

# Chapter 1

## VA Claims Overview “Average Person doing Average Work”

If you, or someone you love is struggling with feelings of helplessness or thoughts of suicide, you are not alone, and help is available.

Veteran’s Crisis Line (VCL): Dial 988 and then Press 1

Referral list of VA resources: [va.gov](http://va.gov) and then type in Suicide Prevention in search bar

In this episode, we discuss the motivations behind the creation of the VA. President Lincoln promised to “to care for him who shall have borne the battle and for his widow, and his orphan.” One of the ways that the VA attempts to fulfill those promises is through its compensation programs.

VA Disability Compensation is NOT an entitlement program. It differs from Social Security Disability (SSI). VA disability ratings are only offered to Veterans who sacrificed elements of their health and ability in service of their nation. American law vows to compensate our veterans for that sacrifice. VA compensation is designed to put you on solid ground by replacing lost wages. It is not meant to keep you unwell.

Being veterans, we are able to do more in the face of adversity and push harder to overcome obstacles. The VA recognizes this. There are no rules prohibiting work despite having a VA disability rating.

In Episode 1, we try to explain one of the most essential elements of the VA compensation system that most people do not understand. VA compensation for in-service injuries, illnesses and outcomes of war is to replace lost income based on the amount a disability effects the **average person doing average work**.

An excerpt of Federal Law 38 CFR 4.1 “Essentials of Evaluative Rating” (emphasis added):

“The percentage ratings represent as far as can practicably be determined the **average impairment in earning capacity** resulting from such diseases and injuries and their residual conditions in **civil occupations**.”

Another excerpt from Federal Law 38 CFR 4.15 regarding VA disability ratings:

“**The ability to overcome the handicap of disability varies widely among individuals. The rating, however, is based primarily upon the average impairment in earning capacity, that is, upon the economic or industrial handicap which must be overcome and not from individual success in overcoming it.**”

Understanding this aspect of the law, which governs the VA rating system, explains how a disability rating is linked to the impairment the “average” American might experience doing an average civil job. As we have said, veterans are not average. VA ratings are not monikers of disability, but rather, VA ratings are awards which veterans have earned, based on their honorable service. These awards compensate them for symptoms they experience, which would cause a loss of earning potential for the “average person”. This rating system is not relative to anyone else’s injuries, but a measure of how a veteran’s injuries would affect the “average” person. A veteran may work, change vocations or go back to school as their own condition allows them.

There should be no bias against accessing the benefits you EARNED while sacrificing for the nation. Every day veterans are not able to access their benefits, is a day that our country is not fulfilling its obligation to ensure their reintegration into civil society. As we go through the disability claims process with you, we strive to do our part to fulfill President Lincoln’s promise to support our fellow veterans and their families, and bring you all the way home.