

HOUSE COMMITTEE ON VETERANS' AFFAIRS

CHAIRMAN MIKE BOST

H.R. 5890: Review Every Veterans Claim Act of 2023

Background:

Under current law, when a veteran files any additional Department of Veterans Affairs (VA) disability claims other than their original claim for compensation, VA denies the claim without considering any of the evidence already in the veterans' claims file if the veteran misses a VA-scheduled compensation and pension (C&P) exam without good cause and they do not reschedule. This practice occurs even when a veteran has been pursuing their claim for years and has already completed multiple C&P exams. Veterans may miss a C&P exam for several reasons, including:

- the veteran is homeless and without transportation;
- the veteran does not have the funds to travel to complete the exam;
- or the veteran does not wish to attend the C&P exam because they suffer from a mental health condition such as post-traumatic stress that could be triggered during a disability examination.

The Review Every Veterans Claim Act would prevent VA from denying a claim solely because a veteran failed to appear for one VA C&P exam while having an open VA benefits claim, and it would ensure that a veteran receives their VA benefits claim decision based on the evidence in their VA disability claims file.

The Message:

- Right now, if a veteran has a claim filed beyond their original claim for compensation, and they miss a scheduled VA C&P exam without good cause and without rescheduling, their claim is **automatically denied**.
- This practice is unfair towards veterans who deserve VA benefits claim decisions that are based on thorough consideration of the evidence within their VA disability claims file.
- *The Review Every Veterans Claim Act* makes sure this unreasonable practice never happens, and that each claim for each one of our veterans is considered fully and fairly.