

## **TDVS Benefits Bulletin**

**22-1**

### **TDVS Updates**

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### **TDVS Updates**

#### **TDVS Training Updates**

- February Lunch and Learn, February 9, 2022 @ 11:30 A.M. CST, Preparation of the Medical Expense Form

County Service Officer Tom Humphries from Knox County Veteran Service Office will present February's monthly training. He will go into detail on how to prepare the VA Form 21-0516-1, 21-0518-1 (Improved Pension Eligibility Verification Report) and the VA Form 21p-8416 (report medical or dental expenses) that have been paid for by the veteran or for a family member living in the household. A couple of the biggest questions that will be answered is, when to submit an expense report and what to include when submitting it.

- April Initial Accreditation Training, April 18<sup>th</sup> – April 22<sup>nd</sup>, 2022. \*\*Please note this course has moved one week earlier.
- [2022 Service Officer Training Calendar](#) (updated)

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

#### **Regulatory Updates**

- Proposed Rule – Digestive System

On January 11, 2022, VA published a [proposed rule](#) that seeks to amend VA's Schedule for Rating Disabilities (VASRD) to update the digestive system.

- Proposed Rule - Copayments

On January 5, 2022, VA published a [proposed rule](#) that seeks to effectively eliminate the copayment for outpatient care and reduce the copayment for medications

dispensed to veterans identified by VA as being at high risk for suicide.

### DoD's Atomic Veterans Service Certificate (AVSC) Program

The Secretary of Defense has design and produce a military service certificate, to be known as the "Atomic Veterans Service Certificate", to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code). [Fact Sheet](#)

### Responsible Education Mitigating Options and Technical Extensions Act or "REMOTE" Act

On December 21, 2021, the [\*"Responsible Education Mitigating Options and Technical Extensions Act"\*](#) or the *"REMOTE Act"* was signed into law.

This law extends the various COVID-19 protections for GI Bill students from December 21, 2021, to June 1, 2022. In part, this means that students who were attending a course that was converted to online training because of COVID-19, and were getting paid the resident rate, may continue to train online, and will continue to receive the resident housing rate until June 1, 2022.

### **Practice Like a Pro**

#### National Personnel Records Center Delays

TDVS has been closely monitoring delays at the National Personnel Records Center (NPRC) because of the negative impact it may have on a veteran's ability to receive the benefits to which they are entitled. Here's a [TDVS Fact Sheet](#) to reiterate the tools and resources available to accredited service officers to support military record requests including DD214s.

#### Advocacy Tips

- Minimize adjudication delays by scanning documents separately into VetraSpec.

It is common for a CSO or VRC to receive several supporting documents for a veteran's or survivor's claim (i.e. DD214, Death Certificate, Marriage License, Birth Certificate(s), etc.). It is easy when uploading files to VetraSpec to scan all the documents into one PDF and label them "supporting documents".

When VA receives such a PDF, it is not guaranteed the employee working with the document will look past the first form/document in the PDF. The PDF is then labeled inaccurately in VBMS under "Document Type" and/or "Subject" according to that first form/document and

the others go undocumented. Because future reviewers may not see the other forms/documents in the PDF because of looking at “Document Type” or “Subject”, the claim can be stalled while VA sends a development letter for documents that have already been provided.

Scan and label each document uploaded to VetraSpec for filing separately. This does take a few more minutes on the front end, but could save days, or in some cases months, as the claim is adjudicated.

- I completed and packaged a POA for a surviving spouse. Why can't I access the record in VBMS & SHARE? I even sent it twice.

When submitting a VA Form 21-22 (Power of Attorney or POA) for a surviving spouse without a claim, the Pension Management Center (PMC) does not always establish access to the veteran's record in VBMS. This does not happen with every survivor POA, but frequently.

The solution is to contact [Lisa Ware](#) at [TDVS's Appeals Division](#). If using email or Microsoft Teams, give the VetraSpec ID# and ask to check the POA with PMC. She will then email the team's PMC contact. The PMC knows this happens and is willing to 'click the box' to quickly open the file for viewing. Responses typically come back the same day. This alleviates unnecessary multiple submissions into the VA portal.

### **Advocate Spotlight**

Recently, some outstanding advocacy by the Robertson County Service Office resulted in a veteran receiving the benefits to which he was entitled. This advocate spotlight highlights the important role advocates play in identifying and collecting evidence and how to use the Appeals Modernization Act's (AMA) disagreement options to the veteran's advantage.

The veteran had served in the Army as a combat engineer in Thailand during the Vietnam War. His claim originated in 2017 and included several diseases associated with exposure to herbicide agents (Agent Orange).

Following the denial of service-connection for several exposure related diseases, the team in Robertson County identified a Board of Veterans' Appeals (BVA) decision that served as persuasive evidence in this veteran's claim. Remember, BVA decisions are not precedential or binding on future VA decisions but can serve to persuade VA. In this specific case, a previous BVA decision granted presumptive service-connection for a veteran that served in Thailand during the same time and with the same unit, although different Companies.



The Robertson County team used this evidence to file a supplemental claim demonstrating service sufficient to support a presumption of service connection. The veterans received a 100% permanent and total disability rating.

A great example from Robertson County about how utilizing the best AMA option for disagreement can benefit the veteran. In this case, a supplemental claim allowed the veteran to receive a benefit without the need to appeal to the BVA, which, on average, takes much longer to adjudicate than a supplemental claim.

*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*