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Va disability buddy letter example

VA buddy letter, or lay statement, can be used to help support a veteran's claim and provide insight into how a veteran's condition affects their daily life. Continue reading to learn more about how to submit VA buddy letters and who can write them. What is a VA Buddy Letter? VA buddy letters, also known as lay statements or lay evidence, are credible statements made in support of a claim for VA disability benefits. The statement can serve as a valuable piece of evidence in a veteran's disability claim. VA buddy statements are important because they can be used to fill in gaps of information missing from the veteran's treatment records or service records. They may also serve as a witness statement for an event, injury, or illness in service which can be used as corroboration. Buddy letters may provide clarification and better illustrate the veteran's current situation and how their disabilities impact their daily life. They can be used to help support various claims, such as those for service connection and increased ratings. Importance and Impact of a VA Buddy Letter Lay statements are important largely because they are evidence, in the same way that medical documents are considered evidence. This means that the Board and VA must consider lay statements provided by the veteran and people who know the veteran in their determinations. Most importantly, the statement must be from someone deemed competent, meaning that it needs to come from someone with sufficient personal knowledge of the subject about which they are testifying. This could be someone who knows how the veteran's conditions affect them on a day-to-day basis or someone who witnessed a specific incident that the veteran experienced in service. As long as a qualified person submits the lay statement, it becomes evidence that VA is required to consider when adjudicating the veteran's claim. Regarding competency, there are certain things a veteran can and cannot say in relation to their claim. For example, the veteran cannot attribute a specific symptom to a specific medical diagnosis. Rather, a doctor must attribute the symptoms to the diagnosis. As long as the veteran, or the person writing a buddy statement on the veteran's behalf, is testifying to something that they have personal knowledge of, they can include that information in the buddy letter. What Should a Buddy Letter Include? As mentioned previously, buddy letters can speak to the impact of a physical or mental condition on the veteran's day-to-day life. They may also describe an injury, an event, or symptoms witnessed during service. Therefore, the content of the letter will depend on the veteran's specific claim or appeal, and what they are trying to prove to VA. For example, if a veteran is trying to corroborate an in-service stressor, such as an event or an injury, they may obtain a buddy statement from a fellow service member. The statement should then include information about why the individual has personal knowledge about the event, as well as specific details regarding the event. This may be a detailed description of what they witnessed if they were involved in the event or verification of when and where the injury or event occurred. If the statement is going to be more focused on the symptoms of a veteran's condition and has and their impact on the veteran's daily life, it may include information regarding how the veteran's condition affects them, what the person writing the statement witnesses, how the veteran has changed since service, and any other relevant details. How to Structure a VA Buddy Letter Strong buddy letters are generally divided into four parts in a particular order. Buddy letters should always include the name of the person writing the statement, their contact information, and their relationship to the veteran. If the person writing the statement served with the veteran, and they are corroborating an in-service stressor, it is also important to include the details of that in-service stressor in the statement. These details could include the unit and location assigned. Detailed Descriptions! The statement should, of course, include details. If the statement is regarding an in-service stressor, it should describe when and where the stressor took place. If the statement is describing the veteran's current symptoms, those symptoms should be explained as much as possible. It should also note that the symptoms are ongoing. Veteran's Symptoms! If the person writing the statement has knowledge of the veteran's conditions or symptoms, it can be very pertinent to include. This could consist of details about how a veteran's personality changed and the in-service stressor, or how their disability has affected their ability to perform specific tasks. An insight the person writing the statement can offer about how the veteran's conditions have impacted their life can be very helpful. A signature and a date are required to sign and date in order to be considered valid. VA Form 21-1438, Statement in Support of a Claim. The form includes sections for the veteran's identification information, the statement itself, and a declaration of intent where the person providing the statement will sign and date the form. In early 2021, this form was replaced with five other forms which can be used to provide statements. Specifically, VA Form 21-10210, or Lay/Witness Statement, may be used to submit a formal statement in support of a veteran's VA disability benefits claim. Multiple statements may be submitted, and by multiple people, however, each statement should be submitted on a separate form. Quick Tips for a VA Buddy Letter! Ensure that the buddy letter is from someone credible and competent in order to ensure the VA accepts the statement as being from someone credible and competent. The person giving the statement should have first-hand knowledge of the veteran or the veteran's service. Essentially, this means that the person giving the statement should not lie or speak to anything about which they do not have personal knowledge. This also means that persons without the appropriate credentials or qualifications should not offer a medical opinion. Additionally, a statement can be deemed reliable if it is consistent with the records. For example, if a person is providing a statement regarding an in-service stressor, they may want to be sure their account of the incident reflects the records which exist regarding the stressor. Though easily overlooked, it is important to be sure to sign and date the lay statement prior to submission. This will indicate that the statement is true to the best of the author's knowledge. Following these steps will help to ensure that VA finds the statement credible. It may also be pertinent to include how the person has this personal knowledge. For example, if a spouse is writing the statement, they may wish to include how long they have been married or living together. Be concise! Including too much irrelevant information in a statement can confuse VA and dilute the evidence being provided. Being concise and detailed can help to ensure that VA understands the point which the lay person is trying to establish. Focusing on the specific facts and details of what is being reported may be useful to keep the statement succinct and avoid extraneous information. The person providing the statement should be sure to include their contact information, such as phone number, address, and email, in case VA needs to follow up with them. If VA needs clarification on anything included in the statement, they may then contact the person who provided it. Similarly, it is important to include the veteran's name in the statement. Often a layperson may use a nickname or a pet name to refer to the veteran which may not specifically identify who they are speaking. Therefore, the statement should be clear and use the veteran's full name. Certify the buddy letter! In the closing lines of the statement, the person writing the statement may wish to include wording to specify that they "certify that [their] statements are true and correct to the best of [their] knowledge and belief." This is another affirmation that the person providing the statement is attesting to their first-hand knowledge to the best that they can recall. Examples of VA Lay Statements! Disclaimer: These statements are examples only. They should not be submitted in support of any claim or appeal for VA disability benefits. This information is not legal advice. This information is made available for educational purposes only and to provide general understanding of how statements may be drafted. It is not a substitute for legal advice. By using this information, you understand that there is no attorney-client relationship created by you reading or using the information contained on this website or in this or blog. Example of Lay Statement Written by A Family Member! Affidavit of Jane Smith, Jane Smith, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746(d), that the following is true and correct to the best of my knowledge and belief: My brother John Smith served in the United States Army from February 12, 1983, to September 23, 1985. Before service, he was a happy person who enjoyed spending time with family and friends. He was an avid basketball player and loved being outside. He was the life of the party and always had people laughing. My brother would write letters to me while he was in service. His first few letters seemed like everything was going fine but then the tone changed. I could tell something was different so I asked if something had happened. He started to tell me that he felt like he was a target and was labeled a "pretty boy" by the others. In the spring of 1984, he wrote to me and told me that after a night of drinking with friends, he was sexually assaulted. He did not want to tell anyone besides me because he was embarrassed and scared of any potential retaliation. He explained that he felt like he was stripped of his manhood. He told me that he was still being bullied even after the assault and felt like he was trapped in his own personal hell. Eventually, he was in so much pain and just could not take it anymore, so he purposely went AWOL and was subsequently discharged. When my brother returned home, he was an entirely different person. He moved back in with our parents and rarely left his room. He did not see any of his old friends and never wanted to attend family gatherings. On the few occasions that he did leave the house, he was paranoid and constantly looking over his shoulder. He developed a temper and snapped at anyone who tried to help him. One time, he even got into a physical altercation with our Dad. He began drinking heavily and using cocaine to cope with his feelings. He became more violent and dangerous and he could not live with our parents anymore. Eventually, he became homeless. Many years later, he finally chose to seek help and face what happened to him. He was diagnosed with PTSD and joined a local support group. Even though he attends therapy and is trying to change his life for the better, he still isolates himself and does not like being in groups of people. He is still paranoid and on edge frequently. My brother is still trying to control his temper and he has lost several jobs because of it. He still seems depressed and ashamed of whatever happened to him so many years ago in service. Since leaving for service, my brother has never been the same. I hereby certify that the information I have given is true to the best of my knowledge and belief. John Smith DateExample of Lay Statement Written by the Veteran! Affidavit of John Doe, John Doe, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746(d), that the following is true and correct to the best of my knowledge: I served honorably in the United States Army from August 15, 1968 to June 16, 1974. As a result of my time in service, I am currently service-connected for sarcoidosis, diabetes mellitus type II; bilateral lower extremity peripheral neuropathy; and bilateral iridocyclitis. Due to the combination of my service-connected conditions, I have been unable to secure and follow substantially gainful employment since I last worked in 2010. I last worked full-time in 2010 as a fuel truck driver. This job consisted of me driving a fuel truck and loading and offloading fuel in different locations. I was required to load fuel into the tanker I drove and then deliver it to locations. I had to usually stop back at the fuel yard in order to fill up again between trips. Typically, I made two trips in a day, sometimes three. Each one of the trips lasted at least two hours each way, sometimes up to four hours each way. I had to do out-of-state trips at least once a month, and these drives would usually start early in the morning and go until very late at night. My service-connected sarcoidosis caused significant limitations on my ability to work when I was employed as a truck driver. I often experienced severe chest pains and shortness of breath, even while I was just sitting down and driving my truck. I usually had to pull over at truck stops when I was on the road and take about a half-hour break so I could regain my composure and try to slow my heart rate down. I had to do this up to five times for every trip I made. This prevented me from completing my deliveries on time and I was unable to be productive as other drivers. When I would get out of my truck at a rest stop, I could not stand or walk around for more than fifteen minutes at a time without feeling extremely fatigued. My symptoms particularly limited my ability to work when I had to drive at night, as the combination of fatigue and nighttime driving made it difficult for me to operate my truck. As a result of my service-connected diabetes mellitus type II, I had to take metformin twice a day when I was working so I could control my condition. This also resulted in me going out of my way to try and find a rest stop so I could take a break and take my medication. I further suffered from increased and uncontrolled urinary voiding due to my diabetes, along with excessive thirst. I had to stop at least every hour whenever I was on the road to find a nearby bathroom and/or get something to drink. This also led to me monitoring my blood sugar when I was working. There would be times when I would get an overwhelming sense of fatigue and I would need to check my blood pressure. This forced me to stop working to check my blood pressure, and significantly interrupted my ability to complete my daily tasks. As a truck driver, my service-connected lower extremity neuropathy caused me to experience numbness in my legs all the way down to my feet. As a result of this, I often lost feeling in my legs while I was driving. I would have to stop to stretch out and take breaks as I could not be in a seated position for too long without my legs going numb. Eventually, my service-connected diabetes mellitus worsened, and I had to start taking insulin. Due to state guidelines at the time, a truck driver could not be on insulin and hold a commercial driver's license at the same time. As a result, I had to stop working all together. I unfortunately lack any additional training or experience beyond my training as a truck driver. My disabilities have only worsened over time. My sarcoidosis still gives me a frequent feeling of being short of breath and fatigued. As a result of my service-connected sarcoidosis, I have also developed bilateral iridocyclitis. This condition causes me unbearable pain in both of my eyes. I need to take prescription steroid eye drops four times a day to help control my condition, and even then the pain continues. When I experience a real, bad flare of pain, I need to take Eye滴眼液 in addition to my eye drops because I will develop a very bad headache and the iridocyclitis is the only thing that will give me some kind of pain relief. Today, my diabetes mellitus type II still requires me to take insulin once a day in addition to metformin twice times a day. I also have a restricted diet I need to follow. Due to my neuropathy, I experience extreme pain and numbness in my feet, to the point that I am very uneasy. I avoid going to places where I know there will be a lot of stairs because I don't want to risk falling down, and I also experience a lot of pain in my feet when I try to go up and downstairs. Due to all of these service-connected conditions, I do not believe I would be able to go back to work in any capacity. I hereby certify that the information I have given is true to the best of my knowledge and belief. John Doe DateCommon Mistakes in a VA Buddy Letter! Inconsistency—If a person's statement is inconsistent with the records, or if two statements are contradictory to one another, then it could raise credibility issues for VA.

This applies to details large and small, such as the date of an in-stressor event. Downplaying or Exaggerating Symptoms—It is important not to downplay or exaggerate the veteran's symptoms, as this can also raise credibility and competency issues for VA.

DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Washington, D.C. 20420

April 26, 2010

In Reply Refer To: 215A
Training Letter 10-03

Subject: Environmental Hazards in Iraq, Afghanistan, and Other Military Installations

Dear Sir/Madam:

This training letter will serve three main purposes. First, it will inform regional office employees on specific environmental hazard incidents that present potential health risks to service members and veterans. Second, it provides guidance on handling claims for disabilities resulting from environmental hazards that occurred during service or active duty. Third, it provides "fact sheets" that may serve as valuable resources for VA examiners, claims processors, and other VA staff.

For more information on environmental hazards in Iraq, Afghanistan, and other military installations, see the following:

1. Department of Veterans Affairs, Environmental Hazards in Iraq, Afghanistan, and Other Military Installations, available at www.vba.va.gov.

2. Department of Veterans Affairs, Environmental Hazards in Iraq, Afghanistan, and Other Military Installations, available at www.vba.va.gov.

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