

— FWD ASSIST HQ —

FIELD GUIDE

Responding to a Proposed Reduction and Protecting Your Rating

Respond to a proposed reduction and defend
your current rating on time.



J. Erickson

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.

Responding to a Proposed Reduction and Protecting Your Rating

Respond to a proposed reduction and defend your current rating on time.

Companion to *Protect What You Earned*.

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 know how the proposed reduction process works, know which protection rules fit your rating, and have a complete response in VA's hands inside the 60-day window, with your hearing decision made inside 30 days.

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

- ☐ The proposed reduction letter and the envelope it came in.
- ☐ The effective date of your current rating and of your service connection (from your rating decisions).
- ☐ Access to VA.gov to request your C-file and upload evidence.
- ☐ A list of every provider who treats the condition under review.
- ☐ A calendar you actually look at, and one folder or binder for everything.

When to start: The day the letter arrives. A proposed reduction is a proposal, not a decision, but two clocks start on the date of the notice, not the date you read it.

Start Here: The Basics

A rating isn't always permanent. When VA thinks a condition has improved and a lower rating would cut the payments you're getting now, it first has to send you a proposal with its reasons. You then get 60 days to send evidence, and 30 days to ask for a hearing that keeps your payments where they are until VA decides. Ratings held a long time carry extra protection. If VA does finalize a cut, it can't take effect until the end of the month in which 60 days from that final notice run out.

Where this is written down: 38 CFR § 3.105(e) and (i).

The Steps

STEP 1

Mark both deadlines from the date of the notice.

Find the date on the letter. Add 30 days: that's your deadline for VA to receive a hearing request. Add 60 days: that's your deadline to send evidence. Write both on your calendar, and save the envelope exactly as it arrived.

Do not count from the day you opened it. Both clocks run from the date of the notice, so you may already have lost days in the mail.

Where this is written down: 38 CFR § 3.105(e) and (i)(1).

Done when both dates are on your calendar and the envelope is saved.

STEP 2

Identify which protection rules fit your rating.

Look at the effective dates on your rating decisions. A rating that has stayed at the same level for five years or more is a stabilized rating. VA can't cut it based on an exam less thorough than the ones the rating rests on, and for a condition that comes and goes, it can't cut it on one exam unless the whole record clearly shows lasting improvement. It also has to weigh whether any improvement will last under the ordinary conditions of life. Service connection in effect for ten years or more can't be severed except for fraud or a clear showing from military records that you lacked the required service or character of discharge; that rule protects the connection, not the percentage. A rating held at or above a level for twenty years or more can't be cut below that level except for fraud. The ten-year and twenty-year counts run to the date a severance or cut would take effect. The protections stack.

If you can't find your rating decisions, **then** request your C-file (Step 4) and use the effective dates it shows. **If** you're over 55, **then** note that VA generally doesn't schedule routine reexaminations for veterans over 55 except in unusual circumstances. That limits routine exams; it doesn't bar a reduction.

Where this is written down: 38 CFR § 3.344; 38 CFR § 3.957; 38 CFR § 3.951(b); 38 CFR § 3.327(b)(2)(iv).

Done when you can name each section that applies to your rating.

STEP 3

Get a free accredited representative and appoint them.

Contact a Veterans Service Organization or your county or state veterans office, or search at va.gov/get-help-from-accredited-representative. Tell them you got a proposed reduction and give them both deadlines. To appoint a Veterans Service Organization, sign VA Form 21-22. To appoint an accredited agent or attorney, sign VA Form 21-22a.

Do not pay anyone who isn't accredited to help you respond. 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, and after that they may charge a fee within the limits of 38 CFR 14.636.

Done when a representative is appointed on the right form, or you've decided to handle it yourself.

STEP 4

Read VA's reasons, and request your C-file and the exam report.

The proposal has to state VA's reasons. Read them closely; they tell you exactly what you need to answer. Then request your C-file with VA Form 20-10206, the Freedom of Information Act or Privacy Act Request, and ask for a copy of the exam report VA relied on, through your representative or VA.gov. Requests take weeks, so send them on day one.

Where this is written down: 38 CFR § 3.105(e).

Done when you've listed VA's reasons and both requests are in and logged.

STEP 5

Request current treatment records from every provider.

Ask each provider who treats the condition for recent notes on your symptoms and how they limit you. Ask for at least the last six months; a year or more shows the pattern better. If you can't get private records in time, sign VA Form 21-4142, the Authorization to Disclose Information to the Department of Veterans Affairs, so VA can request them.

Done when record requests are out to every treating provider.

STEP 6

Ask a treating provider for a signed statement.

Ask your treating provider for a short signed statement, on letterhead, about your current symptoms and how they limit work and daily life. A provider who has seen you over time can speak to whether anything has really changed. Statements from two providers who treat different parts of the condition back each other up.

Done when at least one provider statement is requested or in hand.

STEP 7

Write your personal statement on VA Form 21-4138.

Use VA Form 21-4138, the Statement in Support of Claim. Describe your symptoms by how often they happen, how bad they get, and how long they last, with dated examples. Cover work, family and social life, and daily tasks. Name the protection rules from Step 2 at the top. A dated symptom log from the weeks before any exam helps.

Do not send only a personal statement. It carries more weight next to treatment records and provider statements.

Done when your statement is written and names the rules that apply.

STEP 8

Decide on the predetermination hearing inside 30 days.

You can ask for a hearing before VA decides. If VA receives your request within 30 days of the notice, it keeps paying you at the current level until it makes a final decision. VA staff who had no part in the proposal hold the hearing and make the decision, and you get at least 10 days' notice of the date. Ask in writing, through your representative or with a signed VA Form 21-4138, and keep proof of when VA got it.

If your case is technical, close to a protection threshold, or you want to put your account on the record, **then** request the hearing. **If** you skip it, **then** the protected hearing is gone after day 30, but you can still send evidence through day 60.

Where this is written down: 38 CFR § 3.105(i)(1).

Done when VA has your hearing request, or you've chosen not to ask and noted why.

STEP 9

Prepare for any reexamination.

One exam is one day. Tell the examiner plainly whether today is a better or worse day than usual, then describe the range: how many bad days this month and what a bad day looks like. Answer "how have you been" with how often and how bad, not just "okay." Bring copies of your records, your statement, and your medication list.

Do not skip the exam or change your treatment because an exam is coming. If you can't make it, reschedule. Missing a reexamination without good cause can lead to its own notice that the payment for that condition will be cut or stopped.

Where this is written down: 38 CFR § 3.344(a); 38 CFR § 3.655(c).

Done when you've practiced how-often and how-bad answers and packed copies to bring.

STEP 10

Assemble the response packet with a cover letter that names the rule.

Build one packet: a cover letter that names each protection that applies (3.344, 3.957, 3.951(b)) and answers VA's stated reasons; current treatment records; the provider statement; your VA Form 21-4138; a medication list; and any buddy statements on VA Form 21-10210. Add a table of contents and tab everything so the reviewer can find it fast.

Done when the packet is tabbed and the cover letter names the rules and answers the reasons.

STEP 11

Submit early and keep proof.

Send the packet as soon as it's complete, well before day 60, and before any scheduled exam if you can, so the file is full when the examiner reads it. Submit it through VA.gov or your representative for a fast confirmation, and send a copy by certified mail to the address in your proposal letter as a backup. Save both receipts.

Do not wait until the last days. If VA doesn't receive evidence within 60 days, it can take final action on the record it has.

Where this is written down: 38 CFR § 3.105(e).

Done when the packet is submitted both ways and both receipts are filed.

STEP 12

Get the exam report and correct any errors before the decision.

After the exam, ask for the report through VA.gov or your representative and read it closely. If it understates how often or how badly symptoms hit, leaves out functional limits, or contradicts your records, write a one- to two-page response on VA Form 21-4138 that points to the specific paragraph and cites your records. Send it before VA decides.

If the exam looks inadequate, for example a joint exam that skipped required testing or ignored flare-ups, or the issue branches beyond this guide, **then** raise it with your accredited representative.

Done when you've reviewed the report and sent any response before the decision.

Recap Checklist

- ☐ Marked the 30-day hearing deadline and the 60-day evidence deadline from the date of the notice.
- ☐ Identified the protection rules that fit (3.344, 3.957, 3.951(b)) using effective dates.
- ☐ Appointed a free accredited representative on VA Form 21-22 or 21-22a, or chose to go alone.
- ☐ Listed VA's reasons and requested my C-file and the exam report.
- ☐ Requested current treatment records from every provider.
- ☐ Asked a treating provider for a signed statement.
- ☐ Wrote my statement on VA Form 21-4138 and named the rules.
- ☐ Decided on the hearing inside 30 days, in writing.
- ☐ Prepared for any reexamination and won't miss it.
- ☐ Assembled the tabbed packet with a cover letter that answers VA's reasons.
- ☐ Submitted early by VA.gov and certified mail, and kept receipts.
- ☐ Reviewed the exam report and sent any response before the 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 *Protect What You Earned*. See every FWD Assist HQ title that is out now at fwdassisthq.com/books.

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

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.