VETERANS OF FOREIGN WARS

 DEPT SERVICE OFFICE – NORTH DAKOTA

 VA REGIONAL OFFICE BLDG, SUITE 205

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# SERVICE OFFICE REPORT – March 2020

 THIS MONTH YEAR TO DATE

CONTACTS: 831 10,026 (Phone calls, emails and walk-ins)

## COMPENSATION: $ 1,706,285.52 $ 14,029,976.28

(Service-connected disability)

PENSION: $ 85,130.72 $ 550,176.69

(NSC Pension, Death, Burial and DIC)

## MISC BENEFITS: $ 9,238.68 $ 166,681.28

(Education, Waivers, etc.)

## RETROACTIVE: $ 416,682.29 $ 2,063,677.20

TOTAL: $ 2,217,337.21 $ 17,032,691.21

**1. VFW Opposes VA Decision to Eliminate Accredited Veterans Service Officers 48-Hour Review Period for Claims; Demands Answers from Leadership: WASHINGTON –** Veterans of Foreign Wars National Commander William “Doc” Schmitz called it “despicable” and “inconceivable” that Department of Veterans Affairs Undersecretary for Benefits Dr. Paul Lawrence intends to eliminate the accredited veterans service officer (VSO) 48-hour review period for claims effective April 30.
“The VFW strongly opposes the repeal of the 48-hour review period in reviewing VA decisions for accuracy, as this is a final quality control check that we perform on behalf of our veterans to ensure that their rating decisions are correct the first time,” said Schmitz.
VSOs have the opportunity and the responsibility to review proposed VA rating decisions to ensure that all claimed conditions have been addressed and properly adjudicated prior to VA finalizing its rating decision and sending notification to the veteran.
For decades, VA has allotted VSOs 48 hours to review the applicable laws and regulations that were applied to the claim. During this time, VSO representatives can go back to VA to seek corrections before each claim goes to promulgation. This quality review allows VSOs to give the claim an independent quality control check before it is reviewed by VA and undergoes VA’s internal quality review process.
The VSO review process is outlined in VA’s claims processing manual, M21-1. Per M21-1 I.3.B.3.a **“the purpose of VSO review is to identify any clear errors or matters of clarification that require significant discussion, and/or correction prior to promulgation.”**
VA formerly allowed this same review for VSOs in a paper-based system by utilizing the “ratings table” at each VA Regional Office that gave the VSO the opportunity to physically review the claims folder for accuracy. Once the VSO was satisfied that the rating was correct or held conversations with the rater to discuss actions, the VSO signed off on the rating signifying concurrence and it was then forwarded for promulgation.
“To paraphrase former Administrator of the Veterans Administration, Gen. Omar Bradley, ‘We are dealing with [veterans], not procedures; with their problems, not ours,’” said Schmitz. “This philosophy should always guide VA in its transactions with veterans. Instead, VA’s proposal to eliminate the 48-hour review puts process before people.”
VA’s decision to suspend the 48-hour review period for VSOs will only continue to further erode the veteran’s right to competent representation in benefit claims before VA. The ability of VSOs to advocate on behalf of our clients has already been diminished by VA’s continued rush to implement new business processes that appear to suit the needs of VA but will only result in additional appeals and disappointment with the claims process.
“The VFW remains committed to our veterans’ advocacy mission – a century-old mission that predates VA’s existence and management of veterans’ benefit programs,” said VFW National Veterans Service Director Ryan Gallucci. “The VFW compels VA Undersecretary for Benefits Dr. Paul Lawrence to reconsider his directive to eliminate the 48-hour review. Absent Dr. Lawrence’s reconsideration, the VFW will exercise all avenues of redress to include proposing legislative remedies and pursuing litigation.”

Schmitz said rash decisions like this result in a lack of trust in the VA from veterans, service members and families.

“The VA has had a difficult history of earning and maintaining the trust of its veterans, service members and families,” Schmitz said. “Making this change in the midst of a national pandemic is extremely troublesome and is just the latest example of distrust and lack of confidence in our VA to make our veterans its number one priority.”

**2. COVID-19-Related Debt Assistance and Deadlines for Claims:** Veterans impacted by COVID-19 are eligible for temporary debt relief from the VA Debt Management Center (DMC). If you are affected and need temporary financial relief, please contact DMC at 1.800.827.0648 to request assistance. On Thursday, President Trump announced that he will direct Secretary of Veterans Affairs Robert Wilkie to take further measures to address issues with deadlines for claims and debt collections amidst the COVID-19 public health crisis. We are monitoring developments on both issues, but urge our members to maintain communication with their service officers. Please keep your service officer informed if you are unable to attend a compensation and pension (C&P) exam, and please contact the C&P examiner to reschedule your appointment.

 **3. Multiple VHA Facilities Inspected by OIG During Pandemic:** VA’s Office of Inspector General (OIG) made unannounced visits to over 237 facilities throughout the nation to inspect VHA’s COVID-19 screening processes and pandemic readiness last week. A report released on March 26, 2020, detailed the findings of those visits. OIG hopes these findings will assist VHA leaders in their awareness of the facilities' emergency status and preparedness during the pandemic. [Read the report](https://www.va.gov/oig/pubs/VAOIG-20-02221-120.pdf).

**4. Concurrent Receipt Bill Introduced in the House:** Today, Congressman Gus Bilirakis (R-Fla.) introduced a VFW-championed bill, H.R.5995, the Major Richard Star Act which would expand concurrent receipt eligibility to service members who were medically discharged. The Major Richard Star Act would provide total offset relief for certain veterans. The VFW would like to thank Rep. Bilirakis for his leadership on this issue and his continued commitment to America’s military and veterans.

 **5. Share Your Story: S. 3393 or H.R. 5995,**the [Major Richard Star Act](https://www.congress.gov/bill/116th-congress/house-bill/5995?q=%7B%22search%22%3A%5B%22H.R.+5995%22%5D%7D&s=1&r=1), would enable Chapter 61 veterans who have been medically discharged due to combat-related injuries to rightfully receive retirement pay and disability compensation without offset. In FY18, there were 42,163 disabled veterans affected by this offset. An[Action Corps Action Alert](https://votervoice.net/VFW/Campaigns/72777/Respond)has been launched. For veterans who are affected by this offset,please share your storyby writing a short essay detailing your years of service, DOD/VA disability percentages, and how the offset has impacted your standard of living. The VFW will use these stories to build support for the passage of the Major Richard Star Act. If you are interested in participating, please send your story to vfwac@vfw.org. [Learn more](https://vfworg-cdn.azureedge.net/-/media/VFWSite/Files/Advocacy/2020-NLS-Talking-Points-Concurrent-Receipt-Chapter-61.pdf?la=en&v=1&d=20200323T163655Z) and/or [take action](https://votervoice.net/VFW/Campaigns/72777/Respond).

 **6. Do You Use a Military Pharmacy?** If so, there may be temporary limitations that result in a decrease in service or closure at your pharmacy due to the COVID-19 pandemic. In an effort to maintain the safety of patients and personnel, you may have to temporarily switch your prescription to TRICARE Pharmacy Home Delivery or to a TRICARE retail network pharmacy. [Learn how to switch](https://tricare.mil/CoveredServices/BenefitUpdates/Archives/03_31_2020_military_pharmacy_changes_covid19).

 **7. MIA Update**: The Defense POW/MIA Accounting Agency announced one new burial update for a service member who has been missing and unaccounted-for from WWII. Returning home for burial with full military honors is:

**-- Army Air Forces 1st Lt. Ernest L. Roth,** 20, of Los Angeles,was assigned as a pilot with the 359th Bombardment Squadron, 303rd Bombardment Group, 8th Air Force in Europe. On May 19, 1944, he was piloting a B-17G bomber while on a bombing run over Berlin when the plane was hit by flak and crashed. Six of the 10 crewmembers, including Roth, were killed in the incident. They were recovered by German forces and reportedly buried in the Döberitz cemetery. Roth will be buried in his hometown. The date has yet to be determined.

Brian Deckert

Veteran Service Officer