

TDVS Benefits Bulletin
21-5

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TDVS Updates

2021 Spring Regional Quarterly Accreditation Training (Virtual)

On behalf of your Regional Leadership, you should have received a calendar invitation to participate in the mandatory 2021 Spring Regional Quarterly Training (Virtual). We are excited to announce that the U.S. Department of Veterans Affairs Nashville Regional Office will participate in this year's Spring Regional Quarterly Training. They have lined up some fantastic and engaging instructors that will present training on the following:

- How to Expedite VA Claims (i.e. Certifying the DD Form 214, D2D, 21-4138, 21-686c, etc.)
- VA Fiduciary Program
- VA Non-Service-Connected Pension

Middle Region Quarterly Training: Friday, May 07, 2021 from 9am – 12pm CST

East Region Quarterly Training: Tuesday, May 11, 2021 from 9am – 12pm EST or 8am – 11am CST

West Region Quarterly Training: Wednesday, May 12, 2021 from 9am - 12am CST

Monthly Lunch and Learn

TDVS's next monthly lunch and learn is scheduled for Wednesday, June 9, 2021 at 11:30 CST on the Veteran Service Officer's Role in Suicide Prevention. Mr. Andrew Kester and Linda Douglas from the Montgomery County Veterans Service Office will share what they have learned over the past two years serving on the Clarksville Mayor's Challenge Team to prevent suicide among service members, veterans and their families.

Resumption of VTC Hearings at Nashville Regional Office

The Board of Veterans' Appeals plans to resume VTC hearings at the Nashville Regional Office this summer. Veterans will receive a letter with the date and time of the hearing. To avoid traveling to the Regional Office in downtown Nashville, veterans can convert the VTC hearing to a virtual hearing. The virtual hearing will be held on the same date and time as the scheduled VTC hearing. Contact the [Appeals Division](#) at 615-695-6385 or tdva.vbanas@va.gov for assistance converting VTC hearings to virtual hearings.

VA and Veteran Benefit Updates

Expanded Eligibility and Access to VA Home Loan Program

The U.S. Department of Veterans Affairs (VA) is announcing it is implementing expanded eligibility and access to the VA home loan program. Recently, Congress passed Public Law 116-315, "The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020." The new law benefits Veterans in several ways:

- Broadens the timeframe for Vietnam War era Veterans to qualify for the VA home loan benefit and has been revised to include those who served from November 1, 1955. The previous date was February 28, 1961.
- Authorizes VA home loan benefit access for those Service members and Veterans mobilized to perform full-time Guard duty for not less than 90 cumulative days, of which at least 30 days must be consecutive.
- Service members, Veterans, and certain Surviving Spouses with VA-guaranteed home loans in areas that have been declared major disasters by the President of the United States, and whose residences have been substantially damaged, are now eligible to be charged a first time use funding fee on a new VA-guaranteed loan rather than a subsequent use funding fee. The new VA-guaranteed loan must be for the repair of the damaged or destroyed residence or purchase or construction of a new home.

For more information about the VA Home Loan Program, visit <https://www.va.gov/housing-assistance/home-loans/>.

Claim Accuracy Review Pilot

The Veterans Benefits Administration (VBA) is launching a pilot program, *Claim Accuracy Request (CAR)*, to allow representatives opportunities to quickly identify significantly flawed decisions, and for VBA to expeditiously review and redecide them. This pilot program was developed in close collaboration with and through feedback from VSO partners to enhance and improve the previous 48-hour review practice by allowing for expedited review of decisions specific to significantly flawed decisions. VBA intends to implement this pilot

program for 120 days for decisions issued on or after April 19, 2021 and requests will be completed at the Decision Review Operations Center.

For the purposes of the pilot program only, participation is limited to National Veteran Service Organizations (VSO) and private attorneys. However, VBA looks forward to sharing information from the pilot and consulting with State and County VSOs for feedback prior to formal implementation, if successful.

Veteran Rapid Retraining Assistance Program (VRRAP) Veteran Application Now Available

April's Benefits Bulletin highlighted funding provided by *The American Rescue Plan* for VA to develop the Veteran Rapid Retraining Assistance Program. On May 3, 2021, VA launched the Veteran application for the [Veteran Rapid Retraining Assistance Program \(VRRAP\)](#). VA continues to partner with educational institutions to participate in VRRAP, and asks that you share information on [VRRAP](#) with interested organizations in your community. While participation is voluntary, this is a great opportunity to support Veterans seeking retraining and employment opportunities in response to the effect of the COVID-19 pandemic. To learn more about the program and for updates, go to [VA's website](#), or [Facebook page](#).

If you are aware of any GI Bill Beneficiaries who require assistance, please have them contact the Education Call Center at 888-442-4551 between 7 a.m. - 6 p.m. C.S.T., Monday-Friday to speak with a representative.

Quality Review Insights

Claimant Signatures

Thank you!! The Local Appeals Team has seen a significant drop in the number of forms submitted without signatures! We very much appreciate the effort you are putting forth to ensure every claim has the necessary elements for a successful submission. Keep up the fantastic work!

Out-dated Attendant Affidavit



Ex. Top of the old form

The Local Appeals Team has been seeing the old VA Attendant Affidavit included with claims. VA has developed new forms for this: *Worksheet for In-Home Attendant Expenses* and *Worksheet for an Assisted Living, Adult Day Care, or Similar Facility*. They are included at the end of most pension forms (VAF 21P-527ez, 21P-534ez, 21P-8416). If you need just a worksheet, go to one of these forms in VetraSpec, using the print function, print only the

required worksheet. Please delete the old form from your systems and choose the new VA-approved worksheets.

Practice Like a Pro

Nehmer Special Review

The November 2020 Benefit Bulletin highlighted NVLSP's legal victory on behalf of Blue Water Navy Vietnam Veterans.

On November 5, 2020, the U.S. District Court for the Northern District of California ruled in favor of thousands of Blue Water Navy Vietnam Veterans and their survivors in response to the motion filed by attorneys from the National Veterans Legal Services Program (NVLSP) to enforce the 29-Year Old Class Action Consent Decree in [Nehmer v. U.S. Department of Veterans Affairs](#). The Court ordered the VA to automatically readjudicate thousands of benefits claims that the Court found had been wrongly denied under the Consent Decree. The Court also ordered the VA to pay retroactive compensation if it finds the veteran served in the territorial seas of Vietnam.

VA has begun conducting the over 60,000 Nehmer Special Reviews as required by the Court. TDVS has been alerted to several veterans who have received Special Review Development Letters in the past several days. In many of these cases veterans are service connected for AO disabilities or a spouse is in receipt of DIC. Although it may appear that the veteran or survivor is in receipt of the maximum benefits allowed, the special effective date rules and other requirements of the Nehmer consent decree may result in additional benefits for the veteran or certain classes of survivors. Completing and filing the notification response will allow VA to proceed with it's review without waiting for the 30 day due process period to expire.

If you're unsure how to respond, please Contact TDVS's [Appeals Division](#) at 615-695-6385 or tdva.vbanas@va.gov for support in individual cases. TDVS has been and will remain in close contact with NVLSP and continue to provide [guidance and updates](#) as they become available.

Compensation and Pension (C&P) Examination Update

VA has incrementally resumed in-person C&P examinations across the nation. In May there were over 300,000 pending examination requests and VA has asked for VSO assistance in completing C&P examinations by:

- Inform Veterans/Servicemembers that they could receive contact from an examination vendor

- Contact can be made via telephone, text message, email, and/or regular mail
 - Check voicemails for messages from unknown telephone numbers
 - It is possible to be contacted by multiple vendors due to multiple claims/appeals
- Reaffirm that all VBA vendors are following CDC COVID-19 protocols for PPE, social distancing, and sanitation
 - PPE requirements remain regardless of status of state mandates
- Direct Veterans/Servicemembers to the proper scheduling entity or to VBA
 - All VBA vendors have web pages with contact information and FAQs specific to their processes
- Provide all evidence to VA prior to examination appointments
- All vendor web pages now contain portals that provide Veterans with a real time status of
 - Appointments (Planned, Scheduled, Completed)
 - Provider Facility Locations (Address/Contact Information)
 - Travel Reimbursement Status (check number, payment amount, date paid, date check cashed)
 - Contact Information, FAQs (e.g., how to cancel appointments, how to reschedule appointments, how to address billing questions, etc.)

Here is contact information for each of the vendors conducting C&Ps –

VENDOR	PHONE NUMBER	WEBSITE
Logistics Health, Inc. (LHI)	1-866-933-8387	www.logisticshealth.com
QTC	1-800-260-1515	https://www.qtc.com
Veterans Evaluation Services (VES)	1-877-637-8387	https://www.vesservices.com

Additional information, including several fact sheets and videos, on VA’s resumption of in-person C&P examinations can be found here -- <https://benefits.va.gov/compensation/claimexam.asp>.

Advocate Spotlight

On Mar 30, 2021, the Robertson County VSO reached out to TDVS for possible help with getting one of their Veterans a timely C&P exam. The issue: The Veteran is in a nursing home and, due to his rapidly declining disabilities, he cannot travel to an exam site. The family and VSO had been dealing for some time with one of the VA contracted exam companies to perform a timely exam at the nursing home. Getting no results, the VSO asked if there was anything the Appeals Division could do to assist.

The Local Appeals Team contacted the C&P coordinators at RO-Nashville, explained the situation and asked for assistance. On Apr 5, the C&P liaison changed exam companies and



put out an updated exam request. The exam was completed and in VBMS on Apr 14. The claim is once again moving.

This is a great example of a County Partner, TDVS, and Nashville VARO working together for the benefit of Tennessee Veterans. Way to go Team Veteran!

If you have an example of teamwork between Veteran service offices/organizations across the state making a difference in the lives of Tennessee veterans, please share with your Regional Director for possible inclusion in an upcoming "Advocate Spotlight."

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