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TWENTY-YEAR EVALUATION FLOOR

An evaluation continuously held for twenty years becomes a protected floor.



CLOCK STARTS

Effective date of the evaluation

CLOCK ENDS

Effective date of the lower evaluation

EXCEPTION

Rating based on fraud

RULE FILE

The twenty-year rule protects the level continuously in effect. A veteran with a long rating history may have more than one protected floor because different percentages began on different dates.

FLOOR 01 | CORE RULE

WHAT BECOMES PROTECTED

20Y

Continuously rated

The disability must have been rated at or above the evaluation for twenty or more years.

FLOOR

Cannot reduce below that level

The continuously held evaluation becomes the minimum protected percentage.

FRAUD

Narrow exception

The regulation allows reduction below the protected floor upon a showing that the rating was based on fraud.

FLOOR 02 | LAYERED EXAMPLE

ONE DISABILITY CAN HAVE SEVERAL CLOCKS

10%

Original evaluation

Effective in 2000. The 10 percent floor reaches twenty years in 2020.

Protected floor: 10 percent beginning in 2020.

30%

Later increase

Effective in 2014. The 30 percent level reaches twenty years in 2034.

Until then, another rule may permit reduction, but not below an already protected 10 percent floor.

2034

Higher floor matures

If the 30 percent level remains continuously in effect, it becomes the protected floor in 2034.

Protection follows continuous time at or above each level.

FLOOR 03 | SEPARATE FROM STATUS

TWENTY YEARS IS NOT THE TEN-YEAR RULE

10Y

Service connection

Protects the service-connected status, subject to its exceptions.

20Y

Evaluation

Protects the continuously held percentage floor, subject to fraud.

P&T

Permanence

A permanence finding affects future-exam expectations but is not the same twenty-year calculation.

TRACK EACH INCREASE

Do not use only the first service-connection date. Record every evaluation and effective date shown on the codesheet.



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Rating Protections Visual Library

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Authority: 38 U.S.C. 110 and 38 CFR 3.951(b).

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