheld. VA rates his knee, back and tinnitus.

VA recovers \$24,000, only from the part of his payment for the knee. His back and tinnitus can be paid.

EXAMPLE

The combat exception

Maria was injured by a blast in Afghanistan, separated in 2012, and got disability severance pay for her TBI.

Combat zone, separated after Jan. 28, 2008: VA doesn't recover it.

How to make sure VA recovers the right amount, or less

- ☐ Got my DD-214 and DFAS records showing the gross amount and federal tax withheld
- ☐ Checked that VA used the after-tax amount; sent proof if not
- ☐ Severance pay: checked my PEB findings for which disability it covered, and that VA only holds back pay for that disability
- ☐ Filed for all my other conditions, which can be paid during recoupment
- ☐ Combat-related? Sent VA proof (PEB findings, DD-214). If not marked, asked my branch's Board for Correction of Military or Naval Records (DD Form 149) to review
- ☐ Requested my claims file and checked VA's math; asked for a Higher-Level Review within 1 year if it's wrong
- ☐ Contacted a free accredited VSO

Not a debt: recoupment is required by law, so VA's debt waiver doesn't apply. You can challenge the amount, the disability and the exceptions.

The rules: [38 CFR § 3.700](#) · [10 U.S.C. § 1212](#) · [10 U.S.C. § 1552](#)

Survivor and family deadlines

Add a dependent

Rated 30%+? Add a spouse or child within one year of the marriage, birth or adoption, and extra pay can start from the event date ([§ 3.401\(b\)](#)).

DIC

A survivor who files within one year of the veteran's death can be paid from the first day of the month of death ([§ 3.400\(c\)](#)).

Pending claims

Within one year of the death, a survivor can file for accrued benefits or ask to continue the veteran's pending claim ([§ 3.1010](#), [38 U.S.C. § 5121A](#)).

EXAMPLE

A new baby

Chris is rated 40%. His daughter is born in March, and he adds her in December.

Because he added her within a year, the extra pay goes back to March.

If he'd waited until the next April, it would start in April.

EXAMPLE

A survivor

Linda's husband, a veteran, died in May with a claim pending. She files VA Form 21P-534EZ in September and asks to continue his claim.

Filed within a year: DIC, if granted, can start from May, and she can continue his pending claim as his substitute.

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Things people **don't** think about

- ☐ Your Intent to File expires. One year, then it's gone.
- ☐ The year after discharge goes fast. File, or at least file an Intent to File, before it ends.
- ☐ Increase claims can reach back one year. If your doctor documented the worsening months ago, file now.
- ☐ Each decision restarts the clock. Track the newest letter date, not the first one.
- ☐ The wrong form doesn't stop the clock. Pick your option first, then file.
- ☐ Not every deadline is one year. 30, 60, 90 and 120 days all show up.
- ☐ Waiting for a representative isn't a reason to wait. File an Intent to File now; a VSO can help with the rest.
- ☐ A move can cost you a deadline. Update your address before you go.

EXAMPLE

The expired Intent to File

Tara files an Intent to File in March 2025, gets busy, and files her full claim in May 2026.

Her Intent to File expired in March 2026, so it no longer counts. Effective date: May 2026, not March 2025. That's 14 months of back pay lost to one missed reminder.

15 · A SYSTEM FOR NOT MISSING ONE

1. Open every VA letter the day it comes. Find the date printed on it.
2. Write that date on the envelope and in one folder with every letter, form and record.
3. Set two reminders: the real deadline, and an earlier one (10 months for 1 year; 20 days for 30 days; 45 days for 60 days).
4. Decide what to file early, so you aren't choosing a form on the last day.
5. File online when you can. If you mail it, use tracking and keep the receipt.
6. Confirm VA got it at va.gov/claim-or-appeal-status.
7. Get free help early from an accredited VSO.

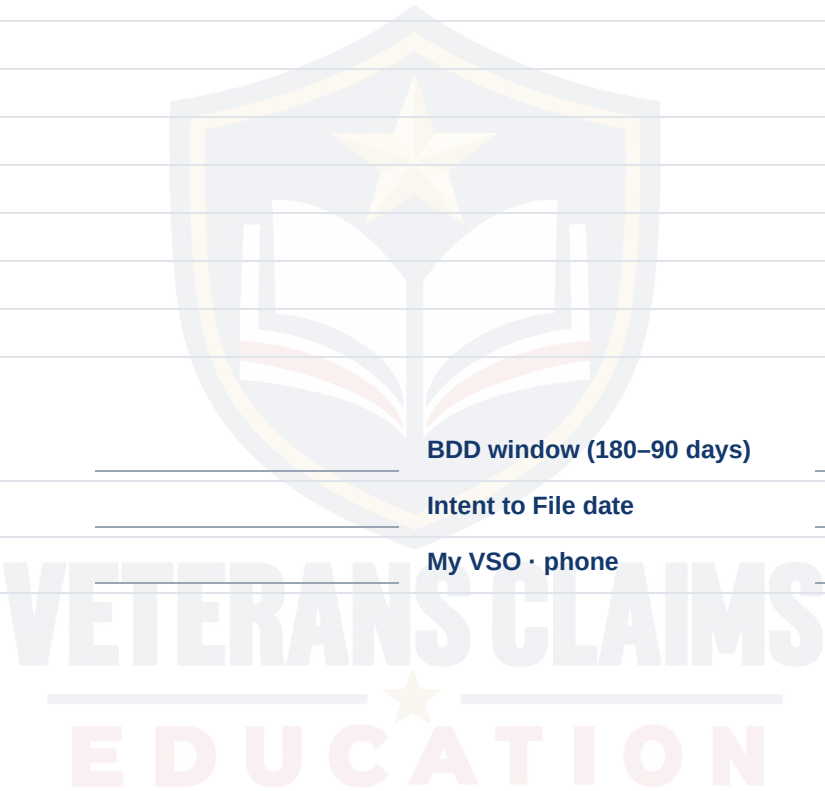
Deadline worksheet

Fill in one row for every VA letter. Use pencil so you can update it.

Letter date	What it was	Deadline	Early reminder	What I'll file	Date filed
Nov. 12, 2024	Denial: sleep apnea	Nov. 12, 2025	Sept. 12, 2025	Supplemental Claim	June 5, 2025

Key dates

Separation date	_____	BDD window (180–90 days)	_____
1 year after separation	_____	Intent to File date	_____
Intent to File expires	_____	My VSO · phone	_____



Your checklist

- ☐ Still serving: copied my service treatment records and counted my BDD window (180–90 days)
- ☐ Separated: marked my one-year-after-discharge date
- ☐ Filed an Intent to File and marked its one-year expiration
- ☐ Marked the one-year deadline from my newest decision letter, plus a 10-month reminder
- ☐ Picked the right review option before the deadline
- ☐ Board Appeal: sent evidence within 90 days, if on the Evidence or Hearing docket
- ☐ Board decision: decided on a court appeal within 120 days
- ☐ Answered every VA evidence request and went to every exam
- ☐ Proposed reduction: hearing requested within 30 days, evidence sent within 60 days
- ☐ Debt letter: disputed or requested a waiver within 30 days (1-year waiver deadline)
- ☐ Added dependents within one year of a marriage, birth or adoption
- ☐ Got severance or separation pay: checked VA's recoupment amount, disability and combat exception
- ☐ Survivor: filed within one year of the death
- ☐ Kept copies and proof of the date for everything I sent
- ☐ Verified my representative is accredited

18 · LINKS AND FORMS · CLICK OR TYPE

Pre-discharge claims (BDD)	va.gov/disability/how-to-file-claim/when-to-file/pre-discharge-claim
Intent to File · Form 21-0966	va.gov/resources/your-intent-to-file-a-va-claim
Compare review options	va.gov/resources/choosing-a-decision-review-option
Decision reviews · Board Appeal	va.gov/decision-reviews · va.gov/decision-reviews/board-appeal
Check claim or appeal status	va.gov/claim-or-appeal-status
Manage VA debt	va.gov/manage-va-debt
Add dependents	va.gov/disability/add-remove-dependent
Priority processing · Form 20-10207	va.gov/find-forms/about-form-20-10207
Find an accredited representative	va.gov/get-help-from-accredited-representative

Line	Number	Hours (ET)
VA benefits hotline	800-827-1000 (TTY: 711)	Mon–Fri, 8 a.m.–9 p.m.
Debt Management Center	800-827-0648 (TTY: 711)	Mon–Fri, 7:30 a.m.–7 p.m.
Veterans Crisis Line	Dial 988, then press 1 · Text 838255	24/7

Official sources

Every deadline in this guide comes from these official rules and VA pages. Click or type any link.

- VA pages: [Pre-discharge claims \(BDD\)](#) · [Your intent to file](#) · [Decision reviews](#) · [Board Appeal](#) · [Options for VA debt](#) · [Add dependents](#) · [VA phone numbers](#)
- 38 CFR, claims and dates: [§ 3.31](#) · [§ 3.110](#) time limits · [§ 3.155](#) Intent to File · [§ 3.158](#) abandoned claims · [§ 3.159](#) evidence requests · [§ 3.307](#) · [§ 3.309](#) · [§ 3.400](#) effective dates · [§ 3.401](#) dependents · [§ 3.655](#) exams
- 38 CFR, reviews and reductions: [§ 3.2500](#) · [§ 20.202](#) · [§ 3.105](#) · [§ 3.344](#) · [§ 3.951](#) · [§ 3.957](#)
- Due process and recoupment: [38 CFR § 3.103](#) due process · [10 U.S.C. § 1212](#) severance pay · [10 U.S.C. § 1552](#) records correction
- 38 CFR, money and survivors: [§ 3.700](#) recoupment · [§ 3.1000](#) accrued · [§ 3.1010](#) substitution
- 38 U.S.C.: [§ 5302](#) waivers · [§ 5121A](#) substitution · [§ 7266](#) court appeals

Stressed or struggling? You don't have to wait for a crisis. Dial 988, then press 1 · Text 838255 · Free, confidential, 24/7.

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