**What counts as new and material evidence?**

Your claim will not be reopened until VA has determined that the evidence you have submitted is indeed new *and* material.

To be considered *new*, the evidence must currently exist and be submitted to VA for the first time. To be considered *material*, the evidence must be relevant to the reason(s) your claim was denied previously. Material evidence must relate to an unestablished fact – a fact that VA did not have enough evidence to verify at the time of their prior decision – that is necessary to substantiate your claim. You can find the specific reasons VA denied your claim on the notification letter that came with your rating decision.

Here’s an example that might help: Say you filed your original claim for the residuals of a knee injury, but you were denied because none of your service records showed medical treatment for a knee injury. In other words, VA found that your disability was not service connected. Years later, after the deadline for appeal has passed, you try to reopen your claim by submitting a statement from your private physician that confirms your diagnosis after all this time. VA would *not* reopen your claim.

Why not? The evidence you submitted is “new”- i.e. not previously submitted – but not “material.” Your claim was denied previously because you couldn’t show an in-service injury, not because you couldn’t show a current diagnosis. On the other hand, VA *would* likely reopen your claim if you submitted, for example, a statement from another veteran who served with you and remembers your knee injury or an old photo of you on base with a bandaged knee and crutches.