

# WHAT TO DO when you disagree with a Veterans Affairs Canada (VAC) decision

When you disagree with a VAC decision you have the right to request a review.

1

**You have the right to get a decision in writing.** If you did not get a decision letter, ask VAC for one.

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**Read your letter carefully**, it will help guide your next steps. The decision letter will tell you who can review the decision:

- The **Veterans Review and Appeal Board (VRAB)** reviews disability benefit decisions
- The **National 1st or 2nd Level Appeals (N1LA or N2LA) Units** review most non-disability benefit decisions, including health care decisions
- Certain programs have their own review process (see below)

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**Get help early.** There are organizations that can help you understand the facts, explain VAC policies, and make a decision on whether to request a review:

- The **Bureau of Pensions Advocates (BPA)** has specialized lawyers across Canada trained in administrative law who provide free legal advice and representation to Veterans to help with the VRAB review process.
- The **Office of the Veterans Ombud (OVO)** can help you navigate the N1LA or N2LA review process.
- The **Royal Canadian Legion** has specially trained Service Officers throughout Canada who can help you with VAC; you do not need to be a member of the Legion to receive their assistance.

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**Consider the following questions** before deciding whether to ask for a review:

What were the reasons for the decision?

Was any information overlooked by the decision maker?

What information could change the decision?

Do you have or can you get this information?

If you have new evidence or information, is your best course of action a review or a new application?

Your decision letter, your advisors, and VAC can help you answer these questions.

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**Make a decision on whether to request a review.** See below for more information on the review processes.

**Are the reasons for your decision unclear?  
Do you have questions about your case?**

## Contact us

The Office of the Veterans Ombud (OVO) can provide information about your rights and help you navigate the VAC system. Call us or use our online form to get started.



**Online: Submit an inquiry or complaint**



**Telephone (toll-free): 1-877-330-4343**



**TTY: 1-833-902-9399**

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# OVERVIEW of the Veterans Review and Appeal Board (VRAB) Review Process

THIS IS THE REVIEW AND APPEAL PROCESS FOR DISABILITY BENEFIT DECISIONS.

## GET HELP

Contact the [Bureau of Pension Advocates \(BPA\)](#) or The [Royal Canadian Legion](#) for help. They can represent you and guide you through a departmental review, reconsideration or a [VRAB](#) review or appeal hearing.



## VAC DEPARTMENTAL REVIEW

Do you have new evidence? Was there an error in your decision? Ask your representative whether you should ask [VAC](#) to take a second look at your case.

If this is not an option, you can ask for a review hearing.



## VRAB APPEAL HEARING

You do not have to attend this hearing; in fact, many do not as there is no chance to give oral testimony. Your representative will argue your case. A new VRAB panel that was not involved in the review hearing will then make a decision.



## VRAB REVIEW HEARING

This is your chance to tell your story to decision-makers. Your representative will also present evidence on your behalf. The VRAB panel will consider your case and make a decision.

Do you disagree with the panel's decision? You can ask for an appeal hearing.



## VRAB RECONSIDERATION

Do you have new evidence? Was there an error in the appeal hearing decision? Your representative can advise you if re-opening your case is an option.



## JUDICIAL REVIEW

Have you pursued all options and still disagree? You can apply to the Federal Court for a judicial review. If you seek a judicial review, you would be responsible for the costs.



## GOOD TO KNOW

- **New evidence does not include changes in VAC policy or information you already shared.**
- **You have 30 days after receiving the final VRAB decision to apply for a judicial review.**
- **VAC and VRAB cannot review the same decision at the same time.**
- **Your BPA representative can advise you on the merit of pursuing a judicial review but will not represent you in Federal Court.**



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# OVERVIEW of the National 1st and 2nd Level Appeals (N1LA/N2LA) Process

First and second level reviews by the N1LA and N2LA Units, respectively, are conducted internally by VAC for most non-disability benefit decisions, including health care decisions, and certain Veterans Well-being Act decisions.

## GET HELP

Contact The Royal Canadian Legion or the OVO. The Royal Canadian Legion's Service Officers can assist you with a review. The OVO can provide information and help you navigate the VAC system.

You can request a first level review by letter or through My VAC Account.



## FIRST LEVEL REVIEW (N1LA)

The N1LA Unit will examine your case and make a decision.

Do you disagree with the N1LA decision? If the decision is for a health care benefit, contact the OVO to discuss your next steps.

For all other decisions, you can ask for a second level review by letter or through My VAC Account.



## JUDICIAL REVIEW

Have you pursued all options and still disagree? You can apply to the Federal Court for a judicial review. If you seek a judicial review, you would be responsible for the costs.



## SECOND LEVEL REVIEW (N2LA)

The N2LA Unit will examine your case and make a decision.



## GOOD TO KNOW

- In first and second level reviews, there are no hearings and VAC usually will not contact you for additional information. Be sure to include in all review requests:
  - Why you believe the decision is wrong;
  - An explanation of the link between your need for the benefit and your service-related condition;
  - Supporting evidence such as medical reports.
- Pay attention to deadlines in the decision letters and contact VAC if you need more time to submit your first or second level review.
- You only have 30 days after receiving a second level review decision to apply for a judicial review.
- If you believe the review process or outcome was unfair, contact the OVO.



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# OVERVIEW

## of Other VAC Review Processes

### YOU CAN REQUEST A REVIEW OR RECONSIDERATION FOR THE FOLLOWING:

Allowances under  
the *War Veterans  
Allowance Act*

Public Service Priority  
Entitlement: Service  
Determination

Last Post Fund:  
Means-testing /  
Insufficiency of Funds

Last Post Fund:  
Matter-of-Right

Education Assistance  
Program

Trust/Emergency Funds

Veterans Emergency Fund

### GET HELP

The [Royal Canadian Legion's Service Officers](#) can assist you. The [OVO](#) can provide information and help you navigate the VAC system.

Do you have supporting evidence that was not considered? [Contact VAC](#) to determine whether a new decision can be made or if you should ask for a review or reconsideration and how to do so.



### REVIEW OR RECONSIDERATION

Follow the review or reconsideration steps provided in your decision letter. If you did not get a decision letter, [ask VAC](#) for one.



### JUDICIAL REVIEW

Have you pursued all options and still disagree? You can apply to the Federal Court for a judicial review. If you seek judicial review, you would be responsible for the costs.



### GOOD TO KNOW

- Pay close attention to deadlines mentioned in your letter. [Contact VAC](#) if you need more time.
- For most reviews of these decisions, there will be no hearing and VAC will not normally contact you. Be sure to include all details and supporting evidence in writing.
- Explain why you think the original decision was incorrect. You may have to show financial need and/or explain how the need is service-related or linked to your service-related condition. [Contact VAC](#) for more information.



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