

SERVICE-CONNECTION SEVERANCE PROCESS

The Government bears the burden before service connection can be removed.



STANDARD Original grant clearly and unmistakably erroneous	EVIDENCE 60-day response period	HEARING Request received within 30 days
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RULE FILE

Subject to the ten-year protection and other limits, service connection generally may be severed only when the evidence establishes that the grant was clearly and unmistakably erroneous.

PROCESS 01 | GOVERNMENT CASE

BEFORE VA CAN SEVER

1

Identify the alleged error

VA must state the material facts and reasons why the original service-connection grant was clearly and unmistakably erroneous.

Government bears the burden

2

Special diagnosis rule

If VA relies on a changed diagnosis, proper medical authority must certify that the original diagnosis was clearly erroneous and explain the facts, findings, and reasons.

Certification must be supported

3

Prepare proposed severance

VA issues a rating proposing severance and sends detailed notice to the latest address of record.

Proposal, not final action

PROCESS 02 | RESPONSE RIGHTS

USE THE PROPOSAL WINDOW

30

Predetermination hearing

A hearing request must reach VA within 30 days of the notice for the related payment-continuation protection.

Keep proof of receipt

60

Additional evidence

VA must provide 60 days to present evidence showing that service connection should be maintained.

Answer the alleged original error

FINAL

Final rating action

If VA proceeds after considering the response, it issues written final action and applies the regulatory effective-date sequence.

Review rights follow

PROCESS 03 | TEN-YEAR CHECK

ASK WHETHER SEVERANCE IS ALREADY BARRED

If service connection has been in effect for ten or more years, apply 38 CFR 3.957 first. Severance is then generally barred except for fraud or military records clearly showing lack of requisite service or qualifying character of discharge.

ORIGINAL GRANT IS THE FOCUS

A severance case is not merely a new weighing of current diagnosis or severity. VA must satisfy the specific severance standard and procedure.