COVID-19 and Veterans Benefits: What Veterans Should Know

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The COVID-19 pandemic has affected nearly every aspect of life in one way or another. The veterans community is included among those that have been significantly impacted. As of May 17, 2020, the Department of Veterans Affairs (VA) reports 12,208 cumulative confirmed cases of COVID-19 and 1,005 known deaths among patients who have been tested or treated at VA facilities.[1] Besides the direct effect of COVID-19 on veterans’ health, the virus has also brought about some changes at the VA. Many veterans may be wondering, “What does this mean for my benefits?”

Veterans already receiving benefits should expect to see little or no changes. The VA has confirmed this on its website, stating, “We’re currently processing all benefit payments as normal. This includes payments for disability, pension, education payments to your school, and more.”[2] Additionally, any money received as part of the COVID-19 stimulus package will not count as income for VA disability compensation, meaning veterans’ payments will stay the same.[3]

As for new claims, veterans still have several options for submitting claims and evidence to the VA. These include mail, fax, and uploading documents directly into the VA’s eBenefits system. The one option not currently available is in-person delivery to Regional Offices (ROs). The biggest obstacle for the VA right now is developing a claim and obtaining the sufficient medical evidence needed to issue a decision.[4] Typically, this is accomplished through a Compensation &
Pension examination (C&P exam) conducted by a VA healthcare provider. Following a lawsuit in early April 2020 by the Veterans Legal Advocacy Group, the VA suspended all in-person C&P exams.\[5\] The VA is offering some alternatives to in-person C&P exams, including virtual (telehealth) C&P exams, but these are only available for some conditions, most notably certain mental health conditions.\[6\] Unless the VA comes up with another alternative, veterans who require in-person C&P exams will probably need to wait until the VA resumes this option. This is likely to be the biggest impact of COVID-19 on the veterans benefits system.

What about claim appeals? Veterans are able to continue submitting claim appeals via mail, fax, or the eBenefits system. The Board of Veterans Appeals (Board) continues to issue decisions as its staff attorneys and veterans law judges work from home.\[7\] Although the Board has suspended all in-person hearings until further notice, remote hearings continue to be available.\[8\] This is not a new practice for the Board, which historically has allowed veterans to request either an in-person hearing in Washington, D.C., or a hearing by video teleconference. Due to technology limitations, however, it is unlikely that the Board will be able to conduct the same number of hearings as usual, so some veterans may find themselves waiting for a hearing date until the Board restarts in-person operations.\[9\] Similarly, the Court of Appeals for Veterans Claims (CAVC) continues to issue decisions and is holding arguments by teleconference. According to Chisholm, Chisholm & Kilpatrick, CAVC was “prepared for this challenge” by previously equipping its judges and employees to work remotely.\[10\]

Overall, this is good news for veterans who may be concerned about their benefits. While the pandemic is far from over, and the VA must continue to adjust to remote operations, there is no indication that COVID-19 will affect current benefits or significantly increase the backlog for new claims and appeals.
In the long term, if remote operations continue to be successful, options such as remote hearings and telehealth exams may become more common as a useful tool for veterans not able to appear in person.


[3] Id.


[8] Id.

[9] Id.
Id.