How Does VA Disability Back Pay Work?

**VA disability back pay** is the monies owed to veterans from the effective date of their claim, to the date they were granted those benefits. Due to its backlog of disability compensation claims, the VA can often take months or years to grant benefits. The longer the VA takes to decide your claim, the more back pay it owes you to compensate you all the way back to your effective date.

**Effective Dates**

An **effective date** is the start date the VA uses to begin payments. The VA grants effective dates based on either the date it received the Veteran’s claim, or the date that entitlement arose.

It is uncommon for VA to grant benefits before either of those dates. However, there are a few rare circumstances for which the VA will grant an earlier effective date. Examples include requests for revision based on a [“clear and unmistakable error” (CUE)](https://cck-law.com/blog/cue-claims-how-to-challenge-a-final-decision/), [*Nehmer claims*](https://cck-law.com/blog/nehmer-claims-what-you-need-to-know/), and recently discharged service members who apply within a year of discharge.

Two common misconceptions about VA back pay are that the VA will pay veterans all the way back to the date of the injury or event in service, or, that the VA will pay veterans all the way back to the date of their discharge. The VA does not consider the date of an event or injury to be an effective date for those who apply for disability compensation after they have separated from service. Furthermore, the VA will only grant benefits back to the date of discharge for service members who apply for benefits within a year of their military discharge.

## ****Increased Rating, Rating Reduction, and Staged Rating Effective Dates****

When seeking an increased rating for a service-connected disability, the effective date of that claim will typically be the date VA received it. If evidence, such as the results of a Compensation and Pension Examination, shows a condition worsened prior to submission of the increased rating claim, the effective date of that claim should be when medical evidence reflects that worsening.

If evidence suggests that a veteran’s condition has materially improved, VA may propose a [rating reduction](https://cck-law.com/blog/rating-reductions-what-va-can-and-cannot-do/). VA is required to notify veterans of proposed reductions. The effective date of a rating reduction will either be the date evidence shows material improvement, such as results from a Compensation and Pension Exam, or the date of the reduction decision.

If a disability worsens while a veteran has an active appeal, VA will assign a [staged rating](https://cck-law.com/blog/what-are-staged-ratings/). Since the claims and appeals process can last for years, VA looks at how the severity of the veteran’s condition has changed over time when determining back pay. Staged ratings can make calculating years of back pay more difficult, as the veteran’s rating(s) may have changed through time. For example, if a veteran’s condition worsened while his or her claim was still being decided, (s)he will receive back pay respective to the severity of the condition year over year.

## ****How Much Back Pay Will I Get?****

The amount of back pay a veteran will receive depends on the effective date of their claim, and the disability rating they are granted from the VA. As discussed, a veteran’s effective date is the date of their claim for benefits, or the date entitlement arose. The other factor that determines back pay amount is the disability rating granted by VA. Generally, the higher the rating, the more back pay VA owes you.

To calculate a veteran’s back pay over the course of multiple years, VA looks to its historical compensation rate tables. VA disability compensation rates may change each year pursuant to the Cost of Living Adjustment set forth by the Social Security Administration. Veterans receiving back pay are paid the compensation amounts respective to each year. For example, a single veteran with no dependents rated at 50% would receive $770 per month in 2010, and $855.41 per month in 2018. There is no limit to the amount of back pay a veteran can receive.

The VA often assigns incorrect effective dates, impacting the amount of back pay a veteran receives. If you believe you are owed more money from the VA, our office may be able to help.