

TDVS Benefits Bulletin
22-9

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TDVS Updates

TDVS Training Updates

- Annual Conference, September 26th – 28th, Montgomery Bell State Park
- October Lunch and Learn, October 12th, 11:30 a.m. to 12:30 p.m. CST – VA's Adjudication Process and Rating Decisions
- October Initial Accreditation Training October 17th – 21st
- November Lunch and Learn, November 9th, 11:30 a.m. to 12:30 p.m. CST – TN Department of Intellectual and Developmental Disabilities (DIDD)
- [2022 Service Officer Training Calendar](#)

Tennessee Veteran Spotlight

Check out the link below for Part 3 of the [#TNVeteranSpotlight](#) with Captain Barbara Bell!



Board of Veterans' Appeals (BVA) – Hearing Scheduling

BVA is scheduling October hearings for Knoxville and Memphis Veterans via Video Teleconference (VTC) at the Nashville Regional Office. Most of these will likely convert to Virtual Hearings.

TDVS's Appeals Division is already contacting Veterans scheduled for hearings in October. Help us provide these Veterans with the most convenient hearing option by following guidance provided in [Benefits Bulletin 22-8](#).

- You can convert scheduled VTC hearings to a Virtual Hearing in [Caseflow](#).
- Contact TDVS's Customer Service Representative, Tammy Raymond at tammy.raymond@tn.gov or 615-981-2787 for hearing coordination.

With your support, we can ensure Veterans take advantage of every hearing opportunity BVA offers.

PACT Act Toolbox

TDVS has created a [PACT Act Toolbox](#) to help you serve Tennessee Veterans and their families. It's an advocate's one-stop shop for --

- VA Fact Sheets
- VA Web Resources
- TDVS Fact Sheet
- TDVS FAQs
- Bill Text, Summaries, and More
- Training Resources
- **NEW** – [NVLSP FAQs on CRSC and PACT Act](#)

Why it's important: this is where you'll find more guidance, resources, and tools as they become available. Help us measure the PACT Act's impact on workload. Use VetraSpec in the following way so TDVS can support you in asking for additional resources to meet what is anticipated to be a significant growth in workload.

- When packaging a VA Form 21-526EZ or VA Form 21-534 EZ that involves a PACT Act contention, check the "Claim Electronically Submitted" radio button in VetraSpec Communications and note "PACT Act 526EZ **or** PACT Act 534EZ" in the text box.

Submit

NEW COMMUNICATION

TYPE:

- Office Visit
- VA communication
- CVSO communication
- Phone
- Incoming Mail
- E-mail
- Outgoing mail
- Home visit
- FAX
- Outreach
- Lost claim
- 100% P&T and Chapter 35
- Claim Electronically Submitted
- Burial Pre-Registration Completed

DATE: August 19 2022 TIME: 01 12 p.m.

B I U | ABC | [Icons]

PACT Act 526EZ

Path: p

- For other PACT Act related issues such as Supplemental Claims, Higher Level Reviews, BVA Appeals, general questions, etc., check the "Other" radio button in VetraSpec Communications and note "PACT Act....and describe action."

Submit

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- Home visit
- FAX
- Outreach
- Lost claim
- 100% P&T and Chapter 35
- Claim Electronically Submitted
- Burial Pre-Registration Completed
- Local Hearing
- Board Hearing
- Statement of Accredited Representative
- Other

DATE: August 19 2022 TIME: 01 12 p.m.

B I U | ABC | [Icons]

PACT Act questions re: healthcare eligibility. |

Path: p

Submit

REMINDER - Always verify and if necessary, change the Office and CVSO information to reflect the office (Region/Office/County) and individual (CSO) currently assisting the client to improve the accuracy of VetraSpec's reports.

OFFICE AND CVSO INFORMATION

REGION/OFFICE/COUNTY: Nashville Field Office

CSO: Travis Murphy - TDVS

CLAIM MANAGED BY: Travis Murphy - TDVS

RECORD LAST EDITED BY: Travis Murphy (TDVS) on Dec. 02, 2019

RECORD ORIGINALLY ENTERED BY: Travis Murphy (TDVS), on Jun. 27, 2019

IS THIS RECORD CONFIDENTIAL? No

Save

VA and Veteran Benefit Updates

Regulatory Updates

- Final Rule – Social Security Number Fraud Prevention Act of 2017 Implementation

On August 31, 2022, VA published a [final rule](#) in the Federal Register that restricts the inclusion of complete SSNs on documents sent by mail by the Federal Government.

Although not effective until September 30, 2022, TDVS has already seen mail with truncated social security numbers.

- Interim Final Rule with Requests for Comments

On September 9, 2022, VA published an [interim final rule](#) in the Federal Register that removed the exclusion on abortion counseling and established exceptions to the exclusion on abortions in the medical benefits package for Veterans and CHAMPVA beneficiaries.

Expansion of Caregiver Benefits to Veterans of All Eras

VA remains on track to expand Caregiver Benefits to Veterans of all eras on October 1st. [According to recent comments by Secretary McDonough](#), VA remains on track to expand Caregiver benefits to Veterans of all eras on October 1st.

Why it matters: VA's Program of Comprehensive Assistance for Family Caregivers (PCAFC or Caregiver Program) was originally provided to post 9/11 era Veterans. Congress then expanded eligibility to include all generations but with a staggered roll out.

Yes but: The PCAFC and the subsequent expansions have been plagued by has been plagued by issues such as inconsistent application and eligibility reassessments.

- Enacted in 2010 to provide benefits to caregivers of post-9/11 disabled Veterans with serious injuries.
- Eligibility expanded by 2018 MISSION Act.
 - October 1, 2020 – Veterans discharged on or before May 7, 1975
 - TBD – All Veterans
- July 1, 2020, VA rewrote eligibility criteria and began a reassessment of legacy participants.
- April 2021, CAVC found right to appeal Caregiver denials to Board of Veterans' Appeals
- September 22, 2021, VA extended the reassessment by an additional year.
- March 22, 2022, VA announces pause to reassessments.

I'd like more: TDVS has chronicled the fits and starts of the PCAFC program in a variety of ways.

- [Benefit Bulletin 21-6](#) discussing *Beaudette's* extension of judicial review to Caregiver decisions and [Benefit Bulletin 21-12](#) providing more information on how to appeal an adverse decision.
- Benefit Bulletin 21-7
- [Benefit Bulletin 21-10](#) discussing extension of reevaluation.
- [Benefits Bulletin 22-4](#) discussing VA's pause of reassessments.
- [2022 Spring Quarterly Training: NVLSP: A Guide to VA Benefits for Family Caregivers and the Beaudette Class Action](#)

Here are several more resources to assist Veterans or caregivers.

- [Program of Comprehensive Assistance for Family Caregivers \(PCAFC\) VSO Toolkit](#)
- [VA Caregiver Program Class Action Website](#) – Important documents and FAQs
- [Veterans Health Administration's Clinical Review or Appeal Process](#) – Outlined in Benefits Bulletin 21-7 and still an available method of disagreement.
- [TDVS Appeals Division Contact Information](#)
- [VA Resources](#)

Phase III of the Claim Accuracy Request (CAR) Pilot Program

VA is expanding CAR to include special mission claims:

- Foreign,
- Manila,
- Camp Lejeune Contaminated Water, and
- Radiation

Why it matters: CAR is a tool that can be used to disagree with a VA decision. Here's an updated [TDVS Fact Sheet](#) to guide you through using this tool.

Yes, but: TDVS has seen limited usage of this tool and it has not been successful in the few instances when it has been used.

eBenefits Transition to VA.gov

VA is continuing to move features from eBenefits to [VA.gov](#). As part of this transition and to better inform our customers, eBenefits updated its homepage to let users know up front what is on eBenefits versus what has transitioned to [VA.gov](#)

The [eBenefits homepage](#) will provide a high-level listing of features such as –

- Manage Benefits,
- Manage Health Care Benefits,
- Apply for Benefits

When selected, the feature will expand to show you what can be found on eBenefits and what can be found on [VA.gov](#) with a goal of reducing confusion between these two sites during the transition.

Practice Like a Pro

Advocacy Tips

Join us for a breakout session on Wednesday, September 28th at Annual Conference to put several Benefit Bulletin advocacy tips into practice through a hands-on learning exercise.

The Back-to-Basics series will culminate with a hands-on learning exercise at the Annual Conference. TDVS will offer a breakout session on Wednesday, September 28th for advocates that want to hone their advocacy skills to practice like a pro.

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

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