

TDVS Benefits Bulletin
21-8

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TDVS Updates

Summer/Fall Training Schedule

- August 24th or August 25th – (Mandatory) Quarterly Accreditation Training – NVLSP Presents a Live Webinar: Ethics for Veteran Advocates
- September 8th – September Lunch and Learn – TBD
- October 13th to October 15th – (Mandatory) Annual Accreditation Training – Registration invitations were sent on Monday, August 2nd. Please contact your Regional Director if you did not receive an invitation or have questions regarding Annual Accreditation Training.

Suicide Prevention

TDVS has facilitated several learning opportunities in support of Tennessee’s participation in the Governor’s Challenge to Prevent Suicide Among Servicemembers, Veterans and Their Families. Here’s how you can access these recorded trainings and resources --

- [Psych Armor Learning Opportunities](#)
 - S.A.V.E. - Signs of suicide, Asking about suicide, Validating feelings, Encouraging help and Expediting treatment
 - Advanced De-escalation Techniques
- [Tennessee’s Efforts to Prevent Suicide Among Service Members, Veterans, and Their Families](#) - March 2021 Monthly Training
- [VSO’s Role in Suicide Prevention](#) - June 2021 Monthly Training

Here is a quick recap of available resources --

- [Veterans Crisis Line \(1-800-273-8255 and Press 1\)](#) – Use when confronted with an immediate need for intervention.
- [Regional Directors](#) at the Tennessee Suicide Prevention Network (TSPN) are a resource for training and suicide prevention, intervention and postvention resources for your organization, but not when confronted with an immediate need for intervention.

- [Suicide Prevention Community Engagement and Partnership Coordinator \(CEPC\)](#) at VA are federal partners that serve as subject matter experts for community-based suicide prevention and integration of suicide prevention education throughout your community.

VA and Veteran Benefit Updates

VA Assistance to Help Avoid Eviction

On July 31, 2021, the extension of the national eviction moratorium — temporary ban on evictions implemented during the coronavirus pandemic by the Centers for Disease Control and Prevention — ended. This change will impact Americans, including Veterans, across the country who live in communities without local eviction moratoriums in place.

VA is ready to assist Veterans facing housing crises by directing them to the Consumer Financial Protection Bureau's Rental Assistance Finder or appropriate VA programs. Below are details on several resources and services available for Veterans who are at an increased risk of eviction due to the expiration of temporary renter protections.

This website, which includes details about eviction assistance, homeless prevention, and rapid rehousing resources, can be used to assist clients: www.va.gov/HousingResources.

If you or a Veteran you know needs immediate housing assistance, as the eviction moratorium expires, please call the National Call Center for Homeless Veterans at 1-877-4AID VET or (877) 424-3838. Calls are answered 24 hours a day, 7 days a week.

***Please note the recent CDC eviction moratorium issued August 3, 2021 in areas with substantial and high transmission does not apply in Tennessee because it is not effective in areas where its application is prohibited by a federal court order. In late July, the 6th Circuit Court of Appeals found that the CDC lacked the authority to issue an eviction moratorium.*

Presumptive Service Connection for Respiratory Conditions Due to Exposure to Particulate Matter

On Thursday, August 5th, VA published an [interim final rule](#) that established presumptive service connection for asthma, rhinitis, and sinusitis based on particulate matter exposure during a qualifying period of service. The condition must manifest within 10 years of the qualifying period of service.

These presumptions apply to veterans who served in –

- the Southwest Asia theater of operations from August 2, 1990, to the present; or

- Afghanistan, Syria, Djibouti, or Uzbekistan, during the Persian Gulf War, from September 19, 2001, to the present.

The presumption applies to claims received by VA on or after August 5, 2021, or that were pending before VA, the United States Court of Appeals for Veterans Claims, or the United States Court of Appeals for the Federal Circuit.

VA's Adjudication Procedures Manual, the M21-1, has been updated to reflect these changes.

Citation	Change
M21-1, Part VIII, Subpart ii, Chapter 2, Section A - General Information on Claims Based on Particulate Matter Exposure Under 38 CFR 3.320 (VIII.ii.2.A)	Updated to add a new section on general information on claims based on particulate matter exposure under 38 CFR 3.320.
M21-1, Part VIII, Subpart ii, Chapter 2, Section B - Developing Claims Based On Particulate Matter Exposure Under 38 CFR 3.320 (VIII.ii.2.B)	Updated to add a new section on developing claims based on particulate matter exposure under 38 CFR 3.320.
M21-1, Part VIII, Subpart ii, Chapter 2, Section C - Rating Claims Based on Particulate Matter Exposure Under 38 CFR 3.320 (VIII.ii.2.C)	Updated to add a new section on rating claims based on particulate matter exposure under 38 CFR 3.320.

More information on the new presumptive conditions can be found on VA's [Airborne Hazards and Burn Pit Exposures](#) website.

Quality Review Insights

Lack of Veteran or Claimant Signature

TDVS's quality review program frequently identifies forms that lack a veteran, claimant, or VSO signature. COVID restrictions in many communities have caused us to modify how we obtain client signatures. As a reminder, with limited exceptions, VA has not relaxed or modified the signature requirements for compensation and pension claims and appeals.

The only exceptions are for certain Vocational Rehabilitation forms such as VBA-28-1900 and VBA-28-8832 and the VA Form 10182 (Decision Review Request: Board Appeal). On these forms, the typed name of the veteran or claimant will suffice for a signature.

All other forms continue to follow existing guidance that requires a wet, electronic, or digital signature and is outlined in more detail below.

What forms can a representative sign?

Representatives have the authority to prepare and submit certain types of claims and other claim-related documents on behalf of the represented individual without that individual's signature. These include but are not limited to –

- Intent to file (ITF) a claim
- Supplemental Claim
- Request for higher-level review
- Legacy Substantive Appeal

A POA may prepare, but may not sign, documents that require the claimant's signature, such as (this list is not all forms...but rather several examples) –

- Original Applications for Veterans Benefits
- VA Form 21-8940, Veteran's Application for Increased Compensation Based on Unemployability
- VA Form 21-4142, Authorization to Disclose Information to the Department of Veterans Affairs (VA)
- VA Form 21-0538, Mandatory Status of Dependents

Please review [VA's M-21 Adjudication Procedures Manual](#) – I.3.A.4.b. – for additional information.

Establishing an Intent to File

Please do not package a VA Form 21-0966 and application for the SAME BENEFIT identified on the 0966 on the same day. Please avoid packaging a VA Form 21-0966 (Intent to File) for a veteran if you will package an application for the same benefit identified on the intent on the same day. If an intent and application for benefits are filed on the same day, the Appeals Division will file only the application because the intent would not preserve an earlier effective date. When a VA Form 21-0966 and application for benefit are filed on the same day, VA would associate the claim with the intent and it would not preserve an earlier effective date for your client.

Practice Like a Pro

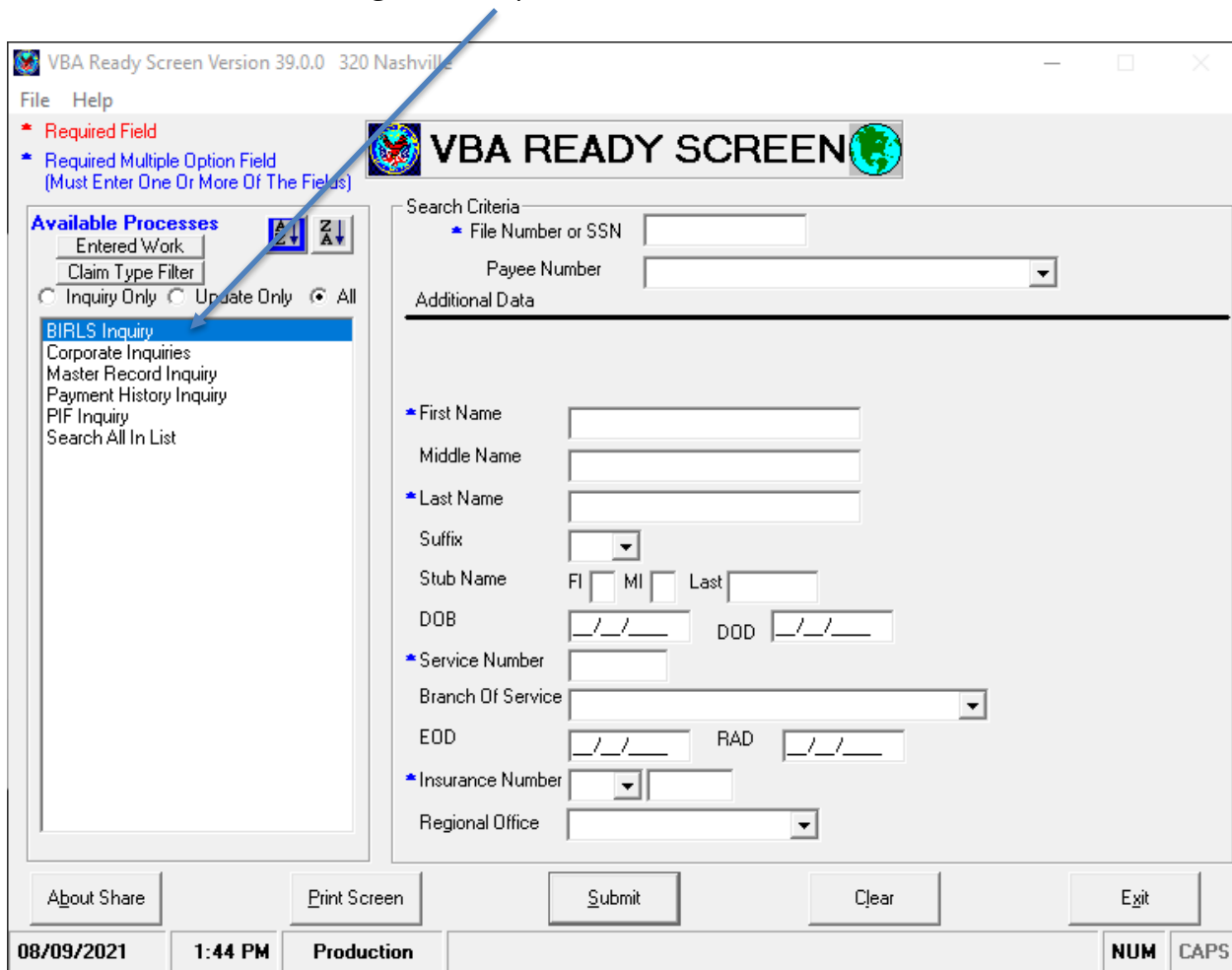
Veterans' Benefits Under Post-CARES-Act Coronavirus Laws

The National Veterans Legal Services Program (NVLSP) has posted a [resource](#) to help understand new and expanded benefits, such as disability and life-insurance benefits and VA health care, focused on helping veterans during the COVID-19 pandemic. It's a great tool to help you to continue to practice like a pro.

How to Find Military Retirement Information – BIRLS

The VA application SHARE is a sometimes-underutilized application available to VRCs and CSOs. This application contains information that can be useful when counseling clients and preparing claims. For example, when filing a claim for a retiree, a VRC/CSO can find current retired pay amounts that can facilitate digital filing, which leads to faster claim establishment, as well as information to counsel the client on benefits such as [Concurrent Retirement and Disability Pay](#) (CRDP).

Once the SHARE application is running, the front-facing screen has several options on the left-hand menu. One of those options is BIRLS Inquiry. Clicking this link, entering a File Number of SSN, and clicking Submit opens the BIRLS screen.



VBA Ready Screen Version 39.0.0 320 Nashville

File Help

- * Required Field
- * Required Multiple Option Field (Must Enter One Or More Of The Fields)

Available Processes

- Entered Work
- Claim Type Filter
- Inquiry Only Update Only All
- BIRLS Inquiry**
- Corporate Inquiries
- Master Record Inquiry
- Payment History Inquiry
- PIF Inquiry
- Search All In List

VBA READY SCREEN

Search Criteria

- * File Number or SSN
- Payee Number
- Additional Data

* First Name

Middle Name

* Last Name

Suffix

Stub Name FI MI Last

DOB DOD

* Service Number

Branch Of Service

EOD RAD

* Insurance Number

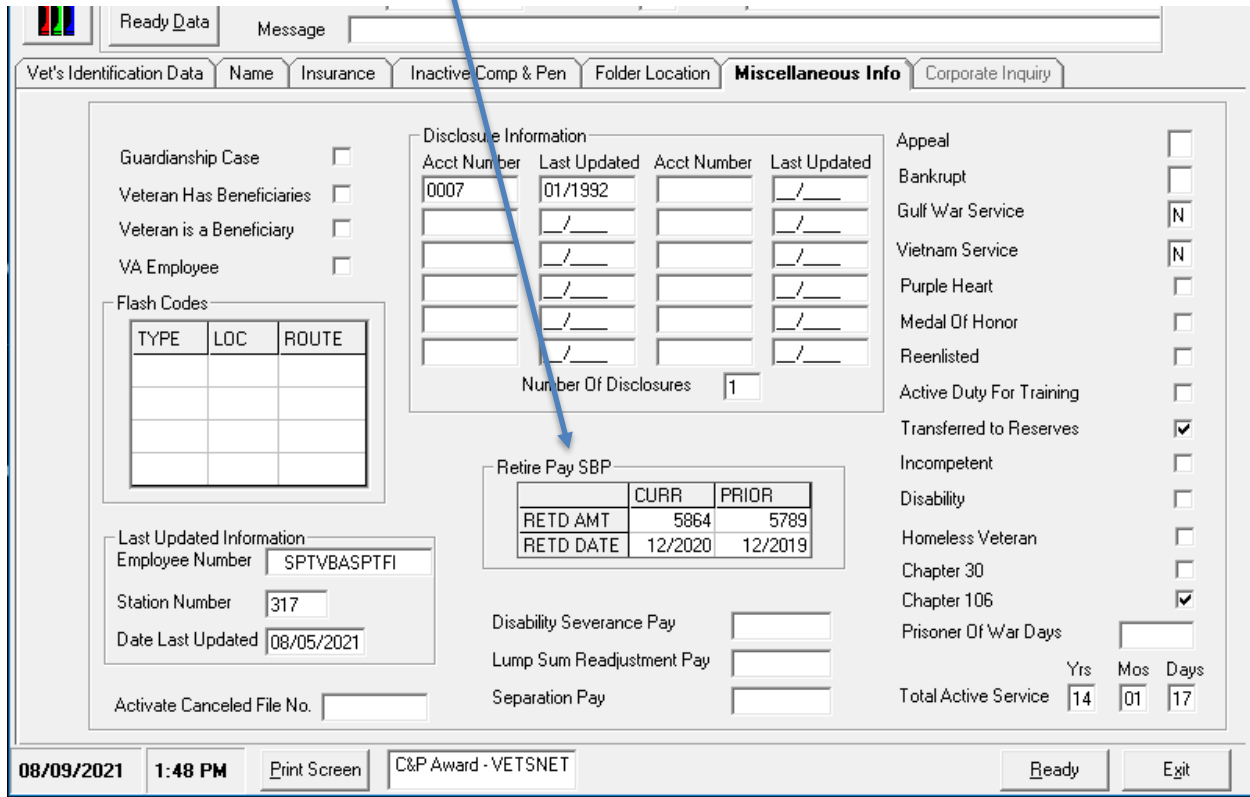
Regional Office

About Share Print Screen Submit Clear Exit

08/09/2021 1:44 PM Production NUM CAPS

The Veteran’s basic information is on this screen, as well as their service data. This screen has several tabs, one being “Miscellaneous Info”. Click on this tab and in mid-screen is the

Retired Pay Survivor Benefit Plan (SBP) box. This includes the Veteran's current retired pay amount (always in whole dollars). This information then can be used in the Veteran's 21-526ez, block 24D (given as whole dollars). Making greater use of this tool can help you practice like a pro!



Ready Data Message

Vet's Identification Data Name Insurance Inactive Comp & Pen Folder Location **Miscellaneous Info** Corporate Inquiry

Guardianship Case
 Veteran Has Beneficiaries
 Veteran is a Beneficiary
 VA Employee

Flash Codes

TYPE	LOC	ROUTE

Last Updated Information

Employee Number

Station Number

Date Last Updated

Activate Canceled File No.

Disclosure Information

Acct Number	Last Updated	Acct Number	Last Updated
0007	01/1992		

Number Of Disclosures

Retire Pay SBP

	CURR	PRIOR
RETD AMT	5864	5789
RETD DATE	12/2020	12/2019

Disability Severance Pay
 Lump Sum Readjustment Pay
 Separation Pay

Appeal
 Bankrupt
 Gulf War Service
 Vietnam Service
 Purple Heart
 Medal Of Honor
 Reenlisted
 Active Duty For Training
 Transferred to Reserves
 Incompetent
 Disability
 Homeless Veteran
 Chapter 30
 Chapter 106
 Prisoner Of War Days

Total Active Service Yrs Mos Days

08/09/2021 1:48 PM Print Screen C&P Award - VETSNET Ready Exit

Advocate Spotlight

On the morning of July 23, 2021, the Huntington VA Regional Office reached out to TDVS. The call began with detailed background of a Veteran's claim process and status, then ended with a request for assistance.

During a review at the RO Huntington, VA personnel picked up a Veteran's claim with an attached email dated July 19. The email stated the Veteran was receiving hospice care and was in the active dying stage. The reason for hospice care was an eligible yet unclaimed Agent Orange presumptive condition. This information was pushed up to a VA coach. On the morning of July 22, the coach received an email asking to expedite the claim. The coach took control of the claim and asked for immediate help from other pertinent RO personnel. The claim was fully processed and adjudicated in favor of the Veteran by end-of-day.



On July 23, the coach called TDVS asking that we reach out to the Veteran's family and let them know the claim was complete and that the widow could file for Dependency and Indemnity Compensation (DIC) as soon as it was needed. TDVS contacted the CSO who was already in close communication with the family. The Veteran passed away later that day, but because of the diligence of a VA team member the surviving family members had some certainty about VA survivor benefits.

Working together we can have a positive impact on the lives and veterans and their surviving family members. Remember, the federal VA is very much a part of 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