YOUR RIGHTS TO REPRESENTATION AND A HEARING

(Possible Overpayment)

You have some important rights in your claim with VA. You don't have to handle your case by yourself, and you don't have to deal with us only through the mail. On this page we'll tell you about your right to have your own representative. We'll also explain your right to a personal hearing.

WHAT IS A REPRESENTATIVE?
A representative is a person who helps you tell us your side of the story. The representative can help you with written materials you send us. He or she can also go with you to a hearing if you decide you want one.

WHO CAN BE MY REPRESENTATIVE?
There are three kinds of representatives. Each is explained below:

• You can choose an employee of a veteran's organization or other service organization which is recognized by VA. On page 2 of this form we have a list of some service organizations that could represent you free of charge.

  OR

• You can get an agent. An agent is anyone other than a lawyer or a service organization who is authorized by VA to speak for you or help you tell your side of the story.

If you don't have a representative and would like one, tell us who you want to represent you. Then we'll send you the forms and information you'll need to name your representative.

WHAT IS A PERSONAL HEARING?
A personal hearing is a meeting where you can talk to us about a decision we have made or a decision we are going to make. In most cases, the person who "hears" your claim will be the person who makes the decision. You should bring evidence to help us understand your side of the story.

CAN I BRING SOMEONE TO THE HEARING?
Yes. Besides your representative, you can bring witnesses. A witness is anyone who has personal knowledge about your claim and can give us useful information. If you don't want a representative, but still want someone to help you at the hearing, one of our Veterans Services Representatives (VSRs) can go to the hearing with you. However, you will need to tell us ahead of time so that the VSR can study your case.

WHAT DOES VA PROVIDE FOR THE HEARING?
Generally the hearing is held at the Regional Office which has your records. We'll provide the room and tape the hearing. Where available, your hearing can also be held at a local VA hospital through a closed circuit TV system. These services are free. We will not be able to pay for your travel, meals, or other expenses.

HOW CAN I REQUEST A HEARING?
If you'd like a personal hearing, simply write to us and tell us you want one. You can request a hearing by writing to your Regional Office of Jurisdiction (ROJ). To find your local office go to the following website: www.benefits.va.gov/benefits/offices. Click on the state in which the veteran resides to find the address of the benefits office.

WHEN MUST I REQUEST A HEARING?
If we receive your request for a hearing within 30 days from the date of our letter, we will not make any decisions until we hold the hearing and review the hearing testimony and any evidence presented. After 30 days you may request a hearing, but we may have already made a decision as explained in our letter.

WILL THERE BE AN OVERPAYMENT?
By continuing to pay you at the current rate, we may be overpaying you. If you request a hearing but wish to reduce the possible overpayment, immediately send us a statement asking that we reduce or suspend your benefits as soon as possible.
Here is a list of national organizations which are approved to help people with their VA claims. You don't have to belong to one of these organizations to get their help, and they won't charge you a fee. If you're looking for one of these organizations and you can't find them in your phone book, you can call us toll free at 1-800-827-1000.

African American PTSD Association
American Defenders of Bataan and Corregidor, Inc.
American Legion
American Red Cross
American Veterans Committee
AMVETS
American Ex-Prisoners of War, Inc.
American GI Forum, National Veterans Outreach Program
Armed Forces Services Corporation
Army and Navy Union, USA
Army and Air Force Mutual Aid Association
Associates of Vietnam Veterans of America
Blinded Veterans Association
Catholic War Veterans of the U.S.A.
Disabled American Veterans
Eastern Paralyzed Veterans Association
Fleet Reserve Association
Gold Star Wives of America, Inc.
Italian American War Veterans of the United States, Inc.
Jewish War Veterans of the United States
Legion of Valor of the United States of America, Inc.
Marine Corps League
Military Order of the Purple Heart
Military Officers Association of America (MOAA)
National Amputation Foundation, Inc.
National Association for Black Veterans, Inc.
National Association of County Veterans Service Officers, Inc.
National Veterans Legal Services Program
National Veterans Organization of America
Navy Mutual Aid Association
Paralyzed Veterans of America, Inc.
Polish Legion of American Veterans, U.S.A.
Swords to Plowshares, Veterans Rights Organization
The Retired Enlisted Association
The Veterans Assistance Foundation, Inc.
The Veterans Coalition
The Veterans of the Vietnam War, Inc.
United Spanish War Veterans of the United States
United Spinal Association, Inc.
Veterans of Foreign Wars of the United States
Veterans of World War I of the U.S.A., Inc.
Veterans of the Vietnam War, Inc. & the Veterans Coalition
Vietnam Era Veterans Association
Vietnam Veterans of America
Wounded Warrior Project

Although agency titles vary, the following States and possessions maintain veterans service agencies which are recognized to help people with their claims. You can look in the state government pages of the phone book under "veterans" to see if your state has a Department of Veterans Affairs or Veterans Affairs Commission.

Alabama
American Samoa
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
Florida
Georgia
Guam
Hawaii
Idaho
Illinois
Iowa
Kansas
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Montana
Nebraska
Nevada
New Hampshire
New Jersey
New Mexico
New York
North Carolina
North Dakota
Northern Mariana Islands
Ohio
Oklahoma
Oregon
Pennsylvania
Puerto Rico
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Utah
Vermont
Virginia
Virgin Islands
Washington
West Virginia
Wisconsin
Wyoming

Points to Remember:

• If you want a representative, you should let us know who you want. We can send you the necessary forms to appoint your representative.

• If you want a personal hearing, you should write and tell us.