



## DEPARTMENT OF VETERANS AFFAIRS

FIDUCIARY HUB NAME  
FIDUCIARY HUB ADDRESS  
CITY, STATE, ZIP

Month Day, Year

In Reply Refer To:

Beneficiary Name  
Beneficiary Address  
City, State, Zip

Fiduciary Hub Number  
Claim Number  
Veteran Name

Dear Beneficiary Name:

VA made a decision based on your request for a Higher-Level Review of a previous decision, received on [MM/DD/YYYY].

### WHAT DID WE DECIDE?

After a review of all the existing evidence VA has related to your [appointment of fiduciary, removal of fiduciary, misuse determination, misuse reconsideration, or negligence determination], VA determined [a change/no change] is warranted of the decision made.

### HOW DID WE MAKE OUR DECISION?

Please see the attached Higher-Level Review document explaining how we made our decision.

### WHAT YOU SHOULD DO IF YOU DISAGREE WITH OUR DECISION

If you should disagree with our decision, you should write and tell us why.

If you disagree with our decision, you have two appeal options:

- Supplemental Review
- Appeal to the Board

**Please note:** You may not request a second Higher-Level Review relating to [the appointment of a fiduciary, the removal of fiduciary, your misuse determination, your misuse reconsideration, or your negligence determination].

If you disagree with VA's decision and have new and material evidence to submit, you may choose to file a request for Supplemental Review. New and material evidence is evidence that was not on record when VA made the decision with which you disagree. This option allows VA to conduct a review of the new and material evidence in conjunction with the evidence on file at the time of the original decision. Please submit a written request for a Supplemental Review and submit new and material evidence to the address at the top of this letter.

If you disagree with our decision, but do not have new and material evidence to submit, you may choose to file an Appeal to the Board.

Please see enclosure, VA Form 20-0998, *Your Rights to Seek Further Review of Our Decision*, for more information regarding the submission of an Appeal to the Board. The enclosed VA Form 20-0998, "*Your Rights to Seek Further Review of Our Decision*", explains your options in greater detail and provides instructions on how to request further review. You may download a copy of any of the application forms by visiting [www.va.gov/vaforms/](http://www.va.gov/vaforms/) or you may contact us by telephone at 1-800-827-1000 and we will mail you any form you need.

You can visit [va.gov/decision-reviews](http://va.gov/decision-reviews) to learn more about how the disagreement process works.

If you would like to obtain or access evidence used in making this decision, please contact us by telephone, email, or letter as noted below letting us know what you would like to obtain. Some evidence may be obtained online by visiting VA.gov.

## **HOW LONG DO YOU HAVE TO SUBMIT A REQUEST FOR A REVIEW OR APPEAL?**

You have one year from the date of this letter to submit a request for a review or appeal. Your selection form or Supplemental Review option must be postmarked or received by VA within one year from the date of this letter. If you do not start your appeal on time, the decision will become final.

## **WHAT IS AN APPEAL TO THE BOARD OF VETERANS' APPEALS?**

An appeal is your formal request that the Board review the evidence in your VA records and review the law that applies to your appeal. You may submit new and relevant evidence to the Board to support your position. You must complete the enclosed VA Form 10182, *Notice of Disagreement Appeal to Board of Veterans' Appeals*, to submit an appeal to the Board. Please review the enclosed VA Form 10182 for your review options. The Board can either agree with our decision or change it. The Board can also send your case back to us for more processing before the Board makes its decision.

You can have a Veterans Service Organization, an attorney-at-law, or an "agent" help you with your appeal. However, you are not required to have someone represent you. It is your choice.

- Representatives who work for VA-recognized Veterans Service Organizations know how to prepare and present claims and will represent you at no cost. You can find a listing of these organizations on the Internet at:

<https://www.va.gov/ogc/apps/accreditation/index.asp>.

- A VA-accredited private attorney or claims agent can also represent you. Your local bar association may be able to refer you to an attorney with experience in Veterans' law. VA accredits only attorneys who are licensed to practice in the United States or in one of its territories or possessions. An agent is a person who is not a lawyer, but whom VA accredits as being knowledgeable about Veterans' law. Information about the attorneys and agents currently accredited by VA is available at:  
<https://www.va.gov/ogc/apps/accreditation/index.asp>.

You may have to pay someone to help you with your appeal to the Board. It depends on who helps you. The following explains the differences.

- Veterans Service Organizations will represent you for free.
- Attorneys and agents can charge you for helping you under some circumstances. Paying their fees for helping you with your appeal to the Board is your responsibility. If you do hire an attorney or agent to represent you, he or she must send a copy of any direct-pay fee agreement (i.e., a fee agreement between the claimant and attorney or agent that provides VA to pay the attorney or agent directly out of any past-due benefits awarded) to the agency of original jurisdiction within 30 days from the date the agreement is executed (See 38 C.F.R. §14.636(g)). A copy of any fee agreement that is not a direct-pay fee agreement must be sent to the following address within 30 days from the date the agreement is executed (See 38 C.F.R. §14.636(g)):

Office of the General Counsel (022D)  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420.

## **WHERE CAN YOU FIND OUT MORE ABOUT APPEALING TO THE BOARD?**

- You can find a "plain language" booklet called *How Do I Appeal* on the Internet at:  
[http://www.bva.va.gov/How\\_Do\\_I\\_APPEAL.asp](http://www.bva.va.gov/How_Do_I_APPEAL.asp). You may also request the booklet by writing to:

Mail Processing Section (014)  
Board of Veterans' Appeals  
810 Vermont Avenue, NW  
Washington, DC 20420

- You can find the formal rules for appealing to the Board in the Board's Rules of Practice at Title 38, Code of Federal Regulations, Part 20. You can find the complete Code of Federal Regulations on the Internet at: <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>. A printed copy of the Code of Federal Regulations may be available at your local law library.

## WHERE DO YOU SEND YOUR REQUEST FOR REVIEW OR APPEAL?

If you wish to file:

- a Higher-Level Review, send the VA Form 20-0996, *Decision Review Request: Higher-Level Review*, to the address at the top of this letter.
- a Supplemental Review, send your request and any new and material evidence to the address at the top of this letter.
- an appeal to the Board send the VA Form 10182, *Notice of Disagreement Appeal To Board Of Veterans' Appeals*, to the Board's address on the form.

Do not send any of this information to your fiduciary's address.

## DO YOU HAVE QUESTIONS OR NEED ASSISTANCE?

If you have any questions, you may contact us by telephone, e-mail, or letter.

<b>If you</b>	<b>Here is what to do.</b>
Telephone	You may contact the Fiduciary Hub at 1-888-407-0144. Or you may call 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the number is 1-800-829-4833.
Use the Internet	Send electronic inquiries through the Internet to <b>Fiduciary Hub email address</b> .
Write	Put your full name and VA file number on the letter. Please send all correspondence to the VA address at the top of this letter.

In all cases, be sure to refer to your VA file number **C/XC XXXXXXXXX**.

If you are looking for general information about benefits and eligibility, you should visit our web site at <http://www.va.gov>, or search the Frequently Asked Questions (FAQs) at <https://iris.custhelp.va.gov/>.

We sent a copy of this letter to your representative, [insert POA name], whom you can also contact if you have any questions or need assistance.

**Or**

We have no record of your appointment of a service organization, agent or attorney to assist you in this matter. You can contact us for a listing of the recognized Veteran's Service Organizations and VA-accredited agents or attorneys. This information is also available online at <https://www.va.gov/ogc/apps/accreditation/index.asp>.

If you or someone you know is the victim of financial exploitation or fraud, visit <https://www.justice.gov/elderjustice/roadmap> for assistance in reporting the incident to the appropriate federal authorities.

If you or someone you know is the victim of abuse and/or neglect, visit <https://www.justice.gov/elderjustice> for assistance in reporting the issue and resources to help the victim.

Sincerely yours,

RO Director  
VA Regional Office

Enclosure(s):  
Higher Level Review Decision  
VA Form 20-0998

CC: **Appointed Representative**