



HIGHER-LEVEL REVIEW IN ONE PAGE

Ask a higher-level VA reviewer to correct an error using the record that existed at the prior decision.



OFFICIAL FORM
VA Form 20-0996

EVIDENCE RULE
No new evidence

CONFERENCE
Optional, one time

REVIEW FIRST

HLR is a de novo review, meaning the reviewer takes a new look without deferring to the prior conclusion. The evidentiary record remains closed.

FIT | WHAT HLR IS FOR

USE HLR FOR AN EXISTING-RECORD ERROR

FACT

Factual error

The decision misstated, overlooked, or incorrectly evaluated a fact that was already in the record.

LAW

Legal error

The decision applied the wrong rule, standard, diagnostic criterion, or effective-date principle.

DTA

Prior Duty-to-Assist error

Before the decision, VA failed to make a required reasonable effort to obtain identified evidence, an examination, or an opinion.

RECORD | WHAT THE REVIEWER CAN USE

CLOSED RECORD DOES NOT MEAN SILENT RECORD

YES

Allowed

Argument identifying the error and directing the reviewer to evidence that was already in the file.

NO

Not allowed

New medical opinions, treatment records, witness statements, or other evidence created or submitted after the prior decision.

CALL

Optional conference

One informal conference can identify factual or legal error. It is not a hearing and may extend processing time.

FILE | CONTROL THE REQUEST

BUILD A PRECISE HLR REQUEST



Identify the benefit type

Use a separate form when the issues do not share the same benefit type.



List each issue and decision date

State exactly which parts of the decision the higher-level reviewer should review.



Write the error in one sentence

Then cite the record, page, date, or legal rule that demonstrates it.



Choose the conference deliberately

Request it only when a focused conversation adds value beyond the written error statement.



Save proof of receipt

Keep the complete form and the VA submission confirmation.

OUTCOME | THREE PATHS

WHAT THE HIGHER-LEVEL REVIEWER CAN FIND

Change the decision

The reviewer may disagree with the prior decision and decide the issue favorably.

Continue the result

The reviewer may determine that the prior decision was correct.

Find a Duty-to-Assist error

VA closes the HLR, opens development to correct the error, gathers the missing evidence, and issues another decision.

HLR IS NOT EVIDENCE DEVELOPMENT

If the issue needs new and relevant evidence, HLR is usually the wrong record. Consider a Supplemental Claim or an eligible Board docket instead.

