

## **TDVS Benefits Bulletin**

**21-1**

### **TDVS Updates**

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### **TDVS Updates**

#### **Monthly Lunch and Learn**

TDVS's next monthly lunch and learn is scheduled for January 13, 2020 at 11:30 CST and will cover burial benefits.

#### **Resumption of Predetermination Hearings at Nashville Regional Office (via Phone)**

The Appeals Division has worked with the Nashville VA Regional Office to resume local hearings. These are mainly predetermination hearings. These will be formal hearings conducted via Microsoft TEAMS and like all formal hearings, they will be recorded, and a transcript will be created.

Please note there is a distinction between a formal and informal hearing, so if VA contacts a veteran and asks them to conduct a phone hearing ensure the veteran clearly understands the type of hearing that VA is requesting to hold.

### **VA and Veteran Benefit Updates**

#### **Significant Veteran Legislation Signed into Law**

On January 5, 2021, the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020* became law. This comprehensive package of veteran focused legislation touches on nearly every aspect of VA care and benefits. Here's a [summary](#) of the many provisions and as TDVS reviews and digests this legislation look for additional details in future trainings and communications.

#### **Addition of Presumptive Diseases**

On January 1, 2021, Congress overrode the President's Veto and the *William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021* became law. The NDAA



included a provision that added three presumptive diseases for veterans who served in the Republic of Vietnam.

Specifically, Section 1116(a)(2) of title 38, United States Code was amended to add **parkinsonism, bladder cancer, and hypothyroidism** to the list of diseases associated with exposure to herbicide that are now subject to a presumption of service connection.

VA has not updated its website or fact sheets to reflect the addition of these three conditions, however, veterans with service in the Republic of Vietnam should file an original or supplemental claim for service connection if they have symptoms or diagnosis for one of these conditions.

Here's a [resource](#) to learn more about Agent Orange exposure and VA disability compensation.

#### VA Launches Single Access Point for All VA

Veterans can now call a single number 1-800-MyVA411 (1-800-698-2411) for all VA contact centers.

#### Tennessee Property Tax Relief

As a reminder, certain disabled veterans and their widows may be eligible for property tax relief in Tennessee. [Information](#) and the [2020 Property Tax Relief Program Brochure](#) is available on the Tennessee Comptroller of the Treasury website.

#### **Quality Review Insights**

##### Veterans and Survivors Pension

Both VA's veterans and survivors pension require at least 1 day of active military service during a period of war. As part of TDVS's quality review program, the team looks for wartime service on the 21p-527EZ (Blocks 11A and 11C) or 21P-534EZ (Blocks 18C and 18E) form.

In addition to ensuring proof of wartime service is listed on the pension application, a certified DD214 should accompany the application for benefits. You can access training on VSO certifying proof of service documents on [TDVS's website](#).

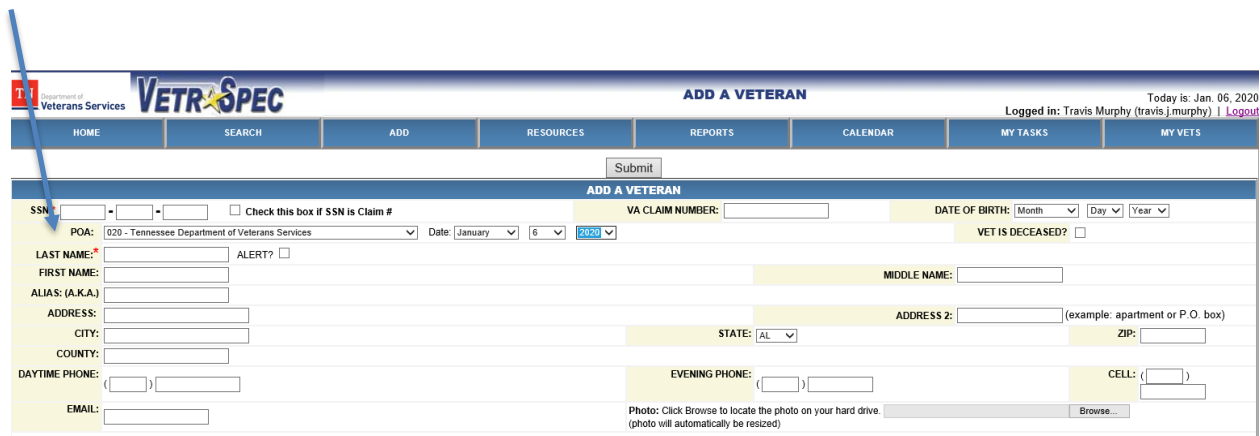
As a result of the COVID-19 pandemic and delays at the National Personnel Records Center (NPRC), VBA has provided temporary guidance allowing Regional office to accept uncertified

service verification documents, however providing a certified DD214 with applications for benefits is a best practice that can speed the delivery of benefits.

Power of Attorney

**Please remember that a valid power of attorney, executed on a VA Form 21-22, is required to represent a claimant before VA.**

You need to edit the “More Details” screen in VetraSpec in order to assign or update power of attorney (POA). The VA Form 21-22 in VetraSpec auto-populates with the POA that is established in that field.



The Appeals Division continues to encounter instances where claims or related materials have been packaged using VetraSpec when the Disabled American Veterans (DAV) is the Power of Attorney of record. DAV is not an organization supported by TDVS. They have their own office and framework for claim submission in the State of Tennessee. If a county service officer is accredited with DAV and desires to utilize that POA, they should provide that assistance outside of VetraSpec and work through the DAV team at the VA Regional Office. The Appeals Division has also encountered instances when no POA is assigned prior to assisting a veteran or claimant.

Reviewing VA systems prior to assisting a veteran will ensure that you hold the appropriate accreditation necessary to represent a veteran or other claimant before VA. The VSO hotline -- 855-225-0709 -- is another resource that may be used to determine whether a POA is of record when providing claims assistance.

Veterans with an eBenefits account can request representation using this online tool. Here’s a [step-by-step guide](#) that you and clients can use to establish representation using eBenefits. TDVS employees monitor these requests daily in order to establish representation.

## **Practice Like a Pro**

### Congratulations on Serving and Surviving 2020!

The COVID-19 pandemic has caused each of us to adapt, serve customers and provide advocacy in ways that are very different than what we were accustomed to. We have shifted appellate advocacy to a virtual hearing format, in many places we're not able to meet veterans in-person and we now use a variety of tools and techniques to capture signatures and evidence.

**We'd like to hear from you** on how you've continued to provide great customer service and advocacy during the pandemic. Please share the tips, tools and techniques that you have used to continue serving veterans and whether they may allow us to better serve veterans and families moving forward as we prepare to emerge from the pandemic. Please send your tips to [Ronald.Dvorsky@tn.gov](mailto:Ronald.Dvorsky@tn.gov) and TDVS will explore ways to share best practices.

### TDVS Adds to VSO Tools

VSO Tools > Tools

[38 CFR Index Job Aid Update 01.06.2021](#)

[MOS / Service Noise Exposure Levels](#)

VSO Tools > Publications

[2020 Older Veteran Behavioral Health Resource Inventory V3](#)

[2020 Pension and Fiduciary Service: A Guide for VA Fiduciaries](#)

[2020 VA Welcome Kit \(color\)](#)

VSO Tools > TDVS Fact Sheets

[Fact Sheet - December 2020 Tennessee War Records Modernization](#)

VSO Tools > Organizations

[TDVS Appeals Points of Contact 12/23/2020](#)

[December 2020 Tennessee County Service Officer Roster](#)

### COVID-19 and Remote Claims Assistance



As a reminder, additional updates related to COVID-19 and tips on providing remote claims assistance can be found in the [special TDVS Benefit Bulletin](#). TDVS has provided three updates during the evolution of the Novel Coronavirus outbreak.

*TDVS Benefits Bulletins Can Be Found on the [VSO Tools](#) Portion of TDVS's Website*