

**Complex Claims Assistance Program
Discharge Upgrades
TDVS Fact Sheet V2
November 2024**

A less than fully honorable discharge can have negative and long-lasting consequences on former service members following their military service. A less than honorable discharge can prevent Veterans from accessing VA benefits, cause difficulty finding employment, and contribute to chronic homelessness.

Why it matters: The rate of Veterans with less than honorable discharges has been climbing since World War II, through the Vietnam War, and to the present day according to [*Underserved: How the VA Wrongfully Excludes Veterans with Bad Paper*](#) published by the Veterans Legal Clinic of Harvard Law School.

What's next: TDVS is partnering with NVLSP's Lawyers Serving Warriors® program to help in some former service members seeking discharge upgrades.

Take these three steps to seek assistance for your client --

Step # 1 - Establish Power of Attorney with TDVS.

Step # 2 – Assist the Veteran with [requesting assistance](#) from NVLSP's Lawyers Serving Warriors® Program.

Client Information

Please be advised you will receive a separate email with our application packet once you complete and save this online form.
If you do not receive the email, please contact info@nvlsp.org.

Middle Name

Phone

No Phone ☐

Gender

--None--

Email

No Email ☐

Street Address

City

Postal / Zip Code

Military Branch

--None--

First Name

Last Name

Secondary Phone

Other Phone

Birthdate

State / Province / Region

Country

Race

--None--

Save

Cancel

Case Type

☐ Applications for Combat Related Special Compensation (CRSC)
☐ Assistance with Discharge Upgrades for Veterans
☐ General Application for Service
☐ Representation to service members being processed through the Integrated Disability Evaluation System (IDES)
☐ Applications to Boards for Correction of Military Records (BCMR) & Physical Disability Board of Review (PDBR) for veterans who wish to obtain medical retirement
☐ TSGI (Service members' Group Life Insurance Traumatic Injury Protection Program)

Save

Cancel

Step # 3 – Assist the Veteran with completing NVLSP's Lawyers Serving Warriors® program intake packet.

Once the Veteran has [requested assistance](#), NVLSP's Lawyers Serving Warriors® program will email the Veteran and ask them to complete an intake packet. **Please assist the Veteran with this step while you're providing initial assistance.** The intake packet will include -

- [Application for Free Legal Assistance with a Discharge Upgrade](#)
- Final DD Form 214
- All VA Rating Decisions (If Applicable)
- All Previous Decisions by DRB and/or BCMR (If Applicable)
- Completed [Privacy Act Waiver](#) and SF 180

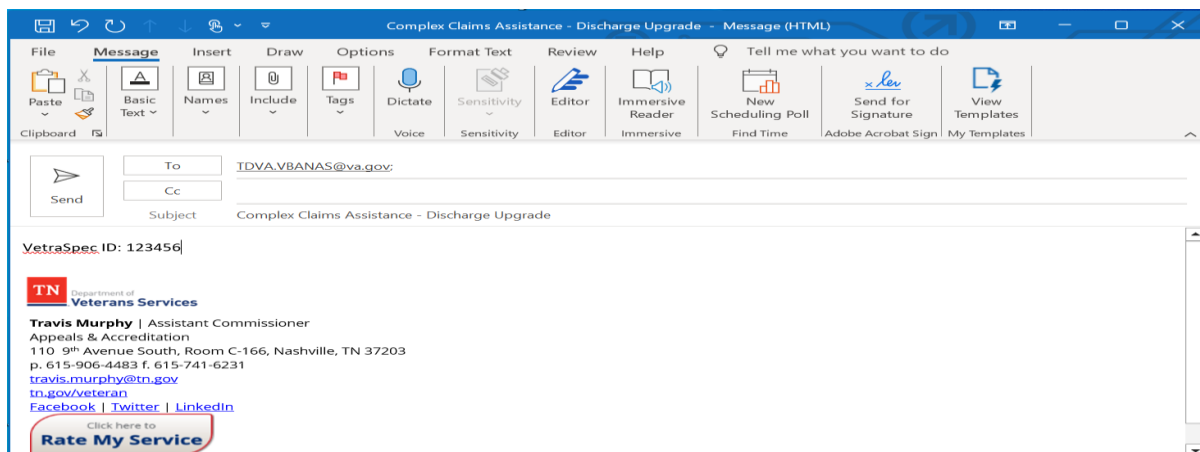
Provide the Veteran with a copy and maintain a copy of these documents in VetraSpec Documents, so the Veteran can quickly respond to NVLSP's Lawyers Serving Warriors® program's request.

Step # 4 – Flag for TDVS's liaison -- Quality & Appeals Specialist Lloyd Sharp -- with NVLSP's Lawyers Serving Warriors® team.

Either email the VetraSpec ID to tdva.vbanas@va.gov **OR** when you make the referral, simply add a "Communication" entry in the Veteran's VetraSpec profile, so fellow Service Officers don't duplicate your efforts.

Email Option -

- Email Subject – Complex Claims Assistance – Discharge Upgrade
- Email Body – VetraSpec ID



VetraSpec Option -

- Select the “Communication” tab, select “Other”
- Note “Complex Claims Assistance – Discharge Upgrade”

NEW COMMUNICATION

TYPE:

- ☐ Office Visit
- ☐ VA communication
- ☐ CVSO communication
- ☐ Phone
- ☐ Incoming Mail
- ☐ Health Care Application Electronically Submitted
- ☐ E-mail
- ☐ Outgoing mail
- ☐ Home visit
- ☐ FAX
- ☐ Outreach
- ☐ 100% P&T and Chapter 35
- ☐ Claim Electronically Submitted
- ☐ Burial Pre-Registration Completed
- ☐ Local Hearing
- ☐ Board Hearing
- ☐ Statement of Accredited Representative
- ☒ Other

DATE: 03 / 19 / 2024 **TIME:** 11 : 07 AM

Complex Claims Assistance - Discharge Upgrade
Referred to TDVS

Path: p

Submit

- Click “Submit”

Did You Know?

Did you know there’s a [special rule](#) for Veterans with “Other Than Honorable” discharges that may allow VA treatment for conditions that began or became permanently worse during their military service?

Did you know that if a Veteran left the military with “bad paper” and their discharge hasn’t been upgraded they still may be able to get VA benefits? If a Veteran has a discharge that is neither Honorable nor General (Under Honorable Conditions), a Veteran can ask the VA for a Character of Service Determination, which may determine eligibility for purposes of most VA benefits.

Other Tools, Resources, and Facts About Discharge Upgrades

Here are additional tools and resources available to accredited service officers across the state to support Veterans seeking discharge upgrades.

- NVLSP’s [Discharge Upgrades and VA Character of Discharge Determinations Presentation](#), TDVS Fall Training Conference 2020
- [Lawyers Serving Warriors Program](#)
 - [Discharge Upgrade Flyer for Veterans](#)
 - [Discharge Upgrade Flyer for VSOs](#)
- [The Veterans Consortium Pro Bono Program](#)
- [VA’s Discharge Upgrade Website](#)
- [NVLSP Self Help Manual](#): Applying for VA Benefits After a Discharge Upgrade
- Yale Law School – [Forms & Resources for Veterans Seeking Discharge Upgrade](#)
- [VA Final Rule](#) – Update and Clarify Regulatory Bars to Benefits Based on Character of Discharge
 - [Final Rule](#)
 - [Federal Register](#)

TDVS Can Help

Please feel free to contact [Quality & Appeals Specialist Lloyd Sharp](#) for assistance and support.