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# THE FIVE-YEAR STABILIZATION RULE

What changes after an evaluation has continued at the same level for five years or more.



|                                    |                                                               |                                                            |
|------------------------------------|---------------------------------------------------------------|------------------------------------------------------------|
| PROTECTS<br>The reduction analysis | DOES NOT PROTECT<br>Service connection or a frozen percentage | KEY QUESTION<br>Is improvement sustained in ordinary life? |
|------------------------------------|---------------------------------------------------------------|------------------------------------------------------------|

RULE FILE

The five-year rule does not make a rating permanent. It adds safeguards designed to prevent reductions based on incomplete review, temporary improvement, or an examination that is less full and complete than the evidence supporting the current evaluation.

RULE 01 | WHEN IT APPLIES

## START WITH THE EVALUATION HISTORY

1

### Same evaluation level

Identify the percentage VA proposes to reduce and the date that exact level became effective.

2

### Five years or more

Compare the evaluation's effective date with the effective date of the proposed lower evaluation.

3

### Section 3.344(a) and (b)

If the level has continued for five years or more, the stabilization safeguards apply.

RULE 02 | WHAT VA MUST REVIEW

## THE STABILIZATION SAFEGUARDS

FULL

### Entire record

VA must review the examinations and the medical-industrial history, not isolate one favorable snapshot.

EQUAL

### Comparable examination

An examination that is less full and complete than the examination supporting the existing rating cannot serve as the basis for reduction.

LASTING

### Sustained improvement

The evidence must make it reasonably certain that material improvement will continue under ordinary conditions of life.

DOUBT

### Continue if doubt remains

Section 3.344(b) directs continuation of the rating with a future reexamination in a doubtful stabilized-rating case.

RULE 03 | WHAT IT DOES NOT DO

## DO NOT OVERSTATE FIVE YEARS

Five years is not a ban on reduction, not a protection of service connection, and not a twenty-year evaluation floor. It controls how VA must evaluate claimed improvement.

## MEASURE THE LEVEL

A later increase can create a newer evaluation period even when service connection is much older. Track each percentage separately.



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Authority: 38 CFR 3.344(a), (b), and (c).

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