

1

VA RATING PROTECTIONS IN ONE PAGE

Know what is protected, what VA must prove, and which clock controls the next step.



CORE RULES 5 years, 10 years, and 20 years	SEPARATE TRACKS Reduction, severance, and reexamination	DUE PROCESS 30-day hearing and 60-day evidence clocks
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RULE FILE

There is no single protected-rating rule. Different regulations protect different things: the evaluation process, service connection, an evaluation floor, total ratings, or freedom from routine periodic reexamination.

FILE 01 | PROTECTION LADDER

THE FOUR CORE PROTECTION TRACKS

5 YEARS	Stabilized evaluation VA must apply the record-review and sustained-improvement safeguards in 38 CFR 3.344(a) and (b) when the evaluation has remained at the same level for five years or more.	Protects the decision process. It does not make the evaluation untouchable.
10 YEARS	Service connection VA generally cannot sever service connection after ten years. The percentage can still change if another rule permits it.	Protects service-connected status, subject to the regulation's exceptions.
20 YEARS	Evaluation floor An evaluation continuously held for twenty years generally cannot be reduced below that level.	Protects the continuously held percentage floor, except for fraud.
SCHEDULE	Rating criteria changed A revised rating schedule alone is not grounds to reduce an existing evaluation. Medical evidence must show actual improvement.	Protects against a reduction based only on a schedule revision.

FILE 02 | DO NOT COMBINE THESE

STATUS LABELS ARE NOT INTERCHANGEABLE

100% Total schedular Material improvement must be shown and evaluated with the full record under 38 CFR 3.343(a).	TDIU Individual unemployability Actual employability must be shown by clear and convincing evidence. The twelve-month work safeguard may apply.	P&T Permanent and Total P&T generally means the total disability is considered permanent. It is not the same as a twenty-year evaluation floor.	STATIC Static condition A static designation limits routine periodic reexaminations. It does not independently create a time-based evaluation floor.
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FILE 03 | IF VA PROPOSES ACTION

READ THE NOTICE BEFORE CHOOSING A RESPONSE

1	Identify the action Is VA proposing a lower evaluation, severing service connection, or scheduling a reexamination?	Different action, different legal test
2	Calendar both proposal deadlines A hearing request and an evidence response do not use the same deadline.	30 days: hearing request 60 days: evidence
3	Match evidence to the controlling test Address sustained improvement, ordinary conditions of life, total-rating safeguards, service-connection validity, or another stated basis.	Answer the reason, not the fear

CORE DISTINCTION

Five years protects the reduction process. Ten years protects service connection. Twenty years protects the evaluation floor. P&T, static status, and age 55 involve different rules.

