

PROPOSED REDUCTION: 60-DAY AND 30-DAY TIMELINE



The hearing request and evidence response use separate deadlines.

DAY ZERO
Date of proposal notice

WITHIN 30 DAYS
Hearing request received by VA

WITHIN 60 DAYS
Evidence received by VA

RULE FILE

A timely predetermination hearing request keeps benefit payments at the prior level pending a final determination. Evidence can still be submitted during the separate 60-day proposal period.

CLOCK 01 | PROPOSAL RESPONSE

CALENDAR BOTH DEADLINES IMMEDIATELY

0

Proposal notice issued

The notice should identify the contemplated action, material facts, reasons, and response rights.

Save the letter and envelope

30

Predetermination hearing request

VA must receive the request within 30 days from the notice date for the payment-continuation protection in section 3.105(i).

Separate from evidence deadline

60

Evidence response period

VA must allow 60 days from the proposal notice to present evidence showing that payments should continue at the present level.

Address every proposed issue

FINAL

Written final-action notice

If VA proceeds, it must issue a final decision with reasons and evidence.

This notice starts a later clock

+60

Reduction effective-date sequence

For section 3.105(d) or (e), final action is generally effective at the end of the month containing the 60th day after notice of final action.

Measured from final notice

CLOCK 02 | HEARING LOGISTICS

WHAT A TIMELY HEARING REQUEST CHANGES

PAY

Payments continue

Payments remain at the previously established level pending the final determination.

10D

Hearing notice

VA generally provides at least ten days' written notice of the hearing date, unless that notice period is waived.

RECORD

Testimony joins the record

The final action considers hearing testimony, existing evidence, and any additional development.

CLOCK 03 | DEADLINE CONTROL

DO NOT CONFUSE THE TWO SIXTY-DAY PERIODS

The first 60-day period runs from the proposal notice and concerns evidence. A later 60-day period runs from notice of final action and helps determine when the reduction becomes effective.

RECEIPT CONTROLS

The regulation requires the hearing request to be received within 30 days. Keep proof of submission and delivery for every response.

