

# **ACCESSING ASSISTIVE TECHNOLOGY**

## **Chapter 12**

**VETERANS ADMINISTRATION (VA)**

**From a 17-Chapter Manual  
Available by Chapter and in Manual Form**

**Third Edition, 2002**

**WRITTEN BY:**

**DISABILITY RIGHTS CALIFORNIA**

Copyright © 1995 by Disability Rights California

Prepared with funding provided through California Assistive Technology Project supported by funds from the National Institute of Disability and Rehabilitation Research (NIDRR), U.S. Dept. of Education, Grant #H224A30008-94.

These materials are based on the laws and court decisions in effect at the time of publication. Federal and state law can change at any time. If there is any question about the continued validity of any information in this manual, contact Disability Rights California or a legal resource in your community.

***DISABILITY RIGHTS CALIFORNIA***, is a private, nonprofit organization that protects the legal, civil, and service rights of Californians who have disabilities. Disability Rights California provides a variety of advocacy services, including information and referral, technical assistance, and direct representation. For information or assistance with an immediate problem, call:

## ***DISABILITY RIGHTS CALIFORNIA***

**Toll Free: (800) 776-5746**

8:30 AM to 5:00 PM – Monday through Friday

### **Central Office**

100 Howe Ave., Suite 185-N  
Sacramento, CA 95825  
Legal Unit – (916) 488-9950  
Administration – (916) 488-9955  
TTY – (800) 719-5798

### **San Diego Area Office**

1111 Sixth Ave., Suite 200  
San Diego CA 92101  
(619) 239-7681  
TTY – (800) 576-9269

### **Los Angeles Area Office**

3580 Wilshire Blvd., Suite 902  
Los Angeles, CA 90010  
Tel. – (213) 427-8747  
TTY – (800) 781-5456

### **San Francisco Bay Area Office**

433 Hegenberger Rd., Suite 220  
Oakland, CA 94621  
Tel. – (510) 430-8033  
TTY – (800) 649-0154

Disability Rights California receives funding under the Developmentally Disabled Assistance and Bill of Rights Act, the Protection and Advocacy for Mentally Ill Individuals Act, the Protection and Advocacy for Individual Rights Act, and the Assistive Technology Act of 1998. Any opinions, findings, recommendations or conclusions expressed in this publication are those of the authors and do not necessarily reflect the views of the organizations which fund Disability Rights California.

# **ACCESSING ASSISTIVE TECHNOLOGY**

## **TABLE OF CONTENTS**

<b>Chapter 1</b>	<b>Introduction and Overview</b>
<b>Chapter 2</b>	<b>Advocacy Skills</b>
<b>Chapter 3</b>	<b>Private Health Benefit Plans</b>
<b>Chapter 4</b>	<b>Regional Centers</b>
<b>Chapter 5</b>	<b>California Children's Services</b>
<b>Chapter 6</b>	<b>Reasonable Accommodation in Employment</b>
<b>Chapter 7</b>	<b>Vocational Rehabilitation (Including Loan Programs)</b>
<b>Chapter 8</b>	<b>Social Security Work Incentives</b>
<b>Chapter 9</b>	<b>Special Education</b>
<b>Chapter 10</b>	<b>Medi-Cal</b>
<b>Chapter 11</b>	<b>Medicare</b>
<b>Chapter 12</b>	<b>Veterans Administration</b>
<b>Chapter 13</b>	<b>Right to Assistive Technology from Public Entities</b>
<b>Chapter 14</b>	<b>Right to Assistive Technology from Private Businesses</b>
<b>Chapter 15</b>	<b>Right to Assistive Technology in Higher Education</b>
<b>Chapter 16</b>	<b>The Protections of The Lemon Law for Buyers of Assistive Technology</b>
<b>Chapter 17</b>	<b>Resource Guide (with Table of Contents)</b>

**(Blank page)**

# ACCESSING ASSISTIVE TECHNOLOGY

## Chapter 12

### VETERANS ADMINISTRATION (VA)

#### TABLE OF CONTENTS

Question	Page
1. Does the Veterans Administration have programs to help me access assistive technology? .....	1
2. Who is eligible for VA benefits? .....	1
3. How can I apply for VA benefits? .....	2
4. Which programs will pay for specially adapted housing? .....	3
5. Which programs will pay for special housing adaptations? .....	3
6. What other VA programs may pay for housing or housing adaptations? .....	4
7. Are there VA programs that will pay for automobiles or adaptations to automobiles? .....	4
8. Can I get a clothing allowance related to assistive technology? .....	5
9. What types of vocational training and related assistive technology can I get through VA? .....	6
10. Who is eligible for vocational rehabilitation services? .....	6
11. How do I apply for rehabilitation programs? .....	7
12. How long do rehabilitation services last? .....	7
13. What assistive technology is available as part of my rehabilitation plan? .....	7
14. What types of medical equipment can I get while I am in rehabilitation? .....	8
15. Can I get prosthetic devices and services through VA? .....	8
16. What assistive technology is available for blind veterans? .....	10
17. What other medical equipment can I get through VA? .....	11
18. What is the VA's appeal process? .....	11

## Chapter 12

### VETERANS ADMINISTRATION

#### 1. Does the Veterans Administration have programs to help me access assistive technology?

If you are a veteran with a service-connected (and sometimes non-service-connected) disability, you may be able to get assistive technology devices and services through the Veterans Administration (VA). Programs that provide assistive technology include:

- Vocational rehabilitation and education programs;
- Prosthetics and other medical supplies;
- Grants for automobiles and automobile adaptations; and
- Loans and grants for adapted homes and adaptations to existing homes.

#### 2. Who is eligible for VA benefits?

Veterans who leave active military service with a discharge other than a dishonorable discharge are eligible for VA benefits. 38 C.F.R. § 3.1(d). Active service generally means full-time service as:

- A member of the Army, Navy, Air Force, Marines, or Coast Guard;
- Certain World War II Merchant Marine services; or
- A commissioned officer of the Public Health Service, the Environmental Services Administration, or the National Oceanic and Atmospheric Administration.

If you completed at least six years of honorable service in the Selected Reserves, you may receive home-loan benefits even if you were not an active service member. An honorable or general discharge will qualify you for most VA benefits. Some VA benefits require wartime service.

Veterans who have non-service-connected disabilities (such as diabetes) are entitled to pension benefits, which may include assistive technology such as prosthetics. Veterans with less than fully honorable discharges can get basic eligibility for VA benefits through successful application to the military's Discharge Review Boards or Boards for Correction of Military Records. The VA may grant basic eligibility for benefits through a "Character of Service Determination" in all cases except

those few that include a bad conduct or dishonorable discharge given as part of the sentence of a General Court Martial. 38 C.F.R. § 3.12

### **3. How can I apply for VA benefits?**

You can apply for benefits in various places, depending on what kind of benefits you need. Generally, you can apply for benefits that include assistive technology at your local VA office.

VA claim form 21-526 is available at all VA regional offices and county Veterans' Service offices. When filing a claim with the VA for the first time, you should include a copy of your service discharge form (DD 214), which documents service dates and type of discharge. Or, simply give your full name, military service number, branch of service, and dates of service. Initial claims may include your statement and any medical or other documentation of your service-connected conditions. Once you file a claim, your VA file number ("C" number) or Social Security number becomes your identifier.

The VA regional office will ask you for any additional information and schedule a C&P (compensation and pension) exam. The C&P exam will be at the VA medical facility nearest you. VA doctors, who are specialists in the conditions you claim and are not your treating physician, will examine you.

The C&P exam reports go to the Adjudication Section of the VA regional office. There, the VA makes an initial determination based on the reports and all other evidence you submitted. You and your representative have the right to a copy of the C&P exam reports.

In California, VA regional offices are located at:

Federal Building 11000 Wilshire Blvd. Los Angeles, CA 90024 310-235-6199	8810 Rio San Diego Drive San Diego, CA 92108 619-297-8220
(Inyo, Kern, Los Angeles, Orange, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura counties)	(Imperial, Riverside, and San Diego counties)
1301 Clay Street, Rm. 1300N Oakland, CA 94612 510-637-1325 24-hour recording 510-974-0138	5460 Reno Corporate Drive Reno, NV 89511 775-329-9244
(Northern California counties)	(Alpine, Lassen, Modoc and Mono counties)

The toll-free number for the statewide office (including the Reno regional office) is: 1-800-827-1000.

#### **4. Which programs will pay for specially adapted housing?**

You may be entitled to receive grants of up to \$50,000 for building, buying, or remodeling an adapted home. 38 U.S.C. §§ 2101(a), 2102(a). To be eligible for a grant, you must be entitled to compensation for permanent and total service-connected disability due to:

- Loss, or loss of use, of both lower extremities, requiring the use of braces, crutches, canes or a wheelchair; or
- Blindness in both eyes (having only light perception) and loss, or loss of use, of one lower extremity; or
- Loss, or loss of use, of one lower extremity, together with residuals of organic disease or injury; or the loss, or loss of use, of one upper extremity, which affects balance or propulsion so that you require the use of braces, canes, crutches or a wheelchair. 38 U.S.C. § 2101(a), 38 C.F.R. § 3.809(b).

In addition, it must be medically feasible for you to live in the housing unit. The housing unit must be suitably adapted to your needs. You must be financially able to buy the house with help from the VA.

You may receive a one-time grant of not more than 50 percent of the cost of building, buying or remodeling an adapted home, or paying off debt on a home you already bought, up to \$43,000. 38 U.S.C. § 2101(a). For more information on specially adapted housing, ask the local VA regional office for its brochure 26-69-1, entitled *Questions and Answers on Specially Adapted Housing and Special Housing Adaptations for Veterans*.

#### **5. Which programs will pay for special housing adaptations?**

You can be eligible for a one-time grant of up to \$10,000 for special housing adaptations that the VA determines to be reasonably necessary. 38 U.S.C. §§ 2101(b), 2102(b). You may use the grant to adapt housing that you or your family own or plan to purchase. You may also use the grant to help buy an already adapted residence. In this case, the VA will base the amount of the grant on the fair market value of the adaptations, not the cost. To be eligible, you must be entitled to compensation for permanent and total service-connected disability due to:

- Blindness in both eyes with 5/200 visual acuity or less; or

- Anatomical loss, or loss of use, of both hands. 38 U.S.C. § 2101(b), 38 C.F.R. § 3.809a(b).

Adaptations may include: special lighting; sliding doors; handrails; smoke, fire, and burglar detectors; intercoms; storage rooms for equipment; heating and cooling for those storage rooms; a covered porch; a swimming pool; fencing to overcome a safety hazard; additional outlets to accommodate equipment; special fixtures, switches, or doorknobs; adjustment of counters, cabinets, windows and doors; automatic garage door openers; special locks or devices to open and close doors; safety corrections; and other adaptations that the VA approves.

## **6. What other VA programs may pay for housing or housing adaptations?**

You may get loans or a loan guarantee from VA to supplement a grant to buy a specially adapted home or adaptations. You will need to have available loan guarantee entitlement. 38 U.S.C. § 3710.

In addition, VA will pay for home improvements and structural alterations through the HISA (Home Improvements and Structural Alterations) program. HISA will pay for improvements necessary: to allow you to continue treatment; or to provide access to the home, and essential lavatory and sanitary facilities. For alterations, the VA will pay up to \$4,100 if you are being treated for service-connected disabilities, or non-service connected disabilities rated at 50 percent or more. It will pay up to \$1,200 for non-service-connected disabilities if you are receiving post-hospital care or if you are rated 50 percent or more disabled. 38 U.S.C. §§ 1710(a), 1717.

## **7. Are there VA programs that will pay for automobiles or adaptations to automobiles?**

Yes. To be eligible, you must be a veteran of active military service; and must have service-connected loss of one or both hands or feet; or have permanent loss of use or permanent impairment of vision in both eyes. 38 C.F.R. § 3.808(b). If you are entitled to compensation for ankylosis (abnormal immobility) of one or both knees, or one or both hips, you also qualify for adaptive equipment for an automobile. 38 C.F.R. § 3.808(b). You must be physically and legally able to obtain a drivers' license under the applicable state standards. 38 C.F.R. § 3.808(c), 38 C.F.R. § 17.156.

You may get adaptive equipment for an automobile, or up to \$11,000 towards the purchase of an automobile or other conveyance, if you qualify. 38 U.S.C. § 3902(a). *Adaptive equipment* is defined as:

“that equipment which must be part of or added to a conveyance manufactured for sale to the general public to make it safe for use by the [veteran] and to assist him or her in meeting the applicable standards of licensure of the proper licensing authority...[and includes] a basic automatic transmission for veterans who have lost or lost the use of a limb...[as well as] power steering, power brakes, power window lifts and power seats.” 38 C.F.R. § 3.808(e)

The term also includes:

- Air-conditioning equipment, when necessary for your health and safety;
- Special equipment necessary to help you get into or out of the vehicle;
- Modification of the vehicle’s interior to help you get in and out or operate the vehicle; and
- Other equipment that the Chief Medical Director of VA deems necessary for you. 38 C.F.R. § 3.808(e).

VA will pay for adaptive equipment, and for repair, replacement, or reinstallation required because of a disability, and for the safe operation of a vehicle purchased with VA assistance or independently. VA may also reimburse you for repairs and adaptive equipment you purchased independently, subject to certain caps. 38 C.F.R. § 17.158©. To apply, you should contact a VA regional office or the prosthetic office at a VA medical center. Ask for the *Application for Automobile or Other Conveyance and Adaptive Equipment*. You may be eligible for adaptive equipment for up to two vehicles at a time in a four-year period, except when the vehicle is not available for your use due to circumstances beyond your control. These circumstances include loss of the vehicle due to fire, theft, accident, court action, or when repairs are too expensive, or when a change in vehicles is necessary because of your physical condition. 38 C.F.R. § 17.158(a)(1).

## **8. Can I get a clothing allowance related to assistive technology?**

Yes. You may get an annual clothing allowance of \$662 if you are entitled to compensation for a service-connected disability and:

- The wheelchair, prosthesis or other appliance you use because of the disability tends to tear or wear out your clothing; 38 U.S.C. § 1162; or
- The medication you use because of the disability damages your clothing. 38 U.S.C. § 1162 and 38 C.F.R. § 3.810.

## **9. What types of vocational training and related assistive technology can I get through VA?**

As a disabled veteran, you may receive:

- Employment assistance;
- Self-employment assistance;
- Training in a rehabilitation facility, sheltered workshop or home;
- Educational training at a college or university;
- Vocational training;
- Apprenticeships or on-the-job training; or
- On-farm training.

If you are a severely disabled veteran, you may receive assistance to improve your ability to live independently. During vocational rehabilitation, you may get assistive technology to enable you to work – including prosthetic devices, other equipment and supplies, and transportation costs related to your disability. Any income you earn will affect the amount of your pension.

## **10. Who is eligible for vocational rehabilitation services?**

If you served in the Armed Forces after September 15, 1940, you are eligible to apply for vocational rehabilitation benefits for the 12-year period following either your discharge date. 38 C.F.R. § 21.41. You must need rehabilitation to overcome an employment handicap, regardless of the percentage of disability rating awarded. 38 C.F.R. § 21.40(b). You must also meet one of these three conditions:

- You have a service-connected disability of 20 percent or more, which would entitle you to 20 percent compensation, or would do so if you did not receive military retirement pay. 38 C.F.R. § 21.40(a)(1).
- You may also be eligible if you have less than a 20 percent disability rating and if you have a serious employment handicap and filed an original application before November 1, 1990. 38 C.F.R. § 21.40(a)(3); or
- You were discharged or released under other than dishonorable conditions, or you are hospitalized awaiting discharge or release for a disability which will likely be rated at 20 percent or more. 38 C.F.R. § 21.40(a)(2);

Vocational rehabilitation is not an absolute entitlement. Meeting the criteria entitles you to consideration for vocational rehabilitation. Generally, VA uses independent

vocational rehabilitation experts to assess your aptitude, etc., and recommend a program that is designed for your abilities and interests.

### **11. How do I apply for rehabilitation programs?**

You should ask the local VA regional office for VA Form 28-1900, entitled *Disabled Veterans Application for Vocational Rehabilitation*. When you complete the application, send it to the VA regional office.

### **12. How long do rehabilitation services last?**

Generally, the training portion of a vocational rehabilitation program may not last for more than 48 months. You must complete your rehabilitation program within 12 years of discharge or of notice of diagnosis of a qualifying disability. After training, VA may provide counseling, job placement, and post-placement services for up to 18 more months.

### **13. What assistive technology is available as part of my rehabilitation plan?**

*Supplies* may include books, tools, and other supplies and equipment that are necessary for your rehabilitation program. 38 C.F.R. § 21.210(b). Supplies may be furnished during extended evaluations, during rehabilitation to the point of employability, while you get employment services, and in independent living services programs. 38 C.F.R. § 21.210(c). The types of supplies available depend on your program. (See 38 C.F.R. §§ 21.212 and 21.214 for specific needs and availability.)

*Special equipment* is available as necessary for you to participate in a rehabilitation program. Types of special equipment include:

- Equipment for educational or vocational purposes, such as talking calculators if you are blind, or other equipment ordinarily used by nondisabled persons. 38 C.F.R. § 21.216(a)(1);
- Sensory aids or prostheses, ranging from eyeglasses and hearing aids to closed-circuit TV systems to amplify reading materials; and other items designed to mitigate or overcome the effects of your disability. 38 C.F.R. § 21.216(a)(2); and
- Modifications to improve access to programs, including adaptive equipment for automobiles, or adaptations or supplies to make your home useful for training or self-employment. 38 C.F.R. § 21.216(a)(3).

*Other incidental goods and services*, such as calculators, may be provided at your case manager's discretion, if you need them to implement your rehabilitation plan. Generally, these costs may not exceed five percent of the training costs for any 12-month period. 38 C.F.R. § 21.156.

Additionally, another VA program must find you ineligible for equipment before VA can authorize the equipment through a rehabilitation program. 38 C.F.R. § 21.216(b). The school or training facility will generally provide the supplies for you. 38 C.F.R. § 21.218(a).

#### **14. What types of medical equipment can I get while I am in rehabilitation?**

While you are in a VA rehabilitation program, you may get:

- Assistive technology such as prosthetic appliances, eyeglasses, and other corrective or assistive devices;
- Telecommunications, sensory and other technical aids and devices; and
- Services to veteran's family as necessary for effective rehabilitation of veteran. 38 C.F.R. § 21.240(b).

You can get these items during your initial evaluation, extended evaluation, rehabilitation to the point of employability, independent living services programs, employment services, and at other times when necessary to facilitate rehabilitation. 38 C.F.R. § 21.240(c). You can get these assistive technology items through VA medical centers. 38 C.F.R. § 21.242.

#### **15. Can I get prosthetic devices and services through VA?**

Yes. You may apply for prosthetic devices and services to treat any condition when you are receiving outpatient, hospital, domiciliary or nursing-home care in a VA facility. Prosthetic aids include artificial limbs, braces, orthopedic shoes, hearing aids, wheelchairs, medical accessories, similar appliances including lifts and therapeutic and rehabilitative devices, and special clothing if necessary, based on a determination of feasibility and medical need. 38 C.F.R. § 17.150. VA will pay for repairs to prosthetic appliances, or similar appliances, therapeutic aids or devices when necessary and when the cost is reasonable. 38 C.F.R. § 17.122. VA will also pay for fitting and training in the use of prosthetic and similar appliances. 38 C.F.R. § 17.153.

As a veteran who meets the basic requirements for outpatient medical treatment, you may get needed prosthetic services from VA:

- For a service-connected disability or related condition;
- For any medical condition if you have a service-connected disability rated at 50 percent or more or if you are a veteran receiving compensation as a result of treatment in a VA facility;
- For a disability that caused your discharge or release from active service;
- As a veteran participating in a VA vocational rehabilitation program;
- As part of outpatient care to complete treatment of a disability for which hospital, nursing home or home care was provided;
- As a veteran who gets an increased pension or allowance based on needing aid and attendance or being permanently housebound;
- As a veteran of World War I or the Mexican Border period; and
- As a former prisoner of war.

Eligibility requirements for *outpatient care* are as follows.

- VA must provide you with unlimited outpatient care:
  - For service-connected disabilities;
  - For any disability, if you have a 50 percent or more service-connected disability; and
  - For that condition only, if you suffered an injury as a result of VA hospitalization.
- VA must furnish you with outpatient care for any condition to prevent the need for hospitalization, to prepare for hospitalization, or to complete treatment after hospital care, nursing-home care, or home care if:
  - Your service-connected disability rates 30-40 percent; or
  - Your annual income is not greater than the maximum annual pension rate of a veteran who needs regular aid and attendance.
- VA may provide you with outpatient care without limitation if:
  - You are in a VA-approved vocational rehabilitation program;
  - You are a former prisoner of war;
  - You are a World War I or Mexican Border period veteran; or
  - You are a veteran who receives increased pension or compensation based on the need for regular aid and attendance of another person, or who is permanently housebound.

- VA may provide you with outpatient care to avoid hospitalization, to prepare for hospitalization, or to treat a condition for which you were hospitalized if:
  - You are a veteran with a 0-20 percent service-connected disability;
  - You are a veteran who was exposed to a toxic substance during service in Vietnam, or to ionizing radiation following the detonation of a nuclear device, or to environmental contaminants in the Persian Gulf (for conditions related to such exposures);
  - You are a mandatory category veteran whose income is more than the pension rate for a veteran who needs regular aid and attendance;
  - You are a discretionary category veteran, subject to a copayment of \$36 per outpatient visit; or
  - You are an allied beneficiary, beneficiary of other federal agencies, and are a certain other non-veteran.
- VA may provide you with appliances or repairs as a part of *hospital care* if:
  - A non-service-connected disability aggravates a service-connected disability;
  - A non-service-connected disability is one for which hospital admission was authorized;
  - A non-service-connected disability is associated with and aggravating a non-service-connected disability for which hospital admission was authorized; or
  - A non-service-connected disability is one for which treatment may be authorized under the provisions of § 17.48(f). 38 C.F.R. § 17.150(b).
- VA may provide you with assistive technology if it is necessary as part of *home care or nursing home care*. 38 C.F.R. § 17.150(c) and (d).

## **16. What assistive technology is available for blind veterans?**

Assistive technology for blind veterans includes low-vision aids and training in their use, approved electronic and mechanical aids for the blind (38 C.F.R. § 17.154(b)) and their necessary repair and replacement. It also includes talking books, tapes and Braille literature from the Library of Congress. The HISA program may provide for special adaptations to homes. See question 6 for more information on HISA.

You are eligible for VA blind services if your blindness is a service-connected disability, if you are entitled to compensation from VA for any service-connected disability, or if you are eligible for VA medical services. If you have corrected

vision of 20/200 or less in the better eye or a field defect of 20 degrees or less, VA considers you blind. If you are a blind veteran, you need not be receiving compensation or a pension to be eligible for admission to a VA blind rehabilitation center or clinic, or to receive services at a VA medical center.

## 17. What other medical equipment can I get through VA?

VA may supply a *lift* if:

- You are a veteran who receives special monthly compensation;
- You have loss, or loss of the use, of both lower extremities and at least one upper extremity;
- A doctor has determined that you are incapable of moving to and from bed to a wheelchair without the aid of an attendant; and
- A lift would accomplish the necessary maneuvers between bed and wheelchair, and is medically necessary.<sup>1</sup> 38 C.F.R. § 17.151.

VA may supply *assistive listening devices*, including telecaptioning television decoders, if you are profoundly deaf (rated 80% or more disabled for hearing impairment) and you are entitled to compensation on account of the hearing impairment. 38 C.F.R. § 17.152.

## 18. What is the VA's appeal process?

You can appeal any rating decision made by a VA regional office. You must appeal a VA rating decision within **one year** of notification of the rating decision. You should file a written Notice of Disagreement with the office that made the rating decision. After the office receives the notice, it will give you a *Statement of the Case* setting forth the issue, facts, applicable law and regulations, and the reason for VA's decision. Within **60 days** of receiving the *Statement of the Case*, or within **one year** from notice of the original rating decision (whichever is later), you must file a substantive appeal with the Board of Veterans' Appeals (BVA).

The next step is an appeal hearing before the BVA. This hearing can be held either in Washington, DC, at a VA regional office, or by videoconference. An advocate or an attorney may represent you. The BVA will conduct the hearing and issue a

---

<sup>1</sup>Eligibility for specific equipment may depend upon the nature and degree of your disability and when the disability occurred. See 38 C.F.R. § 17.150 for a more complete discussion.

written decision regarding your benefits. BVA decisions are published. You can review them at VA regional offices or online at <http://www.va.gov/vbs/bva>.

You may appeal a BVA decision to the U.S. Court of Veterans Appeals (CVA), a seven-judge court separate from the VA. You must file an appeal with the CVA within **120 days** of the date the BVA mailed its final decision. The CVA will review the record that was available to the BVA but will not hear new evidence. Either party may appeal the CVA's decision to the U.S. Federal Court of Appeals and to the U.S. Supreme Court. For more information about the CVA's rules and procedures, contact the clerk's office at 625 Indiana Ave., NW, Suite 900, Washington, DC 20004, or call 1-800-869-8654.

Attorneys may not charge more than \$10 to represent you at any stage of a claim until the BVA has issued a final decision. Then, an attorney may enter into a retainer agreement to represent you at the CVA. The retainer agreement cannot exceed 20% of any retroactive award of benefits made after the CVA reverses the BVA's decision or sends it back to the BVA.

Some legal services offices provide free paralegal or attorney representation to low-income veterans. Many recognized traditional veterans' organizations provide free non-attorney representation for VA claimants. Among them are Disabled American Veterans, American Legion, and Veterans of Foreign Wars.

County veterans' service offices may also provide free non-attorney representation for VA claimants in conjunction with the California Department of Veterans Affairs.