

# THE VETERANS MONTHLY



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## FEMALE VETERANS STILL FACE HURDLES WITH VA

### VA INSPECTOR GENERAL CONDUCTS STUDY

A new study conducted by the VA's Inspector General (VAOIG) found that female Veterans are denied benefits and treatment at a rate higher than men for post-traumatic stress disorder. It also reached the conclusion that many VA facilities aren't responsive enough to the mental health needs of female service members. While purely anecdotal, there has been many occasions when our office has received calls from women alleging improper treatment during the claims process.

This study was initiated after calls from U.S. Senator Mark Warner and unnamed Veterans advocacy groups created the impetus for the study. In a recent interview given to reporters at the Hampton VA Medical Center, Warner, a Democrat from Virginia, said the results of the study confirmed what he's been hearing from constituents for years. Women make up about 15 percent of the U.S. military and, according to a VA statistic published in 2009, approximately 20,000 female Iraq and Afghanistan Veterans have been diagnosed with mental illness.

*...Continued on Next Page*

*Bergmann & Moore, LLC provides premium legal services to Veterans and their dependents. While consultations and other services are offered free of charge, fees are charged for representation before VA on the condition that the case is won. Managed by former VA attorneys, Bergmann & Moore, LLC is composed of seasoned attorneys and support staff who are experts at obtaining benefits for their clients. The firm encourages Veterans and their dependents to make full use of the free services available to them through their local Veterans Service Officer and/or Veterans Service Organizations.*



The purpose of the study was to closely consider the degree to which VA is able to address combat stress in female Veterans. It examined female Veterans' use of VA health care for post traumatic stress disorder (PTSD) and traumatic brain injury (TBI), as well as other mental health disorders. It also paid special attention to whether or not VA properly processed mental illness claims submitted by female Veterans.

This study was based on information provided by both the Department of Defense and VA and drawn from roughly 500,000 Veterans representing both sexes. Also contributing to the findings were policy reviews and interviews with VA staff members and Veterans advocates. One undisputably important outcome of the study is that the findings provide a very clear assessment of how female Veterans use VA services and how that use differs from their male Veterans. With a better understanding of the relationship between VA and female Veterans, VA can begin to implement policies more suited to the needs of this growing demographic.

The VAOIG concluded that improved outreach is needed to notify female Veterans about the many services available to them. Signs are needed in regional facilities to direct women to coordinators put in place to help female Veterans. Everyone from claims processors to coordinators are advised to undertake specialized training to better serve women who are suffering from disabilities like TBI and PTSD or who claim to have been victims of sexual assault during their time in service.

After a review of many hundreds of claims, the VAOIG came to the conclusion that one of the main reasons that more male Veterans had their claims approved than female Veterans was due to the requirement that the Veteran have earned a combat ribbon or badge – something female Veterans are unlikely to have. This hurdle was overcome with the liberalization of the criteria for proving PTSD - the most common combat related mental illness - that took place July 13th, 2010. This new direction was taken after VA agreed that the line between combat and non-combat roles was often difficult to ascertain. This move changed the landscape of the claims process and put more weight behind a Veteran's word than their evidence.

Warner sent a request to VA leaders in early January asking them to reconsider PTSD claims rejected under the old standards. He also has requested that VA initiate a campaign to reach and encourage women to reapply for benefits if they believe their claims were erroneously denied. We should all expect to see a sharp rise in claims if this campaign happens. ■

To learn more, visit [www4.va.gov/oig/52/reports/2011/VAOIG-10-01640-45.pdf](http://www4.va.gov/oig/52/reports/2011/VAOIG-10-01640-45.pdf)

## THIS DAY IN HISTORY - JAN. 27

The Paris Peace Accords on "Ending the War and Restoring Peace in Vietnam" were signed January 27th, 1973. This event officially put an end to direct American involvement in the Vietnam War and a cease-fire was declared across the whole of Vietnam. U.S. POWs were also released on this day. The agreement guaranteed the territorial integrity of Vietnam. Much like the Geneva Conference of 1954, the agreement called for national elections in the North and South. The final condition stipulated in the Paris Peace Accords was a sixty-day period for the total withdrawal of American forces.

Despite the pomp surrounding the Paris Peace Accords, the agreement had little practical effect on the conflict. The North Vietnamese and their South Vietnamese allies ignored the ceasefire and continued to pursue hostilities against South Vietnam. North Vietnamese military forces gradually moved through the southern provinces and only two years later were able to capture Saigon.



## MEDICAL MINUTE

### MESOTHELIOMA AND SERVICE MEMBERS

VA claims that there are currently around 25 million living Veterans. Hundreds of thousands of these Veterans were exposed to materials containing asbestos during their military service. Asbestos was used by every branch and was well respected for its resistance to heat and superior fireproofing capabilities. Asbestos use was so popular that the military actively encouraged and even mandated it before abandoning this practice in the 1970s.

Veterans are encouraged to apply for VA disability benefits for asbestos-related diseases. The website [www.Asbestos.com](http://www.Asbestos.com) can provide resources to Veterans to help them prevail in a claim for VA service connected benefits. Veterans will be asked to provide proof that their current disease is related to asbestos and that exposure occurred during their military service. ■



Thresholds is a Chicago-based non-profit organization which provides a comprehensive, individualized program of mental health services. Thresholds is committed to “Evidence-Based Practices” – techniques and services that are validated by the most up-to-date research. In this interview we will be speaking with Daniel Billingsley, a director at Thresholds.

*Q. Can you share with us a little about Thresholds’ mission?*

A. Thresholds assists and inspires people with severe mental illnesses to reclaim their lives by providing the supports, skills, and the respectful encouragement that they need to achieve hopeful and successful futures. We strive to be the provider and employer of choice and a world leader in the development and evaluation of rehabilitation and recovery services.

*Q. What can you tell us about your new program for Veterans?*

A. Whether they served in the Vietnam War, the first Gulf War, or the current wars in Iraq and Afghanistan, thousands of soldiers return from combat with scars both physical and psychological. For many, reintegrating into their communities and their former lives proves impossible. Unable to cope, the tragic outcomes of homelessness, hopelessness, and helplessness are often the result. Thresholds boasts 50 years of experience working with Chicago’s most at-risk populations. The Thresholds Veterans Project will help Chicago’s veterans living with mental illness get their lives back with a myriad of supports. Integrating our award-winning, evidence-based practices and strategic partnerships, the Veterans Project includes homeless outreach, housing services, supported employment, peer-driven supports, substance abuse treatment, integrated physical and mental health services, and trauma-based therapies.

*Q. What services do you offer Veterans?*

A. We offer outreach and case management service and locate those we help in shelters, psychiatric hospitals, and other areas where homeless veteran tend to congregate. We offer housing solutions to homeless veterans without requiring them to meet eligibility requirements for other services. We offer supported employment whereby the veteran is helped into employment

opportunities of their choosing; we feel that meaningful work, found within a competitive setting, can lessens the symptoms of mental illness and the need for medications, while increasing self-esteem and overall levels of happiness. We offer substance abuse treatment using the evidence-based Integrated Dual Disorders Treatment, a highly effective model derived from more than 25 years of research and development. We offer PTSD therapies in the form of the Cognitive Restructuring Treatment Program; a program which combines the most effective uses of well-established exposure and Cognitive Behavior Therapy (CBT) for veterans with PTSD. We offer Vet-to-Vet peer support, a self-managed program of care, run by veterans for veterans, to help overcome both mental illness and substance abuse. Finally, we offer physical and psychiatric health care through a long-standing partnership with the University of Illinois at Chicago’s College of Nursing.

*Q. What prompted Thresholds to focus on Veterans?*

A. While veterans comprise less than 8% of the U.S. population, approximately 30% of homeless adults have served their country (National Coalition of Homeless Veterans). Nationwide, approximately 195,000 veterans are estimated homeless on any given night, with double that experiencing homelessness at some point during the year (U.S. Department of Veterans Affairs). Illinois is one of seven states with more than 10,000 homeless veterans (Illinois Department of Veterans Affairs), placing the need of our state among the most dire in the nation. Currently, government money for homeless veterans serves only 1 in 10 of those in need (National Coalition of Homeless Veterans). Soldiers serving in Iraq and Afghanistan make up a fast-growing segment of this group. To date, more than 1.9 million men and women have served in Iraq and Afghanistan.

*Q. How do you expect this program to develop in the next five years?*

A. First, a continued growth in the program to serve up to 200 veterans annually. Second, the establishment of the program as a pilot for other community health providers nationally. We will endeavor to become the leader in psychosocial rehabilitation, community-based care, supported employment and substance abuse services for veterans locally and nationally. Through all this we will work to establish and grow relationships with other important service providers such as the VA system, hospitals, and other community agencies serving veterans and other persons with disabilities. ■

To learn more, visit  
[www.thresholds.org/find-services/veterans-project](http://www.thresholds.org/find-services/veterans-project)

# VA HOLDING MILLIONS IN UNPAID LIFE INSURANCE POLICIES

Approximately \$33 million in unclaimed payments is available for Veterans and their families. This money represents death awards, dividend checks and premium refunds that were once mailed to policyholders. These payments were returned to VA by the Post Office because of incorrect address information. VA's policy is to hold the money until they are able to locate the policyholder. In some instances the payments have been held for decades.

The unclaimed funds date back to the beginning of VA's insurance programs in 1917. The payments can be as high as \$4,000, but typically amount to between \$5 and \$750. The bulk of the funds are from World War II, when about 22 million service members were enrolled in the insurance program. These unclaimed funds are not related to the dispute with Prudential Insurance Company over the improper distribution of payments in the Group Life Insurance programs.

Veterans and dependents should know beforehand that many of those who search will find that they are not eligible for unpaid monies. Even if there exists a record under the name that you enter, the money may actually belong to someone else with the same name. If you find that there is a record of money owed to someone with the name that you entered, you will be asked to contact VA and supply additional identifying information to ensure that you are the rightful recipient before it can be released. Between January of 2007 and November of 2010, nearly 6.5 million dollars have been claimed by Veterans and their dependents.

It is easy to check if you might be eligible for these unclaimed funds. Gather the Veteran's name, date of birth, date of death (if applicable), and, if possible, the insurance policy number, and enter this information online. You can also call toll-free at: (800) 669-8477 and give an attendant your information over the phone.

To learn more, visit  
<https://insurance.va.gov/liability/ufsearch.htm>

# VA INCREASES VERIFICATION OF VETERAN-OWNED BUSINESSES

Veteran-Owned Small Businesses (VOSB) and Service Disabled Veteran-Owned Small Businesses (SDVOSB) must now provide documentation to VA that validates their claim to special status. This validation must occur before consideration for priority set-aside contracts.

A provision found in the 2010 Veterans Benefits Act serves as the basis for this change in the rules and represents VA's most recent effort to prevent unqualified companies from winning awards set aside for Veterans. VA Secretary Eric Shinseki has said that despite the temporary irritation of having Veterans provide evidence for their special status, this requirement is "a necessary step to eliminate misrepresentation by firms trying to receive contracts that should go to service-disabled and other veteran-owned vendors."



VA keeps a list of qualified VOSB and SDVOSB companies in its VetBiz.gov Vendor Information Pages database. VA contracting officials use this database to set aside contracting opportunities when two or more eligible companies submit offers that VA officials consider fair and

reasonable. Before this change, vendors were able to self-certify the accuracy of the information they provided. But now, officials with the Center for Veterans Enterprise (CVE) must verify the data as part of the VetBiz.gov application process. This rule applies only to small businesses claiming to be owned by Veterans, service-disabled Veterans or eligible surviving spouses.

Between the 10th and 11th of December of last year, VA sent mail and e-mail notices to more than 13,000 companies listed in the database. The purpose of these letters was to inform them that they have 90 days in which to provide certain documents for verification, including proof of ownership. Veteran-Owned and SDVOSBs must recertify their status each year to remain eligible. Any company that misrepresents itself in the database could face debarment from doing business with the federal government for up to five years. ■

To learn more, visit [www.vetbiz.gov/vip/verify.htm](http://www.vetbiz.gov/vip/verify.htm)

# THE NEW FACE OF THE POST 9/11 GI-BILL

## THE PRESIDENT SIGNS INTO LAW THE LATEST GI BILL CHANGES

On January 4, 2011, President Obama signed into law a package of changes to the Post 9/11 GI Bill. The Post 9/11 GI Bill provides financial support for education and housing to Veterans with at least 90 days of aggregate service on or after September 11, 2001, or Veterans discharged with a service-connected disability after 30 days. Veterans must have received an honorable discharge to qualify for benefits. Approved training under the Post 9/11 GI Bill includes graduate and undergraduate degrees as well as vocational/technical training.

The new GI Bill changes contain some good news for eligible Veterans. Effective August 1, 2011, the Post 9/11 GI Bill will pay all public school in-state tuition and fees, including graduate training. Reimbursement will be available for multiple licensing and certification tests as well as for fees paid to take national examinations used for admission to an institution of higher learning (e.g. LSAT, ACT, and GMAT). Effective October 1, 2011, distance learning students, who currently receive no housing allowance unless they are taking at least one on-campus class, will become eligible for the monthly benefit but they will be paid a reduced rate that is one-half of the national average living stipend. Non-college degree vocational programs, such as apprenticeships, on-the-job training, and flight training programs will become covered programs for tuition costs and living stipends. The changes to the Post 9/11 GI Bill also enable certain National Guard members to get more credit toward earning the benefit.

The new bill contains some other changes which impact student Veterans, in some cases not as favorably. Effective August 1, 2011, the tuition and fee reimbursement will be capped at the lesser of net out-of-pocket costs or \$17,500 annually for students attending private institutions of higher learning or foreign schools. Although a number of schools participate in a program called the Yellow Ribbon Program, a program which provides additional funding for students.

The new changes also impact the eligibility and payment of housing allowances for students who are not enrolled full-time. Only full-time students will receive a full allowance. Students taking over a 50 percent course load,

but less than full-time, will have their housing allowance benefits pro-rated based upon the number of credits taken. Anyone taking less than a 50 percent course load will remain ineligible for the payment. Another change is that, effective August 1, 2011, GI Bill benefits will not be paid during training breaks, such as the interval between semesters, unless the training is interrupted by an Order of the President or an emergency situation.

Here is a breakdown of the new benefits schedule:

### **Effective 8/1/2011:**

- All public school tuition and fees, including graduate and out-of-state tuition differential will be paid – eliminating the process of setting a cap on tuition and fees for every state. Instead, a single, nationwide cap of \$17,500.00 for tuition and fee reimbursement has been set.
- Reimbursement will be available for multiple licensing and certification tests as well as fees paid for national examinations for admission to education programs, such as the SAT, ACT, LSAT, and GMAT.
- Those participating in Vocational Rehabilitation can receive the higher housing allowance offered by the Post 9/11 GI Bill, if otherwise eligible.
- There will be no break or interval housing pay between semesters, unless issued by an executive order.

### **Effective 10/1/2011:**

- The \$1000.00 annual book stipend will be payable to active-duty members and spouses using transferred benefits.
- A housing allowance will be available for students enrolled solely in distance learning/on-line classes at the rate of one-half the national average living stipend.
- On-the-job training, some flight training, and some other non-degree programs will be paid.
- For reservists and Guardsmen, time served supporting emergencies will be credited to their time requirement for educational benefits. ■

For additional information, see: [www.gibill.va.gov/post-911/post-911-gi-bill-summary/Post911\\_changes.html](http://www.gibill.va.gov/post-911/post-911-gi-bill-summary/Post911_changes.html)



## PENTAGON PROPOSES INCREASED TRICARE PREMIUMS

As part of widespread cost-cutting initiatives aimed at the reduction of the DoD's 2012 budget, Defense Secretary Robert M. Gates recently proposed "modest" premium increases for working-age military retirees who use the TRICARE Prime health plan. While details of the proposed increases will not be known until the Obama administration releases the 2012 federal budget – currently planned for mid-February – Gates stated that his proposed savings plan would save \$7 billion over five years from not only "modest" premium increases but also restricting medical departments and limiting the growth of costs. Notably, Secretary Gates' plan to increase premiums would not affect those on active duty or military retirees over 65 who use Tricare for Life, a supplemental program to Medicare. Currently, military retirees are not required to report whether they have a job that offers an insurance plan, and having other insurance does not remove a military retiree from TRICARE. It is estimated that approximately three quarters of military retirees have access to health insurance through a civilian employer or group.

Secretary Gates believes the premium increases are needed because "health care costs are eating the Defense Department alive." DoD is the country's biggest employer, and its total health care costs are more than \$50 billion a year, which is 10% of its budget and the same amount that is being spent on the Iraq war. A decade ago, the Pentagon's health care costs were less than half of this total, yet costs are projected to balloon to \$65 billion five years from now. Despite these rising costs, TRICARE premiums have stayed at \$460 for the basic family plan since 1995. Meanwhile, federal civilian workers pay approximately \$5000 a year for comparable health insurance. As such, many military retirees with other employment forego their employers' insurance plan. Defense budget analysts have stated that the

rising cost of TRICARE limits the amount of money available for new weapons and quality-of-life programs, such as schools on military bases. They suggest that eventually the overwhelming health care costs could prohibit the military from fielding a force of sufficient size.

Any such changes to TRICARE fees would first need to be approved by Congress. This is not the first time the Pentagon has proposed increasing TRICARE premiums, but Congress rejected similar proposals for three straight years under the Bush administration and even included a nonbinding warning to the Pentagon not to use premium hikes to balance the defense budget for 2010. At least in part, TRICARE increases are so unpopular with Congress because they are opposed by many Veteran constituents.

Many Veterans groups feel that military retirees have earned the extremely affordable plan upfront with their service and urge that TRICARE not be lumped with entitlement programs like Medicare, Medicaid, and Social Security. They encourage anyone who wants to take advantage of this generous program to enlist. Some Veterans also feel that to increase premiums would be to go back on a promise made to them when they volunteered for the service. Many military retirees who have struck out with their own small business cite the low cost of the TRICARE program as significantly enabling their ability to start their own company. While some recognize the overall increase in the cost of health care over the years, they also find it unfair to significantly raise premiums for those on fixed incomes who have come to depend on the low cost of their health care for more than a decade.

However, the Pentagon may find more support from Congress this time around than in the past. There is a general concern over the federal debt, and the now Republican-led Congress has promised to significantly rein in government spending. House Republicans have also set new rules that may block any efforts to prevent the premium increases. The lost savings could not just be reflected in a larger Defense budget; rather, cuts would have to be made to other Federal entitlement programs to make up these potential savings elsewhere. Veterans' advocate groups worry that several pro-military spending Congress members lost their seats in the November election. ■

For more information, please visit  
[www.defense.gov/News/NewsArticle.aspx?ID=62372](http://www.defense.gov/News/NewsArticle.aspx?ID=62372) or  
[www.tricare.mil](http://www.tricare.mil)



# VETERAN EVENTS CALENDAR

HERE IS A LIST OF SOME EXCITING  
EVENTS HAPPENING NATIONWIDE  
THROUGHOUT JANUARY

## **VA Aid and Attendance Workshop**

Renville County Government Services Center  
105 South 5th Street, Room 117 - Olivia, MN 56277  
Telephone: (336) 841-1746  
February 3rd, 2011  
[www.nvf.org/events/item.php?id=337](http://www.nvf.org/events/item.php?id=337)

## **Paralyzed Veterans of America Handcycling Championship**

The Marine Shop, Quantico  
300 Potomac Avenue - Quantico, VA 22134  
Telephone: (800) 424-8200 x 736  
February 6th, 2011  
[www.pva.org](http://www.pva.org)

## **Financial Literacy for Veterans**

Framingham Elks Lodge  
450 Union Avenue - Framingham, MA 01702  
Telephone: (508) 875-9262  
February 10th, 2011  
[www.framinghamelks.com](http://www.framinghamelks.com)

## **First Annual Student Veterans of America Pennsylvania State Conference**

Shippensburg University Conference Center  
1871 Old Main Drive - Shippensburg, PA 17257  
Telephone: (717) 440-1057  
February 26th - 28th, 2011  
[www.ship.edu/events](http://www.ship.edu/events)



# CLAIMS PROCESS ADVICE

## **VA CLAIMS PROCESS 101: BOARD DECISIONS**

One of the most frequently experienced concerns that Veterans have involves the status of their appeal(s). After all, nothing can be more frustrating than to have to sit and wait for VA to make a decision. So how does one find out the status of their appeal? When your file is located at the RO, the best answer is to call the VA regional office hotline at (800) 827-1000. When your file reaches BVA, you are supposed to be notified via letter. You cannot count on this letter being sent, however, so we recommend calling the RO every 60-90 days if you are waiting for your file to be transferred to BVA.

Once your file is at BVA, the number to use to check the status of your case is (202) 565-5436. This number will allow you to check on the status of your claim. Although BVA employees will not be able to discuss the legal merits of your claim or predict what they anticipate to be the outcome of your appeal, they are still a reliable source for understanding exactly where you are in the appeals process. Remember that due to the ways in which cases can be different from one another, it is not a good idea to ask for a precise estimate of when your appeal will be decided by BVA.

Upon receiving your file, BVA should review your claims folder for completeness and invite you and/or your representative to submit additional written arguments. Following this, your case will be assigned to a Board member for review. When your docket number is reached, your file will be more thoroughly examined by a Board judge and staff attorney. The staff attorney will make a recommendation based on the merits of the materials contained within your folder and the Board judge will then issue a decision.

Since the decision will be mailed to the home address that the BVA has on file for you, you are encouraged to keep VA up to date on your correct address.

For additional information, please visit [www.vetlawyers.com](http://www.vetlawyers.com)

# VSO SPOTLIGHT

**JOHN REED, VETERANS SERVICE OFFICER  
FOR LINCOLN COUNTY, OREGON**



Created by the Oregon Legislative Assembly on February 20, 1893, Lincoln County, Oregon is widely known for its stunning natural beauty, fishing charters, friendly inhabitants, historic lighthouses, and Rogue Ales, a premium microbrewer. The county's main source of income is tourism and has a population of around 50,000. The northern part of Lincoln County includes the 3,666 acre Siletz Reservation, created in a 1855 treaty.

Website: [www.co.lincoln.or.us/veterans](http://www.co.lincoln.or.us/veterans)

**Know a VSO who should be honored? Email us at [drohde@vetlawyers.com](mailto:drohde@vetlawyers.com) and we'll feature them in a future issue.**



***Q: What are the details of your own military service?***

A: I enlisted in the Navy in 1964 at 17, following HS graduation. Mid tour 1st Sea Duty assignment requested Hospital Corps A School, served with 1st Recon Bn in Vietnam 66-67, retired in 1994 as Command Master Chief after 30 years, 2 weeks and 1 day total service.

***Q: How many Veterans do you serve in Lincoln County?***

A: The VA estimates approximately 6,000 Vets in Lincoln County. However, my estimate, based on nothing more than shaking the trees, is closer to 10,000.

***Q: How long have you been a VSO?***

A: I was hired by Lincoln County in June 2006 after a strenuous interview process. They decided the Vets would be better served if the VSO was able to devote his time to the Vets and allowed me to hire an Administrative Assistant to do the filing, correspondence, appointments, etc. I hired the best and this has vastly improved our services and claim submissions. Bottom line: \$300K in claims approved in 2006 to \$2.26 million in claims approved per year now.

***Q: What is your favorite part of the job?***

A: The personal satisfaction of helping to change people's lives and providing them with a source of health care and some funds coming in to provide for their well being. As Emerson said, "This is to have succeeded." So, that and brushing shoulders with living history and real heroes on a daily basis.

***Q: What is your biggest challenge in assisting Veterans with their claims?***

A: The process itself is most probably the greatest challenge. Nothing is instantaneous and some of these folks need almost immediate results.

***Q: What started you down the path to becoming a VSO?***

A: Upon terminating a retail management career with the closing of the business, I noted this opening advertised by the county. Being a disabled vet with a health care background led me to think this might be the way I could repay my fellow veterans for their sacrifices and service.

***Q: What was your most memorable case?***

A: A former WWII POW getting 10% for "Post War Anxiety" since 1946. We requested a reevaluation of his PTSD and he was awarded 100% with Individual Unemployability. The award was auto deposited before he got the VA letter announcing it. So, he's running around the house with the bank statement yelling, "Iris, Iris, where'd all this freaking money come from???"

***Q: Any advice for Veterans just beginning the claims process?***

A: Patience, patience, patience. Be open, be honest, and don't let your pride get in the way. ■



[WWW.VETLAWYERS.COM](http://WWW.VETLAWYERS.COM)