

— FWD ASSIST HQ —

FIELD GUIDE

Filing an Aggravation Claim

File a complete aggravation claim under the
correct standard.



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A FWD Assist HQ Field Guide

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This guide is education, not representation. It explains how part of the VA system works so you can handle your own business with confidence. It is not legal or claims advice, and reading it does not create any representative relationship between you and the author. The author is not affiliated with the Department of Veterans Affairs, and nothing here is endorsed by the VA.

This guide prints no live VA dollar figures and no rating percentages on purpose, because they change. Before you make a decision based on any number, check the current figure at va.gov. No book can promise you a rating; the evidence in your file decides the result. Help from an accredited Veterans Service Officer is always free.

In crisis? Call the **Veterans Crisis Line**: dial **988**, then press **1**. You can also text **838255** or chat online at veteranscrisisline.net. It is free, confidential, and available 24/7.

Filing an Aggravation Claim

File a complete aggravation claim under the correct standard.

Companion to *A VA Disability Claims Manual for the Rest of Us*.

This is general education, not legal or claims advice, and not guidance for your specific claim. It cannot promise you a rating or an outcome, and no one can. For help with your own claim, see a free accredited representative (see [the back of this guide](#)). Nothing here creates a representative relationship.

Current as of October 2026. Rules, forms, and figures change. Check current details at va.gov.

THE BEST WAY TO USE THIS GUIDE

The strongest position is to be your own informed advocate and to work with a free accredited representative. An accredited Veterans Service Organization, such as the DAV, VFW, American Legion, or a county or state veterans office, helps at no charge. Accredited claims agents and attorneys can help too. They can't charge for work done before VA issues its initial decision on your claim, and after that they may charge a fee within the limits of 38 CFR 14.636. This guide is here so you understand your own situation and can work with them as a full partner instead of handing it over blind. If you'd rather handle this yourself, and you're comfortable doing that, the guide walks you through every step. Either way, you stay in control.

The Outcome and What You Need Before You Start

The outcome: By the end of this guide you'll sort which kind of aggravation fits your situation and file a complete claim under that standard, with evidence of the starting level and the worsening.

This guide prepares you for the task. It doesn't and can't promise a rating, a percentage, or an outcome. The evidence in your file decides the result.

WHAT YOU NEED BEFORE YOU START

- ☐ Your DD214 and, for a condition you had before service, your entrance examination.
- ☐ Your service treatment records and any records showing the condition before and during service.
- ☐ For secondary aggravation, your current VA rating decision showing the service-connected condition.
- ☐ A current medical record naming the condition that's been made worse.
- ☐ Access to VA.gov to file the Intent to File and the claim, or the VA benefits line at 1-800-827-1000.
- ☐ A free accredited representative on standby, because aggravation rules branch.

When to start: now. File the Intent to File first, then gather the records and the medical opinion while the clock runs.

Start Here: The Basics

There are two kinds of aggravation, and they use different rules.

The first is a condition you had before service that got worse during service. Here the law starts with a presumption: VA treats you as healthy when you entered, except for problems written down at your entrance exam. If the condition was written down and it got worse during service, VA presumes service caused the increase. VA can overcome that only with clear and unmistakable evidence that the increase was the condition's natural progress. If it wasn't written down, VA has to show by clear and unmistakable evidence that it existed before service and that service didn't make it worse. Otherwise it's treated like any condition that started in service.

The second is secondary aggravation. A service-connected condition makes a separate, nonservice-connected condition worse. VA needs medical evidence of how bad that condition was before it got worse, or the earliest medical evidence from after the worsening began (the baseline), and it pays only for the added disability above that baseline.

Where this is written down: 38 U.S.C. § 1111; 38 U.S.C. § 1153; 38 CFR § 3.304(b); 38 CFR § 3.306; 38 CFR § 3.310(b).

The Steps

STEP 1

Sort which aggravation applies to you.

How: Ask what got worse and what made it worse. A condition you had before service that got worse in service is the in-service path. A separate condition made worse by a condition that's already service connected is the secondary path.

If the condition existed before service and got worse during service, **then** use the in-service path. **If** a service-connected condition is making a separate condition worse, **then** use the secondary path. **If** your only service was National Guard or Reserve training duty, **then** different rules apply: active duty for training counts for a disease or an injury, and inactive duty training, such as weekend drill, counts mostly for an injury. Ask a free accredited representative.

Where this is written down: 38 CFR § 3.306; 38 CFR § 3.310(b); 38 U.S.C. § 101(24).

Done when you can name which of the two paths your claim follows.

STEP 2

Establish the starting level of the condition.

How: For the in-service path, read your entrance exam. Note whether the condition was written down, and find early records showing how bad it was when you entered. For the secondary path, find the oldest medical records showing how bad the separate condition was before the service-connected condition started affecting it. If there are none, the earliest records from after it started getting worse can set the baseline.

If your entrance exam doesn't mention the condition, **then** you start with the presumption that you entered healthy. Bring that to an accredited representative, because the claim may run as a regular in-service claim instead.

Where this is written down: 38 CFR § 3.304(b); 38 CFR § 3.310(b).

Done when you have a record showing the starting level of the condition, or you know your entrance exam didn't note it.

STEP 3

Document the worsening.

How: For the in-service path, pull service treatment records or exams showing the condition got worse during service and stayed worse. A short flare-up that settled back down isn't enough. For the secondary path, pull records showing the separate condition got worse after the service-connected condition set in.

Where this is written down: 38 CFR § 3.306(b).

Done when records show the condition is worse than the starting level.

STEP 4

Confirm a current diagnosis of the aggravated condition.

How: Pull a medical record that names the condition as a current diagnosis.

Done when a record names the aggravated condition as a current diagnosis.

STEP 5

File an Intent to File.

How: Submit it online at va.gov/resources/your-intent-to-file-a-va-claim, call 1-800-827-1000, or mail VA Form 21-0966 (Intent to File a Claim for Compensation and/or Pension, or Survivors Pension and/or D.I.C.). If VA gets your complete claim within one year, VA treats it as filed on the Intent to File date.

Where this is written down: 38 CFR § 3.155(b).

Done when your Intent to File confirmation is saved.

STEP 6

Get a medical opinion that addresses aggravation, not just a connection.

How: For the in-service path, ask the provider to describe the condition's level when you entered and whether it got worse during service and stayed worse. For the secondary path, ask the provider to state the baseline level, the current level, and whether it's at least as likely as not that the service-connected condition caused the added worsening, beyond the condition's natural progress. VA may also get its own opinion at a C&P exam.

Do not settle for an opinion that only says the conditions are "related." Aggravation turns on the starting level and the worsening. An opinion that skips those leaves the rater nothing to measure.

Where this is written down: 38 CFR § 3.310(b); 38 CFR § 3.322(a); 38 CFR § 3.159(c)(4).

Done when you hold a signed opinion that addresses the starting level and the worsening, or you know VA will get one.

STEP 7

Write your personal statement.

How: Use VA Form 21-4138 (Statement in Support of Claim) to describe, in your own words, how the condition was before, when it got worse, and what it stops you from doing now.

Done when your statement describes the change over time.

STEP 8

Complete VA Form 21-526EZ under the right theory.

How: File VA Form 21-526EZ (Application for Disability Compensation and Related Compensation Benefits). In Section V, Item 16, list the condition and say how it relates to service. For the in-service path, say it existed before service and got worse during service. For the secondary path, follow the pattern of the form's own example ("LEFT KNEE, SECONDARY TO RIGHT KNEE"), for example "LEFT HIP, AGGRAVATED BY SERVICE-CONNECTED RIGHT KNEE."

Done when the form states the aggravation theory and, for the secondary path, names the service-connected condition.

STEP 9

Attach your evidence and decide on a Fully Developed Claim.

How: Attach the starting-level records, the worsening records, and the medical opinion. If you're sending all the evidence you have and can certify there's nothing more for VA to get, you can file under the Fully Developed Claims program. If VA finds it needs other records, it moves the claim to the standard process.

Done when exhibits are attached and you've chosen the Fully Developed Claims program or the standard process.

STEP 10

Submit, attend any exam, and track the claim to a decision.

How: Submit online at [VA.gov](https://va.gov) or mail it to Department of Veterans Affairs, Claims Intake Center, PO Box 4444, Janesville, WI 53547-4444. Watch your status. Go to any C&P exam and describe the condition's current severity honestly.

If the claim is granted, **then** check the current figure at va.gov. On an aggravation grant, VA rates only the part above the starting level, when that level can be measured. **If** it's denied, **then** to keep your effective date, choose within one year of the decision notice: a Supplemental Claim (VA Form 20-0995), a Higher-Level Review (VA Form 20-0996), or a Board Appeal (VA Form 10182). A representative can help.

Where this is written down: 38 CFR § 3.322(a); 38 CFR § 3.2500.

Done when the claim is submitted, any exam is attended, and you have a decision or a next step.

Recap Checklist

- ☐ Sorted which aggravation path applies: in-service or secondary.
- ☐ Established the starting level, and checked whether my entrance exam noted the condition.
- ☐ Documented the worsening beyond the starting level.
- ☐ Confirmed a current diagnosis of the aggravated condition.
- ☐ Filed the Intent to File (VA Form 21-0966).
- ☐ Got a medical opinion addressing the starting level and the worsening, or know VA will get one.
- ☐ Wrote a personal statement (VA Form 21-4138) describing the change over time.
- ☐ Completed VA Form 21-526EZ, Item 16, under the right theory.
- ☐ Attached exhibits and chose the Fully Developed Claims program or the standard process.
- ☐ Submitted, attended any exam, and tracked the claim to a decision.

Reminder: rules and rates change. Check any current figure at va.gov. Help from an accredited Veterans Service Organization is free. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision on your claim. After that, they may charge a fee within the limits of 38 CFR 14.636. This guide prepared you for the task. The evidence in your file decides the result.

Get Free, Accredited Help

For anything about your own claim, talk to an accredited representative. Help from an accredited Veterans Service Organization is free. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision on your claim. After that, they may charge a fee within the limits of 38 CFR 14.636. Free help is available through Veterans Service Organizations such as the DAV, VFW, and American Legion, and through county and state veterans offices.

To find one near you, visit va.gov/get-help-from-accredited-representative. Representation begins only when you sign VA Form 21-22 (for a Veterans Service Organization) or 21-22a (for an individual agent or attorney). With one rare exception for a single unpaid case, only accredited people can represent you before the VA, and only an accredited agent or attorney can charge you a fee. Nothing in this guide creates that relationship.

A warning about claim sharks. Anyone who offers to file your initial claim for a fee, or who guarantees you a rating or a percentage, is selling something you shouldn't buy. Accredited Veterans Service Organizations help at no charge, and accredited claims agents and attorneys may charge only after VA issues its initial decision, within the limits of 38 CFR 14.636. Report predatory companies to the VA Office of Inspector General at 1-800-488-8244.

Keep Going: The Full Guide

This field guide is the short, do-this-now companion to the book *A VA Disability Claims Manual for the Rest of Us*. See every FWD Assist HQ title that is out now at fwdassisthq.com/books.

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About the Author

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J. Erickson is a service-disabled Air Force veteran. He served as a military firefighter and as a veteran service officer, where he spent years walking veterans through the same claims process he writes about now. He holds an MBA and writes plain-language guides for veterans who want to understand the system without a translator.

He writes the For the Rest of Us series at fwdassisthq.com. This guide is published by FWD Assist HQ as a veteran education resource. It is not affiliated with or endorsed by the Department of Veterans Affairs.