Veterans with Cancer Inc.
Advocacy & Awareness
phone: (226) 664-1672
email: veteran@VeteranswithCancer.com

Improving Assessment Consistency for Veterans

April 28, 2025



MISSION STATEMENT

- **Better Communication with Veterans**
- **Improved Supervision and Verification**
- **Focused Self-Improvement and Learning**
- **Informal Facilitated Resolution Discussions**

Executive Summary

This paper examines the critical issue of inconsistent disability assessments within Veterans Affairs Canada (VAC), specifically during the assessment stage that determines the severity of a Veteran's service-related condition. While VAC utilizes a standardized, objective process based on the Table of Disabilities and a Quality-of-Life questionnaire, Veterans frequently report inaccurate or undervalued assessments. These inconsistencies have led to a high volume of VAC decisions being overturned upon Review, indicating systemic flaws that undermine Veteran trust and strain institutional resources. This is also indicative of an application process that is inefficient or, more importantly, ineffective.

A comprehensive review of 696 VAC assessment decisions heard by the Veterans Review and Appeal Board (VRAB) between March 2024 and March 2025 found that 91.5% resulted in increased entitlement. Although the reviewed assessments likely represent a small portion of the total number of VAC Assessments, this high reversal rate suggests a troubling lack of reliability, which reflects poorly on VAC's assessment process. However, assessment-related issues accounted for over a quarter of VRAB's English-language caseload, reflecting the scope of the problem and the potential cost savings available.

To address these issues, the paper proposes a Four-Pillar Strategy:

1. **Veteran-Assessor Dialogue** – Introduce structured interviews to supplement the limited questionnaire, allowing Assessors to better understand the Veteran's lived experience.
2. **Improved Supervision and Verification** – Require senior review of all assessments to catch errors and improve decision quality before finalization.
3. **Assessor Feedback and Learning** – Establish a feedback loop to inform Assessors of overturned decisions and encourage continuous improvement.
4. **Informal Facilitated Dispute Resolution** – Implement a low-barrier, facilitated, conversational resolution process between Veterans and Assessors.

The proposed reforms promise significant benefits, including annual estimated **cost savings in the order of $11.5 million**, shorter wait times for Veterans, and a restoration of trust in the assessment process. More broadly, these changes reaffirm VAC's moral obligation to ensure fair, consistent, and respectful treatment of those who served. The paper concludes with a call for an independent review of VAC's adjudication practices to address the deeper systemic concerns identified.

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Background

After retiring from military service in 1997, I completed a program in Conflict Resolution at the Justice Institute of British Columbia. Later, I served as General Manager of a provincial tribunal tasked with resolving union-management, job competition disputes. Implementing an ADR program in that role led to **68%** of disputes being resolved informally, saving time and costs. This experience informs my recommendation: VAC can benefit from a similar, albeit less formal, ADR-based approach to resolving assessment disputes, at source, without the need for the Veteran to request a VRAB Review.

Veterans Affairs Canada (VAC) follows a two-step process to determine benefit entitlement. The first phase assesses whether a Veteran's condition is service-related, and the second phase—the assessment stage—determines the severity of the condition and its impact on quality of life. This paper focuses on flaws in the assessment stage and presents four (4) simple solutions to address these shortcomings and improve the fairness, efficiency, and accuracy of VAC assessment decisions.

The Problem

VAC uses a standardized, objective assessment model based on the Table of Disabilities and a Quality-of-Life questionnaire to determine the degree of entitlement. Although the system is designed to be objective, Veterans often feel their assessments are undervalued, leading many to pursue a formal review with the Veterans Review and Appeal Board (VRAB).

Over the past year, we have had several Veterans describe what they believed was an inaccurate assessment of their entitlement. Dissatisfaction appears to be increasing, as evidenced by comments in various Facebook Veterans' groups:

- *"I have appealed every one of my decisions and was granted an increase on every one of my awards and won."*
- *"I went from a VAC assessment PTSD of 39%. Clearly under-assessed. After I appealed I was awarded the true value, 77%."*
- *"The table clearly showed a 15% increase, my psychologist who filled it out even agreed. And VAC gave me a 5% increase. So I appealed, and bam, I got bumped up to 15%. "*

My own experience reinforced this issue: I received a 10% assessment despite my own calculations showing that a 39% entitlement was appropriate based on the impact of my conditions on the quality of my life and the Table of Disabilities.

Research Results

From March 2, 2024, to March 1, 2025, VRAB reviewed 696 VAC assessment decisions. Our volunteers read each of these decisions, and the results were troubling:

- **637 cases (91.5%)** resulted in an increased entitlement;
- **44 cases (6.3%)** remained unchanged;
- **15 cases (2.2%)** were referred back to VAC for reassessment.

These figures point to a concern regarding the accuracy of assessments reviewed by VRAB. While the total number of assessments completed by VAC during the study period remains unknown—and is likely substantially higher than the number reviewed by VRAB—the high reversal rate among those reviewed highlights a troubling pattern and raises valid concerns about overall assessment reliability.

Notably, these assessment-related cases represented **25.9%** of VRAB's English-language caseload during the study period, highlighting the system-wide impact of inaccurate assessments.

> *"The Assessment Process is truly objective and as such, should produce consistent, repeatable outcomes—ten Assessors, ten identical results. Yet only 6.3% of VAC Assessment decisions remain unaltered after a VRAB Review when challenged. This isn't a statistical anomaly; it's a systemic failure demanding urgent reform."* *Master Warrant Officer (ret'd) Donald MacPhail*

The Solutions: A Four-Pillar Strategy

To reduce assessment discrepancies and improve trust in the system, VAC should implement the following four measures:

1. Veteran-Assessor Dialogue

The current Quality-of-Life form, with only seven yes/no questions and limited space for elaboration, fails to capture the full impact of a Veteran's condition. This is particularly troubling for Veterans with limited written communication skills or those experiencing '*Brain Fog*' due to their condition or treatment. Supplementing it with a structured interview would allow for more nuanced understanding and accurate assessments.

2. Improved Supervision and Verification

A major difference between a VAC Disability Adjudicator and a VRAB Panel is that the Panel can ask the Veteran questions and discuss the appropriateness of the assessment among themselves, whereas the VAC Disability Adjudicator is the sole decision-maker. To mitigate this difference, an experienced supervisor should be assigned to review each assessment before finalization. Many inaccuracies would be caught if assessments were verified by someone familiar with the Table of Disabilities and assessment patterns.

3. Assessor Feedback and Learning

Currently, Assessors receive no formal feedback on assessments overturned by VRAB. Implementing a self-improvement mechanism tied to performance evaluations would reduce recurring errors and raise standards system-wide.

4. An Informal Facilitated Dispute Resolution

Introducing a non-adversarial process where Veterans can discuss concerns directly with Assessors—guided by trained facilitators—would resolve many cases quickly. A simple 20–30-minute conversation could avoid escalation and the need for a formal VRAB Review.

Benefits of Reform

1. *Cost Savings:* Reducing the number of VRAB reviews would significantly lower costs for both VRAB and the Bureau of Pensions Advocates (BPA), which provides legal representation for Veteranss. The potential savings are huge—these Reviews made up 25.9% of VRAB's Hearings.

   As noted above, only 44 of the 696 cases reviewed (6.3%) remained unchanged after a VRAB Review. This means that 652 hearings could potentially have been avoided if VAC Disability Adjudicators had made more accurate initial decisions. Discussions with a senior federal government labour relations manager suggest that an average labour relations hearing costs the government approximately $50,000. While VRAB hearings require similar preparation time, the hearings themselves are shorter, making a reasonable cost estimate for a VRAB hearing about $20,000. Based on this estimate, the 652 avoidable hearings represent a potential cost of $13,040,000. However, assuming approximately 12% (78 Veterans) would still request a Review even after an accurate decision, the number of unnecessary hearings would decrease to 575. This adjustment brings the total potential cost savings to **$11,500,000** — a figure that coincidentally matches the projected spending reductions for FY2026–27 outlined in VAC's 2024–2025 Departmental Plan

2. *Shorter Wait Times:* Although the savings to the government is significant, the wait-time savings to Veterans is far more beneficial given VAC's mandate. If there is an increase in the accuracy of VAC Assessment decisions and if most of those in dispute can be informally resolved at source, Veterans could avoid the 8–12 month delay associated with formal VRAB Reviews, freeing up capacity for others in the system.

Recommendations

To improve assessment accuracy and fairness, we recommend VAC adopt the following:

1. Implement direct oral communication between Veterans and disability Assessors to supplement the Quality-of-Life form and provide adjudicators with additional detail.

2. Introduce supervision and verification mechanisms.
3. Launch an Assessor performance feedback and learning system.
4. Establish a VAC early resolution process implementing facilitated discussions with the Veteran and the VAC Disability Adjudicator.

Conclusion

The high reversal rate of assessments at the VRAB level underscores a critical need for reform. The current process contributes to delays, rising costs, and erosion of Veteran trust.

By improving communication, accountability, and informal resolution options, VAC can significantly enhance the assessment process. These changes would not only benefit Veterans but also increase system efficiency and reduce the burden on VRAB and BPA, which could result in an estimated cost savings in the order of **$11.5 million**. Ultimately, fair and accurate assessments are not only a matter of administrative efficiency—they're a moral obligation to those who have served.

Epilogue – Evidence of a Much Larger Problem

Case #1 Of 2,690 VRAB English-language decisions during the study period, only 6.3% of the 696 assessment decisions matched VAC's original determinations. This raises a serious concern: were 91.5% of the remaining 1,994 entitlement decisions also overturned?

To gain further insight, we reviewed VRAB decisions for the month of December 2024. The results were deeply concerning: 78.8% were granted entitlement, while a mere 13.5% of VAC decisions were upheld. Although marginally better than the assessment-related figures, this still exposes a far-reaching issue—the systemic inaccuracy of VAC decision-making.

Case #2 On March 7th, the Minister informed us of VAC's new precedent policy: same trade — same exposure — same cancer — same outcome. Despite five successful claims for prostate cancer linked to carbon tetrachloride exposure, one of which was a Radar Technician, VAC denied benefits on April 1, 2025, and again two weeks later, to two Radar Technicians (File #s 7516776 & 7933153) suffering from the same illness and exposure. This suggests adjudicators were either unaware of the new policy or failed to apply it properly, underscoring a troubling disconnect within VAC.

Given these findings, the mandate for the newly formed inter-agency committee should be unequivocal: commission a thorough, independent review of VAC Disability Adjudicator training, policy implementation, and decision-making standards. The accuracy of these decisions is not a bureaucratic detail—it is a fundamental matter of justice, trust, and dignity for those who have served this country.

Attachment: Annex A; Extracting Verifiable Data from the CanLII Database

Extracting Verifiable Data from the CanLII Database

The CanLII Database serves as a valuable resource for Veterans seeking to review past decisions of the Veterans Review and Appeal Board (VRAB). However, its search functionality is somewhat limited, making it challenging to precisely extract specific data due to its restricted search fields. Currently, the search tool only allows keyword searches within decision texts, which can result in misleading results. This occurs because each decision includes statements from both VRAB panel members and the Veteran's advocate, meaning that a search for decisions where an assessment was increased might return cases where an advocate argued for an increase but was unsuccessful, as well as cases where the panel actually approved an increase.

Refining the Search for Accuracy

To ensure accurate search results, a systematic approach involving an increasing number of specific keywords is required. Our objective is to refine the search parameters while maintaining comprehensive coverage. The first step is to narrow the dataset by selecting a specific time frame. We confined our search to records produced between **March 2, 2024, and March 1, 2025**. A general search within this period, without using keywords, yielded **3165 decisions.**

Filtering for Language

Since some decisions are in French, we aimed to limit our search to English-language decisions. To achieve this, we applied the keyword **"Veterans Review and Appeal Board"**, which reduced the results to **2,690 decisions**. To confirm accuracy, we conducted a complementary search using the French equivalent **"Tribunal des anciens combattants (révision et appel)"**, which returned **475 decisions**. This verification confirmed the completeness of our dataset (2,660 English + 475 French = 3,135 total decisions).

Isolating Assessment Reviews

VRAB considers two main types of cases: **Assessment Reviews** and **Entitlement Reviews**. Our interest lies solely in Assessment Reviews, excluding both **Assessment Appeals**, **Entitlement Reviews, and Entitlement Appeals**. Additionally, we sought to capture all Assessment Reviews handled through **Early Resolution Hearings**. To achieve this, we refined our search using the following criteria:

"Veterans Review and Appeal Board"
NOT "Tribunal des anciens combattants (révision et appel)"
Assessment OR Reassessment OR "Assessment Review" OR "Early Resolution Hearing"
NOT "Assessment Appeal"
NOT "Entitlement Review"
NOT "Entitlement Appeal"

This refined search resulted in **727 decisions**, providing a strong level of certainty that our dataset accurately includes all VRAB-reviewed **VAC assessment decisions** during this period while excluding entitlement-related cases and appeals. However, for absolute accuracy, each decision must be manually reviewed.

Identifying Cases Where Assessments Were Increased

To determine how many of the **727 assessment decisions** resulted in an increased assessment by VRAB, we added the keywords **"increase"** while excluding cases containing **"no increase"**:

"Veterans Review and Appeal Board"
NOT "Tribunal des anciens combattants (révision et appel)"
Assessment OR Reassessment OR "Assessment Review" OR "Early Resolution Hearing"
NOT "Assessment Appeal"
NOT "Entitlement Review"
NOT "Entitlement Appeal"
Increase NOT "no increase"

This search yielded **627 decisions** where VRAB increased VAC's assessment.

Validating the Results

To ensure the accuracy of this result, we separately searched for cases where **no increase** was granted, using the following criteria:

"Veterans Review and Appeal Board"
NOT "Tribunal des anciens combattants (révision et appel)"
Assessment OR Reassessment OR "Assessment Review" OR "Early Resolution Hearing"
NOT "Assessment Appeal"
NOT "Entitlement Review"
NOT "Entitlement Appeal"
"no increase"

This returned **100 records,** which is what was expected (727 total decisions - 627 increased decisions = 100 no-increase decisions).

Next Steps: Manual Verification

Given the limitations of keyword searching in decision texts, a manual review of each of **727 decisions** was required to confirm that they exclusively involve VAC assessment decisions and ensure our dataset's complete accuracy. The detailed results of this manual review are available upon request.

Increased	Not Increased	Referred	Entitlement	**Total**
637	44	15	31	**727**

Table 1; Summary of Results of the Manual Review of the 727 Assessment Decisions

The results are shown above in Table 1 and indicate that 31 were not actually Assessments but rather Entitlements which are not included in this study. This leaves a total of 696 Assessments that were reviewed by VRAB. Of these VRAB increased the assessment of 637(91.5%), did not increase the assessment for 44(6.3%), and referred 15(2.2%) back to VAC.