Intent to File

Trainee Handout

**Table of Contents**

[Objectives 2](#_Toc456350903)

[References 3](#_Toc456350904)

[Practical Exercise 4](#_Toc456350905)

Objectives

* Describe the differences between an Intent to File (ITF) and an informal claim
* Identify a valid ITF
* Determine the proper effective date for claims with an ITF and FDC between 03-24-15 and 08-05-15
* Describe how the Corporate Record is updated when an ITF is received through various sources, and actions to be taken upon receipt

# References

* [38 CFR 3.155](http://www.ecfr.gov/cgi-bin/text-idx?SID=aa788d2c44412d36001ab15d736205d5&mc=true&node=se38.1.3_1155&rgn=div8) – How to file a claim.
* [38 CFR 3.155](http://www.ecfr.gov/cgi-bin/text-idx?SID=aa788d2c44412d36001ab15d736205d5&pitd=20150227&node=se38.1.3_1155&rgn=div8) (prior to 03-24-15) – Informal claims.
* [Historical 38 CFR 3.157](http://www.ecfr.gov/cgi-bin/text-idx?SID=aa788d2c44412d36001ab15d736205d5&pitd=20150227&node=se38.1.3_1157&rgn=div8) (prior to 03-24-15) – Report of examination or hospitalization as claim for increase or to reopen.
* [M21-1, Part III, Subpart ii, Chapter 2, Section C](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=) – Informal Claims Received Prior to March 24, 2015, Communication of an Intent to File (ITF), and Requests for an Application
* [M21-1, Part IV, Subpart ii, Chapter 2, Section J.2.b](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=) – Scope of Hospitalization Ratings
* [M21-1, Part III, Subpart i, Chapter 4](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=) – Veterans Online Application (VONAPP) Direct Connect (VDC) Program and the Stakeholder Enterprise Portal (SEP)

Practical Exercise

1. VA Form 4138 received 1/20/15 stating a Veteran intends to apply for compensation/pension benefits under FDC and in process of submitting claim. VA Form 526EZ received 11/20/15 seeking compensation for increase in SC left knee. VBMS shows ITF received 9/30/15, source code EBN. DBQ Knee shows increase in SC left knee is warranted. What is the correct effective date for increase?
2. A Veteran calls the NCC on June 1, 2015. During the conversation, the Veteran reports his/her intent to file a claim for compensation benefits. The VA representative enters the information electronically. Later the Veteran begins an online application in eBenefits on November 1, 2015 for compensation benefits. On January 1, 2016, the Veteran submits a paper VA Form 21-526EZ for a knee disability. The Veteran then submits an electronic 526EZ on February 1, 2016 for a back disability.

What is the intent to file date?

What is the date of claim?

What is the potential effective date?

1. A Veteran submits a VA Form 21-0966 for compensation, which is received on April 1, 2017. The Veteran later submits a claim for increase for a right knee condition which is received on a VA Form 526EZ on May 1, 2017 with attached treatment records from a local treating facility dated January 1, 2016. A review of the records reveals an increase in the severity of the service connected right knee condition.

What is the intent to file date?

What is the effective date?

1. A Veteran submits an ITF on April 1, 2015. Later, the Veteran submits a second ITF for the same general benefit on July 1, 2015. A complete claim is later submitted on May 1, 2016. Can the Veteran benefit from the second intent to file?
2. A Veteran was discharged from active service August 4, 2014. An original claim is filed on September 2, 2014 and the Veteran receives notification of decision on November 14, 2014. An ITF for compensation was received on July 1, 2015. A VA Form 526EZ is received on October 15, 2015. What is the effective date for compensation?