

Prepared Statement of

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I. Introduction

I would like to extend my deep gratitude to Chairwoman Luria, Chairman Pappas, and the other members of the Subcommittees for the opportunity to provide insights on the mission and operations of Trajector Medical, a company that provides evidence-based medical consulting services to help ensure that our Nation's Veteran's are able to access the VA benefits they have earned and rightfully deserve. While the Veterans Service Officers (VSOs), accredited attorneys, and private companies that are testifying today play very different roles in a Veteran's journey to obtaining benefits, I am honored to be on this diverse panel knowing that we are all unified in this important mission.

Similar to the medical treatment of Veterans as embodied in the Mission Act, a consistent theme has emerged: Veterans require both publicly available services provided by the VA as well as private services provided in the free market to meet high demands in complex regulatory frameworks. In VA Secretary McDonough's recent review of the implementation of the Mission Act, he recognized the objective to meet Veterans' growing healthcare needs by forging partnerships with non-VA "community providers."¹ In this presentation, I will share how private sector companies like Trajector meet an important and unfulfilled need that is not being met by existing free resources. I will also address existing laws that protect a Veteran's right to obtain medical evidence from private, for-profit healthcare professionals in support of their VA claims.

I am an Operation Iraqi Freedom Veteran who retired after 20 years of combined Active and Reserve service. For much of this time, I was an attorney in the U.S. Army Judge Advocate General's Corps. Prior to joining Trajector, I directly represented underserved Veterans in the disability benefits process as a VA-accredited attorney at the Veterans Legal Clinic at Harvard Law School. More recently, I was the Visiting Director of the Veterans and Servicemembers Legal Clinic at the University of Florida College of Law. This experience included representation from initial claims through appeals at the U.S. Court of Appeals for Veterans Claims. Through

¹ U.S. DEPT. VETERANS AFFAIRS, VA RECOMMENDATIONS TO THE ASSET AND INFRASTRUCTURE REVIEW COMMISSION 24 (Vol. I, Mar. 2022) (addressing objective 3).

my years of pro bono work, I have found that the largest underserved Veteran population consists of those Veterans who are unknowingly living their lives with either previously undiagnosed VA eligible disabilities or those who have VA service-connected disabilities that are grossly underrated, oftentimes resulting from an insufficient understanding of medical symptomatology as it relates to the federal rating criteria.

II. Obstacles in Existing Programs to Aid Veterans in Filing for Disability Benefits

Many Veterans do not complain about their injuries and health problems during military service because of conditioning in military culture that views pain as a “sign of weakness.” While the current non-profit VSO and VA benefits process effectively assists many Veterans with straight-forward claims based on disabilities that are clearly documented in military records, the same process falls short for countless other Veterans. The VA’s current system most effectively addresses only the Veteran’s known and currently diagnosed medical disabilities that the Veteran or their VSO has the insight to list on their VA application for benefits.

Enclosure A is an illustration that depicts a Veteran’s pathway to disability benefits. It shows how, along this long, windy road, existing free services pose a number of roadblocks:

1. Unfortunately, because the Veteran, their VSO or Attorney, and the VA’s rating staff typically are *not* licensed medical professionals nor trained in pathophysiology, pharmacology, biomechanics, orthopedics, and psychiatry, they are often unable to effectively identify previously undiagnosed medical conditions and fully explore direct, secondary, aggravation, and presumptive paths. Veterans and their representatives are often unable to make a clearly stated claim for VA service-connection in these situations.
2. The Veteran’s private doctors are reluctant to complete VA Disability Benefits Questionnaires (DBQs) or write medical opinions for compensation purposes based on the significant time commitment and their lack of experience applying VA regulatory standards. Moreover, the Veterans’ treating doctors who work for the Veterans Health Administration are encouraged not to do medical opinions or evaluations for Compensation & Pension (C & P) purposes due to a conflict of interest.²

² Specifically VHA notes: “[T]he issues of service connection and disability ratings are governed by statutory and regulatory provisions beyond the scope of VHA examination and/or primary care.” U.S. DEP’T OF VETERANS AFFAIRS, VHA DIRECTIVE 1132(2): PROVISION OF MEDICAL

3. Finally, the VA's C & P medical examiners are tasked with very specific questions drafted by VA rating staff based on the disabilities claimed by Veterans, which leaves little flexibility to explore alternative theories of service-connection and evaluation of many undiagnosed conditions.

As a result of these obstacles, the available free resources are not able to fully develop all potential disability claims nor fully explore all alternative theories of nexus entitlement. Many Veterans do not receive the benefits they earned and desperately need—oftentimes for the rest of their lives.

III. Trajector's Unique Role in Supporting Veterans

Trajector Medical traces its inception to 2016—more specifically, to the living room of Advanced Practice Registered Nurse, Gina Uribe, who had worked for the VA as a C & P medical examiner. A personal experience led her to identify an important gap in the system. Her uncle, Bob, had distinguished himself as a fighter pilot in Vietnam and other combat theaters. Colonel Bob applied for VA disability compensation with the help of a VSO and received a rating of 40%. Over time, however, Gina observed the severity of Bob's health. After evaluating his medical records, Gina identified no less than 30 separate disabilities connected to Colonel Bob's military service that were overlooked using the existing free VSO services and VA programs. Due to the lack of medical expertise in the legacy VSO offerings, Colonel Bob had been short-changed on his VA disability pay. Colonel Bob was receiving no additional monthly compensation for his disabilities.³ With Gina's medical assistance identifying the previously overlooked disabilities, Colonel Bob was rapidly advanced to the 100% VA disability rating for which he had always been medically, legally, and ethically entitled. A skilled and experienced medical professional who applied the VA standards made a lifechanging impact on Colonel Bob and his family. Sadly, Colonel Bob and his family had lost out on decades of benefits because they trusted the existing broken system.

STATEMENTS AND COMPLETION OF FORMS BY VA HEALTH CARE PROVIDERS ¶ 5.d.(1)(b)1 (May 11, 2020) (emphasis added).

³ Under the standards governing retirement, a retiree rated at less than 50% by the VA has their retirement pay reduced by the amount of their VA disability pay; once rated at 50% or higher, the retiree receives full retirement pay along with their VA disability pay.

When Gina started Trajector Medical, she recognized that there are countless veterans just like Colonel Bob whose quality of life and well-being depend on the VA getting the disability evaluation process right the first time.

Medical Consulting Services Offered by Trajector

- Identify Veteran's current medical symptoms;
- Map those symptoms to potential medical disabilities;
- Leverage comprehensive data science to determine probability of a causal link between disability and military service; and
- Provide an independent rating evaluation confirming VA disability rating assignment is appropriate for the Veteran's existing symptoms.

Trajector Medical employs Medical Doctors, Physician Assistants, Advance Practice Nurse Practitioners, Registered Nurses, and Licensed Practical Nurses who review records carefully from the medical perspective applying expertise in pathophysiology, pharmacology, biomechanics, orthopedics, and psychiatry. Trajector Medical also leverages data-science, keyed to the relevant VA rating criteria. Veterans provide detailed medical information including details of current symptomatology and receive a list of potential disabilities with a comprehensive analysis of various potential theories of service-connection, to include direct, secondary, aggravation, and presumptive that are consistent with VA rating criteria based on analysis of the evidence, medical science and literature, and a statistical data-science driven evaluation of the probability of causal factors. This is vitally important because VA C & P examiners will not normally review a claimed condition under a theory other than direct service-connection unless a specific pathway is clearly identified by the Veteran. Many of our Veterans who had been helped by VSOs, were initially denied because they proceeded *only* on a theory

of direct service-connection or the claim lacked any support for an alternative theory. Some common examples of conditions on which Trajector Medical regularly consults include:

- Kidney disease as a result of VA service-connected obstructive sleep apnea, hypertension, or diabetes;
- Headaches caused by VA service-connected traumatic brain injury;
- Irritable bowel syndrome caused by VA service-connected mental health conditions and medications used to treat mental health conditions;
- Gastro esophageal reflux disease caused by VA service-connected joint conditions with chronic nonsteroidal anti-inflammatory drug (NSAID) medication use, mental health conditions, or sleep apnea;
- Obstructive sleep apnea caused by VA service-connected hypothyroidism, mental health condition medications leading to weight gain, and upper respiratory conditions such as allergic rhinitis sinusitis and asthma;
- Diabetes secondary to VA service-connected posttraumatic stress disorder (PTSD) with associated weight gain and secondary mental health conditions;
- Coronary artery disease secondary to VA service-connected mental health conditions, including PTSD.
- Seizures, erectile dysfunction, and obstructive sleep apnea resulting from the impact of selective serotonin reuptake inhibitor (SSRI) medications used to treat existing VA service-connected mental health disorders; and
- Conditions that are not diagnosed but which approximate the symptoms of diagnosable conditions, such as amyotrophic lateral sclerosis (ALS).

What began in a Florida living room as Vet Comp & Pen Medical Consulting with a handful of employees has grown to Trajector Medical, part of Trajector's 1200+ full-time employee ecosystem of companies with the mission to help disabled people obtain the benefits for which they are medically, legally, and ethically entitled. The Trajector family also includes

Trajector Disability, a firm that represents Social Security Disability claimants, Trajector Insurance, a supplemental health insurance company, and Trajector Legal, a law firm that specializing in mass tort claims, most recently helping Veterans obtain additional compensation for the consequences of tinnitus as a result of faulty 3M earplugs. The 3M litigation example highlights the goal to make the Veteran whole beyond a VA disability rating for tinnitus, which is fixed at a limited compensation amount. In sum, the name “Trajector” signifies this mission by improving the life *trajectory* of disabled persons and their families. As a VA-Accredited attorney and a service-connected combat Veteran, I fully support the distinct mission and function of Trajector Medical and would not have joined the organization as its General Counsel if I believed that it defrauded Veterans or took advantage of them in any way.

IV. Three Key Points

In the space below, I will briefly outline three key points about Trajector’s medical consulting and evidence-development services and broader lessons learned in the consideration of the role of medical consulting and evidence development businesses:

A. Congress Has Long Recognized the Fundamental Right of Veterans to Support Their VA Claims Using Private Medical Professionals

Since the passage of the Veterans Judicial Review Act in the late 1980s, Congress has recognized the pivotal value of a Veteran’s right to consult with a private medical professional specifically for the purpose of supplementing their claims with additional evidence to support disability ratings.⁴ 38 U.S.C. § 5107(b) permits veterans to provide medical reports or examinations in support of their claims without limitation on whether the report comes from a private physician who charges a fee for the service.⁵ Moreover, 38 U.S.C. § 5125 explicitly codifies a Veteran’s right to provide a medical report from a *private* physician in support of a disability claim.⁶ Most recently, with the passage of 38 U.S.C. § 5101(d)(1)(A), Congress

⁴ H.R. REP. No. 100-963, at 14 (1988), as reprinted in 1988 U.S.C.C.A.N. 5782 (“[A] claimant is free to submit medical reports from private physicians, statements from fellow servicemembers, photographs, or any other evidence to supplement the claim.”).

⁵ 38 U.S.C. § 5017(b) (“The Secretary shall consider all . . . medical evidence of record in a case before the Secretary with respect to benefits under laws administered by the Secretary.”).

⁶ 38 U.S.C. § 5105 (“[A] report of a medical examination administered by a *private* physician that is provided by a claimant in support of a claim for benefits under that chapter may be accepted without a requirement for confirmation by an examination by a physician employed by the Veterans Health

confirmed this sacrosanct right of a Veteran by requiring the VA to post DBQs on the VA's public-facing websites.⁷ Congress rejected the VA's argument that DBQs should only be available for completion by VA medical examiners and not private healthcare professionals. In rejecting this position, Congress recognized the tremendous added value of a second-opinion from a private physician.

The rules applicable to how medical evidence will be weighed and evaluated during adjudication is governed by a standard that specifically looks to the "education, training, or experience" of the medical professional to "offer medical diagnoses, statements, or opinions."⁸ There is no requirement that the medical professional must first be accredited by the VA General Counsel (OGC) to prepare, present, and prosecute claims before rendering a medical opinion. This is appropriate because the VA OGC is not a medical licensing board; agents, VSOs, and attorneys need not have *any* medical knowledge in order to be accredited. VA OGC accreditation is unnecessary because licensed medical professionals are governed by their licensing boards and must abide by standards of medical ethics that are better suited to address their services.

B. Veterans Contract for Medical Consulting Services with Knowledge of Free Services and the Limitations of Medical Consulting Services

Veterans who contract with Trajector Medical acknowledge that they are able to use free services to assist them in preparing, presenting, and prosecuting their VA claims. The fact that many Veterans have used the free services provided by VSOs before contracting with Trajector to meet unmet needs highlights the unique value of Trajector's service. Aside from acknowledging the existence of free services, Veterans further acknowledge that: (1) Trajector Medical is not accredited by the VA; (2) they are responsible for filling out VA forms; and (3) they must file their own disability claims. Importantly, they acknowledge that we do not provide medical opinions or other evidence in support of conditions that do not exist. A copy of our current Medical Evidence Development Agreement (MEDA) is attached as **Enclosure B**. As reflected in the MEDA, we offer targeted professional medical consulting services that, while

Administration if the report is sufficiently complete to be adequate for the purpose of adjudicating such claim.") (emphasis added).

⁷ 38 U.S.C. § 5101(d)(1)(A) (requiring the VA Secretary to publish in a central location "the disability benefit questionnaire forms of the Department for the submittal of evidence from non-Department medical providers regarding a disability of a claimant . . .").

⁸ 38 C.F.R. § 3.159(a)(1).

limited in scope and nature, can make a tremendous impact as a supplement to existing free services.

C. Our Performance Guarantee that Enables Access to Justice for Low-Income and Disadvantaged Veterans and Ensures No Veteran Pays for a Service They Don't Receive

While some private medical consulting companies do charge up-front fees, Trajector Medical does not. We have purposely developed a fee system that will allow any Veteran—especially those without the means to advance funds—to obtain high-quality specialized services, with the guarantee that they will never be financially disadvantaged for seeking the benefits they deserve. Thus, Trajector Medical does not charge a fee unless the medical evidence and medical consulting services provided actually result in the Veteran obtaining an increase in disability rating and corresponding benefits.

This is not a “contingency fee” that would require a Veteran to assign away the right to receive federal benefits in the future. The Veteran does not have to sign over the right to collect their compensation, endorse checks, or give up any compensation, medical treatment, or other benefits. To the contrary, we ask that the Veteran try to pay us as soon as possible after obtaining the increase and we further provide sliding scale and other payment plans to ensure that Veterans are not overburdened with the costs of repayment if they are experiencing hardship in their lives. This approach permits Trajector Medical to reach Veterans who would never have the benefit of our services if they had to pay out of pocket. We do not believe it is fair to limit high-quality private medical consulting services only to those Veterans who are independently wealthy and who can afford to pay in advance. Veterans who need benefits the most are often homeless or poverty stricken and lack the resources to obtain private medical evidence in support of a claim.

V. Conclusion

In conclusion, the title of this hearing begins with a very important question: “At what cost?” On behalf of Trajector Medical and all of the private companies that develop medical evidence and do medical consulting, please do not enact legislation that robs Veterans of the right to obtain a private medical professional's services after free services have failed them. Please do not erase these existing legislative protections by requiring medical professionals to become accredited by the VA OGC in order to provide services that are more appropriately

regulated by their medical boards and codes of ethics consistent with their medical training, education, and experience. Doctors do not require accreditation to prepare, present, and prosecute VA claims to develop medical evidence, and accredited representatives do not require medical licenses to complete and file VA forms. This is appropriate. The position of various Veterans' advocacy groups appears to assign the label "claim shark" to, and heavily penalize, anyone who provides *any* kind of service to assist Veterans prior to the filing of their claims. Without an explicit exception for private, for-profit medical providers, such legislation and policy would likely result in preclusion of the services of private health professionals. This undermines Veterans' rights to obtain the benefits they deserve and forces them to rely on a system that is overwhelmed, overburdened, and severely limited.

Together, we can do better and ensure that Veterans are able to benefit from a combination of free and for-profit services that do not replace, but rather augment one another. Trajector Medical looks forward to assisting you in this important task.

Enclosure A

Obstacles in the Path to VA Benefits

Roadblocks in the Pathway to Obtaining Accurate Disability Benefits the First Time

End Here

C & P Examiners Evaluate *Only* the Specific Questions Posed by the VA Based on the Veteran's Claimed Conditions

Private Doctors Lack the Time and the Knowledge to Apply VA Disability Rating Standards

VA Treating Doctors Are Encouraged Not to Provide Disability Compensation Opinions



2



3



1



VSOs, Agents, and Attorneys Lack Medical Expertise to Map Medical Symptoms to Potential VA Disabilities, Establish Impairment Ratings, and Explore Alternative Nexus Theories

Start Here

Enclosure B

Trajector Medical Medical Evidence Development
Agreement (MEDA)

Trajector Medical's (as a d/b/a of Vet Comp & Pen Medical Consulting, LLC) mission is to improve the lives of Veterans by providing professional medical evidence development and medical consulting services to help Veterans identify potential VA disability benefits that they medically, legally and ethically qualify for. Our entire services agreement with you is detailed within this document, the attached FAQs, and the Notice of Privacy Practices.

WE PROMISE TO		YOU PROMISE TO	
A	Evaluate your medical evidence and the various medical symptoms you suffer from and help you understand the potential VA disabilities you may qualify for. These services are provided under the federal VA rating disability evaluation standards and are not intended for the purpose of medical care or treatment. In applying the federal VA standards, it may be necessary for you to obtain an evaluation and diagnosis of your medical symptoms from a treatment provider for us to provide additional supportive evidence.	A1	Establish a free VA.gov or eBenefits account to file your medical evidence package with the VA in a timely manner and monitor your claim progress.
	Our evaluation includes the use of proprietary technology we have developed through careful review of trends in health conditions and ratings for over 100,000 Veterans. This technology can aid in identifying potential health conditions and theories of service connection for us to consider in reviewing your medical history and symptoms.	A2	NEVER indicate or suggest that we are your VA Representative. You understand that we will not prepare, present, file, and/or prosecute a claim on your behalf and we strictly provide medical evidence development and medical consulting services. You are free to engage with a VA-accredited VSO agent or attorney to assist you with preparing, presenting, filing, and/or prosecuting your claim. However, we are unable to help you in any of those activities.
B	When supported by medical evidence, we work to establish a nexus link between your disability condition and your military service, evaluating DIRECT, AGGRAVATION, SECONDARY, and PRESUMPTIVE paths to VA Service Connection. We also provide medical consulting to help you document your symptoms as they apply to the federal VA standards.	B1	Go to a VA Compensation & Pension examiner or private medical provider to establish a formal medical diagnosis and documentation of symptoms as required at your expense. While we review medical files and diagnoses, we do not provide examinations or diagnose medical conditions.
C	When supported by the medical evidence, we develop a comprehensive Medical Opinion addressing your symptoms, diagnoses and a medical nexus between your military service and your symptoms to support VA Service Connection.	C1	Ensure the accuracy of all claim-related information before you provide it to the VA and assume all liability for any misrepresentations you make.
D	Use our medical knowledge to evaluate all the federal VA medical diagnostic codes that may apply to your symptoms, so that you can understand the potential VA disability ratings you may medically, legally and ethically qualify for.	D1	Keep us informed of all communications you have with the VA and provide us any VA letters or C&P exam requests when you receive them. You are responsible for ensuring you meet VA filing deadlines. You authorize us, and any affiliates of ours, to use manual or automated means to communicate with you via email, text messaging, voicemail or mobile phone and understand that all calls may be recorded.
E	Refer you to other parties who can assist you better if we do not believe we are the best fit for all of your needs.	E1	Understand we may not be able to help develop medical evidence or provide consulting to support every disability.
F	Act in accordance with the laws and regulations that enable private medical professionals to develop evidence in support of VA claims.	F1	Either complete all VA forms by yourself or get assistance from a person accredited by the VA to complete VA forms.

OUR PROMISE REGARDING OUR FEES		YOUR PROMISE REGARDING OUR FEES	
G	We do not charge for anything other than medical evidence development and consulting services, which are based on information you provide us. You do not pay us unless you receive an increase in your VA disability pay. We do not charge any up-front fees, so we rely on you following through with the VA and sharing the results of your disability progress with us.	G1	You promise to take this process and your VA claim seriously and not miss any VA deadlines or appointments and to respect the VA staff and their required procedures.
	We do not require you to pay us out of the disability compensation you are paid each month. We do not ask or require you to assign us your disability compensation, medical benefits, or any other rights. We agree to advance our services to you with no advanced payment; HOWEVER, we want to be first in line to be paid as soon as you receive an increase in benefits.	G2	You promise to contact us as soon as you receive your VA claim notification letter and your VA rating decision letter and provide us a copy of those letters so we can confirm the accuracy of the assigned effective date, confirm your awarded disability rating percentage is consistent with your medical evidence and the 38 CFR guidelines, and determine if you're eligible for any SMC (Special Monthly Compensation) based on your medical evidence.
		G3	You promise to pay our standard fee, which is equal to five (5) times the amount your monthly VA compensation increases by. In addition, Trajector Medical may charge a monthly service charge on amounts not paid when due from the due date until paid at the lesser of 1% percent per month or the maximum legal rate. However, if you pay your balance in full within ninety (90) days of the date on your VA claim notification letter, we will waive your monthly service charges. You agree that this fee and any additional monthly service charge is not a loan or forbearance but rather viewed as part of the fee for the services we provide. You shall pay all costs of collection, including, without limitation, reasonable attorney fees.
		G4	Once your claim is approved, you promise to pay your invoice by one of the following methods: (a) Pay our fee in one lump sum within 10 days of receipt of our invoice; or (b) Enroll in our Automatic Monthly Payment Program if you wish to divide your invoice into equal payments up to 5 months, or (c) Make 2 to 5 equal monthly payments PLUS an additional \$15 service charge each month if you choose to make payments via mail, online, or telephone that are not processed through our Automatic Monthly Payment Program.
		G5	With an increase in your monthly VA pay, you will often receive retro pay back to the effective date of your claim. You promise to pay our invoice as quickly as possible after your claim is approved.
		G6	You authorize us to act on your behalf and use your Protected Health Information for the limited purpose of ensuring that we are on notice of any changes to your medical conditions or disability benefit status.

SUPPLEMENTAL FEE INFORMATION

H	We do not believe in hidden fees. Our supplemental fee information below details fees that may be applicable to you, based on your unique circumstances.
H1	Appeal Claims - For ongoing medical evidence development and medical consulting services required during the appeal period, you promise to pay us our standard fee, plus a small supplemental fee equal to 10% of what your monthly VA compensation increases by times the number of months between the effective date and the award.
H2	CUE Awards - For any Clear and Unmistakable Error or "CUE award", you promise to pay us our standard fee plus 25% of the current increased amount used in the standard calculations, times the number of months from the effective date to the decision date.
H3	Convalescence Claims - For a temporary 100% convalescence claim, you promise to pay us our standard fee (if applicable), plus 20% of the gross total increase awarded for the convalescent period.
H4	Concurrent Retirement Disability Pay (CRDP) - Military retirees that are below a 50% VA rating receive their VA disability pay as an offset. We do not charge a retiree until they reach a disability rating of 50% or higher. Once this threshold is reached, you promise to pay us five (5) times the monthly increase from zero dollars (\$0) to your new level of total monthly VA compensation that you receive.
H5	Comprehensive Record Reviews - If a comprehensive review of your records (100+ pages) is required, we will add a \$250 Supplemental Fee.
H6	Independent Medical Examination (IME) Reimbursements - Reimbursement of expenses advanced by us for any IMEs from approved third-party medical providers: In the event we (you and Trajector Medical) agree that you would benefit from being evaluated by a third-party medical provider, Trajector Medical may agree to advance a significant portion of the charge for the IME expense. In the event any claim(s) associated with the IME is approved, you promise to reimburse us for any IME expenses we've already paid for you. The IME expenses will be added to your invoice for their services.

WE ARE NOT

I	<p>We are a medical evidence development and medical consulting services company, and WE ARE NOT a law firm nor VA accredited agents. WE WILL NOT AND CAN NOT provide legal advice and/or advise you on how to file VA benefits claims. WE ARE NOT affiliated with the VA. As a medical evidence development and medical consulting company, WE DO NOT guarantee the outcome of your claims. As a medical evidence development company, WE DO NOT treat medical conditions or prescribe medication. WE DO NOT receive any money from the VA.</p> <p style="text-align: center; color: #004a80; font-weight: bold;"><u>WE DO NOT ASSIST VETERANS IN DEFRAUDING THE VA.</u></p>
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PLEASE PRINT AND SIGN BELOW

This agreement may be canceled at any time by either party; the cancellation date will be the date the non-canceling party acknowledges the cancellation request via email or the date on a certified mail delivery receipt. You agree that once we provide you a medical evidence package we will be paid for that work if you receive an increase in your VA pay for a claim using the medical evidence package we provided. You promise to pay us even if this agreement has been canceled prior to you receiving the increase in your VA pay. You agree to use one of the payment methods we provide to you as an option to pay our fee.

We may collaborate with, or refer you to, other parties that have products or services to offer you which we may have a financial interest in. Your engagement with any other party is optional and at your sole discretion. Any expenses associated with any third-party providers is at your own expense and separate from this agreement.

You acknowledge the medical evidence work and package provided is a confidential and copyright protected work product, and the trade secret and business systems used by us are exclusively owned by us. You are restricted from publishing, reproducing, distributing, or sharing any of our content or processes with any party (other than submitting our medical evidence package to the VA) unless you have specific written permission in writing from our General Manager. You understand that breach of this confidentiality and non-disclosure provision may cause extensive financial damage and you will be held liable for such breach.

This agreement may also be enforced by Trajector Medical's successor(s) or assigns to the same and full extent as Trajector Medical, and that nothing in this agreement or otherwise shall limit Trajector Medical's ability to assign this agreement or Trajector Medical's rights. Trajector Medical shall not be required to seek prior consent from you, and by your signature, you hereby consent to any such future assignment or succession.

This agreement, and all matters concerning its interpretation, construction, enforcement, and performance, shall be governed by and determined and enforced in accordance with the laws of Florida in effect when you executed this agreement, regardless of Florida conflict of laws principles.

If a dispute arises under this agreement, the parties agree to first try to resolve the dispute with the help of a mutually agreed-upon mediator in Alachua County, Florida. Any costs and fees other than attorney fees associated with the mediation shall be shared equally by the parties. If that mediation is unsuccessful, the parties agree to submit the dispute to binding arbitration in Alachua County, Florida, under the rules of the American Arbitration Association. Judgment upon the award rendered by the arbitration may be entered in any court with jurisdiction to do so. Costs of arbitration, including attorney fees, will be allocated by the arbitrator.

While we develop medical evidence to support VA disability claims and provide medical consulting services, we are not accredited to prepare VA claims. To file a VA claim, you must complete VA forms. You acknowledge that you must physically enter your information onto VA forms and that you are responsible for the accuracy of all information that you enter and decide to submit to the VA.

You further acknowledge that if you submit a VA form and someone else completes that VA form for you, you will ensure that such assistance comes from a person accredited by the VA to prepare VA claims.

In the event any provision of this agreement is held to be unenforceable or void for any reason, the remainder of the agreement shall be unaffected and shall remain in full force and effect in accordance with its terms.

PRINTED NAME	SIGNATURE	SOCIAL SECURITY NUMBER	DATE OF BIRTH	DATE
PHONE #	EMAIL	ALTERNATE CONTACT (e.g. SPOUSE)	ALTERNATE CONTACT PHONE #/EMAIL	
ADDRESS				
			CITY	STATE
TOTAL COMBINED VA SERVICE-CONNECTED DISABILITY RATING PERCENTAGE YOU ARE CURRENTLY RECEIVING % _____ THE AMOUNT YOU CURRENTLY RECEIVE MONTHLY FROM THE VA FOR DISABILITY \$ _____				

FAQ - FREQUENTLY ASKED QUESTIONS

1	<p>PERTAINS TO SECTIONS A/A1 What's the difference between Trajector Medical and free VSO or DAV services?</p> <p>Trajector Medical provides professional medical evidence development services and medical consulting services by applying our medical knowledge to your situation and the VA rating schedule to evaluate your current symptoms and/or VA disability ratings. You determine the claims you wish to pursue, and the extent of our services is to provide medical evidence and consulting in support of your claim. For some conditions, we may be able to provide vital nexus statements at no charge or refer you to a medically credentialed provider who can complete a medical opinion for a reasonable fee to help you pursue your claim or appeal. A VSO can help you file a claim or appeal; however, they generally lack professional medical experience to fully evaluate your medical evidence or symptoms, disability level, or provide resources to obtain the vital evidence you may need.</p>
2	<p>PERTAINS TO SECTIONS B/B1/C/C1 Do you provide nexus letters?</p> <p>There are several routes to service connection for every potential disability. We do our best to evaluate and develop valuable medical evidence to assist in linking your disability condition to your military service, where appropriate.</p>
3	<p>PERTAINS TO SECTION C What is a specialized Independent Medical Opinion, and why do I pay more for it?</p> <p>A specialized Independent Medical Opinion is developed by evaluating all your symptoms and medical evidence, applying this to statistically valid and reliable medical literature to support a link, or nexus, between your current disability condition and your service. This requires the work of a highly trained medical professional and may provide the vital evidence needed to win service connection for a disability. Not all cases require this specialized evidence.</p>
4	<p>PERTAINS TO SECTIONS D/D1 Why is it important to keep Trajector Medical informed?</p> <p>Our medical evidence is most effective when we are made aware of updates that impact your claim as soon as you know about them.</p>
5	<p>PERTAINS TO SECTIONS E/E1 What if you cannot help with my case?</p> <p>We strive to help as many Veterans as possible receive the benefits they are medically, legally and ethically qualified for. We are a medical evidence development and medical consulting company and can only help with claims supported by medical evidence. We are simply unable to help all Veterans develop supporting evidence for disability claims. If we determine we are unable to help you, we will recommend alternative options that may be able to assist you.</p>
6	<p>PERTAINS TO SECTION G Will the VA still call me in for an examination if I use your company?</p> <p>Anytime you file for VA disability benefits, or if you are currently VA rated, the VA can contact you to evaluate your disabilities at any time. Trajector Medical has no control over your VA examination, and we recommend you attend any scheduled exam with the VA to properly evaluate your claim for benefits.</p>
7	<p>PERTAINS TO SECTION C When do I pay you?</p> <p>You will only owe Trajector Medical if your VA disability benefits compensation increases. We ask that you pay us first when you receive your increase in monthly benefits. If you are unable to pay your balance in full when invoiced, we offer automatic monthly payment plans. Once your invoice is paid, we will review your case for additional claims or appeals if your claim is denied.</p>
8	<p>PERTAINS TO SECTION G/G3/G4/G5 Can you provide an example of how your standard fees are calculated?</p> <p>Standard Fee Examples: If your VA pay goes up \$700 per month you promise to pay us \$3,500 (5 X \$700 per month increase) plus a monthly service charge of 1% on your outstanding balance will be added to your fee. If you pay us \$3,500 (5 X \$700 per month increase) within 90 days of the date on your VA claim notification letter, the monthly service charges will be waived, so your balance will be paid in full. If you do not pay your invoice in full until after 90 days from the date on your VA claim notification letter, you will owe five (5) times the amount your monthly VA compensation increases by plus the 1% monthly service charge (\$3,500 plus the 1% monthly service charge).</p> <p>Your VA pay may increase substantially depending on your current rating and the severity of your disability. If your VA pay goes up \$2,000 per month you promise to pay us \$10,000 (5 X \$2,000 per month increase) plus a monthly service charge of 1% on your outstanding balance will be added to your fee. If you pay us \$10,000 (5 X \$2,000 per month increase) within 90 days of the date on your VA claim notification letter, the monthly service charges will be waived, so your balance will be paid in full. If you do not pay your invoice in full until after 90 days from the date on your VA claim notification letter, you will owe five (5) times the amount your monthly VA compensation increases by plus the 1% monthly service charge (\$10,000 plus the 1% monthly service charge).</p>
9	<p>PERTAINS TO SECTION H Are there any "Hidden Fees"?</p> <p>No. Our agreement outlines our standard fee and if applicable, supplemental fees. Some claims may benefit from an independent evaluation by a licensed specialist (e.g. Psychology, Psychiatry, etc.). We do not have these specialists on staff, so we may refer you to a specialist who will charge a fee for the evaluation. Although this may be the best possible evidence for your case, there is no obligation to use these services. We may refer you to an outside legal team specializing in VA disability claims that will charge a contingency fee only if you win your case. Please Note: If our evidence leads to a win on appeal, you are still responsible to pay for services we have rendered under this agreement.</p> <p>Below is an example of how, if applicable, supplemental fees would be calculated: A client at 30% being paid \$450 increases to 50%, being paid \$900 with an effective date of 2-3-18 and a Rating Decision Letter (RDL) dated 4-15-19:</p> <ul style="list-style-type: none"> • Appeals & Non-Conforming Claims: \$450 x 15 = \$6,750 x 10% = \$675 added to the standard fee • CUE Claims: \$450 x 15 = \$6,750 x 25% = \$1,687.50 added to the standard fee <p>Convalescence Claim: A client at 30% being paid \$450 increases to a temporary 100%, being paid \$3,000, with an effective period of 13 months: \$2,550 x 13 months = \$33,150 x 20% = \$6,630 added to the standard fee</p> <p>CRDP: A military retiree client at 30% being paid \$450 increases to 50%, being paid \$900: New VA Disability compensation of \$900 x 5 = \$4,500 (invoice total)</p>
10	<p>PERTAINS TO SECTION H1 Why do I have to pay more for medical evidence developed in support of Appealed Claims?</p> <p>Appeal claims can be a complex and lengthy process. We do all of our medical evidence work and provide valuable evidence for your case up front and must do additional work for appeal claims. Due to this added complexity and use of additional resources, we charge a small supplemental fee of 10% of your increased disability compensation amount times the number of months between the effective date and award date. This is in addition to the standard fee you will owe us if your case wins.</p>
11	<p>PERTAINS TO SECTION H2 What is a CUE Claim?</p> <p>Sometimes our medical team, or the VA, will identify a VA error in an original rating. If our team can identify an oversight of the medical evidence available to the VA at the original time of the assigned rating, you may be awarded retro pay back to the original effective date of the assigned disability rating.</p>
12	<p>PERTAINS TO SECTION I If I am paying you, why can't you file my claims for me?</p> <p>We are a private medical evidence development and medical consulting company. As such, we have no affiliation with the VA and cannot represent Veterans before the VA in any way.</p>
13	<p>PERTAINS TO SECTION I What happens if the VA denies my claim?</p> <p>We cannot guarantee that any VA disability claim will be approved, since the VA ultimately makes this decision. However, you have the option to appeal the decision.</p>