

HIGHER-LEVEL REVIEW PROCESS FLOWCHART

From the prior decision to correction, continuation, or a Duty-to-Assist return.



START
Initial or Supplemental decision

RECORD
Closed at the prior decision

END
A new decision notice

REVIEW FIRST

HLR is a bounded review process. New evidence does not enter the review, but a predecisional Duty-to-Assist error can send the issue into a new evidence-gathering phase.

FLOW | FILE THROUGH OUTCOME

THE HLR SEQUENCE

01

Read the prior decision

Identify each disputed issue, favorable finding, stated reason, and decision date.

Do not start from the percentage alone.

02

Confirm the closed record can support review

Decide whether the problem is an error in the existing record or a need for new evidence.

New evidence points away from HLR.

03

Submit VA Form 20-0996

List the benefit type, issues, decision dates, and optional informal-conference choice.

Preserve the completed form and receipt.

04

Higher-level reviewer conducts a new look

The reviewer considers the prior record and may consider written or conference argument identifying error.

Argument can cite old evidence. It cannot become new evidence.

05

Reviewer selects the outcome

The prior result may continue, change, or be returned because of a Duty-to-Assist error.

Read the new Reasons for Decision.

06

Choose the next step if needed

After an HLR decision, a Supplemental Claim or Board Appeal may be available.

Use the new decision date and review rights.

BRANCH | DUTY-TO-ASSIST RETURN

IF THE REVIEWER FINDS A DUTY-TO-ASSIST ERROR

HLR closes

The decision identifies the error and the development VA must complete.



VA gathers the missing evidence

The claim may return to examinations, opinions, or records development.



VA issues another decision

The new evidence becomes part of the readjudication record.

Status language matters. “We are correcting an error” means additional development is underway. It is not yet a grant or denial.

THE RECORD CAN REOPEN AFTER THE HLR

The HLR itself is closed record. If VA identifies a Duty-to-Assist error, the HLR closes and VA opens development to correct the error before another decision.

