

TDVS Benefits Bulletin 22-5

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TDVS Updates

TDVS Training Updates

- May Lunch & Learn, May 11, 2022, 11:30 to 12:30 CST. VHA Homeless Programs in Tennessee
- June Lunch & Learn, June 8, 2022, 11:30 to 12:30 CST. VA Insurance Programs
- July Initial Accreditation Training, July 25th – 29th, 2022
- Mandatory Quarterly Training, July
- **SAVE THE DATE**, Annual Conference, September 26th - 28th, Montgomery Bell State Park
- [2022 Service Officer Training Calendar](#)

Tennessee Legislative Updates

On April 19, 2022, [HB 2220 – SB 2306](#) became law. It requires the attending physical, chief medical officer, or medical examiner to conduct a review of a Veterans medical records to determine if a service-connected disability was the principal or major contributory cause of death, including when concurrent or comorbid health conditions exist involving COVID-19, prior to signing the medical certification of the cause of death.

Here are several tips to support your work.

- Counsel Veterans to maintain a current list of service-connected conditions with their important papers.
 - You can assist Veterans in obtaining a summary of benefits by calling the VSO Hotline at 855-225-0709. VSO Hotline capabilities have been highlighted in previous [Benefits Bulletins](#).
 - You can assist Veterans in obtaining a summary of benefits by using VA's Self-Service Tools highlighted below.
- Veterans can obtain copies of [VA treatment records](#) in a variety of ways to include online, by mail, or in person at your Medical Centers Release of Information Office. Relevant VA treatment records can also be maintained with their important papers.

VetraSpec Updates and Maintenance

An update took place for Tennessee VetraSpec Users on Saturday, May 14th. Here are the changes with this update:

- Your VetraSpec login URL will be changing. Please update any bookmarks or shortcuts accordingly. We will also add a redirect from your old URL to ease the transition. Your new URL is: [https://urldefense.com/v3/_https://tn.vetraspec.tylerapp.com_!!PRtDf9A!oQgRfybcdS qYxhyBT7MA9g3oPw6KJ9gEDrKm0uxFPvBHJYh6z2eiG5oleiE0EeuGsPuHjIVGr-nv9embfUYEisVUOEEgQ2O0RQ\\$](https://urldefense.com/v3/_https://tn.vetraspec.tylerapp.com_!!PRtDf9A!oQgRfybcdS qYxhyBT7MA9g3oPw6KJ9gEDrKm0uxFPvBHJYh6z2eiG5oleiE0EeuGsPuHjIVGr-nv9embfUYEisVUOEEgQ2O0RQ$)
- Corrections are being made to following reports, which were found to have some inaccuracies:
 - Total Awards by Year
 - Total Awards for All years
 - 21-527, 21-526, 21-534 by date
- The following new reports have been added:
 - Claims Submissions vs Awards Granted
 - Veterans by Combined Rating
- Direct Submit has a new "business line" field. This is used to select where your submissions will be sent, without requiring manual intervention by the VA. This can help expedite the claim process. The original behavior is still available by selecting the "Other" option if you do not know the correct business line.
- Corrections to the combined rating calculation. There were previously some circumstances in which rounding errors could accumulate to cause the rating to be off by 10%.
- Numerous security updates and bug fixes
 - As part of the security updates, session durations will be decreased to 1 hour. This means you will be logged out if you are not actively working in VetraSpec. Please enable JavaScript for VetraSpec if you currently have it disabled. This will enable you to log back into VetraSpec without leaving your current page and losing work. Sessions will remain active as long as you are actively working in VetraSpec (navigating to different pages, submitting forms, etc...).

VA and Veteran Benefit Updates

Regulatory Updates

- Interim Final Rule – Presumptive Service Connection for Rare Respiratory Cancers Due to Exposure to Fine Particulate Matter

On April 26, 2022, VA published an [interim final rule](#) that established presumptive service connection for nine rare respiratory cancers in association with presumed exposure to fine particulate matter. These presumptions apply to Veterans who served in the Southwest Asia theater of operations during the Persian Gulf War, as well as in Afghanistan, Syria, Djibouti, or Uzbekistan, on or after September 19, 2001, during the Gulf War.

The nine rare respiratory cancers are:

1. Squamous cell carcinoma (SCC) of the larynx,
2. SCC of the trachea,
3. Adenocarcinoma of the trachea,
4. Salivary gland-type tumors of the trachea,
5. Adenosquamous carcinoma of the lung,
6. Large cell carcinoma of the lung,
7. Salivary gland-type tumors of the lung,
8. Sarcomatoid carcinoma of the lung, and
9. Typical and atypical carcinoid of the lung.

This interim final rule applies to claims filed on or after April 26, 2022, or that are pending before VA, the Court of Appeals for Veterans Claims or the Federal Circuit Court of Appeals on April 26, 2022.

Final Rule – Inclusion of the Space Force as Part of the Armed Forces

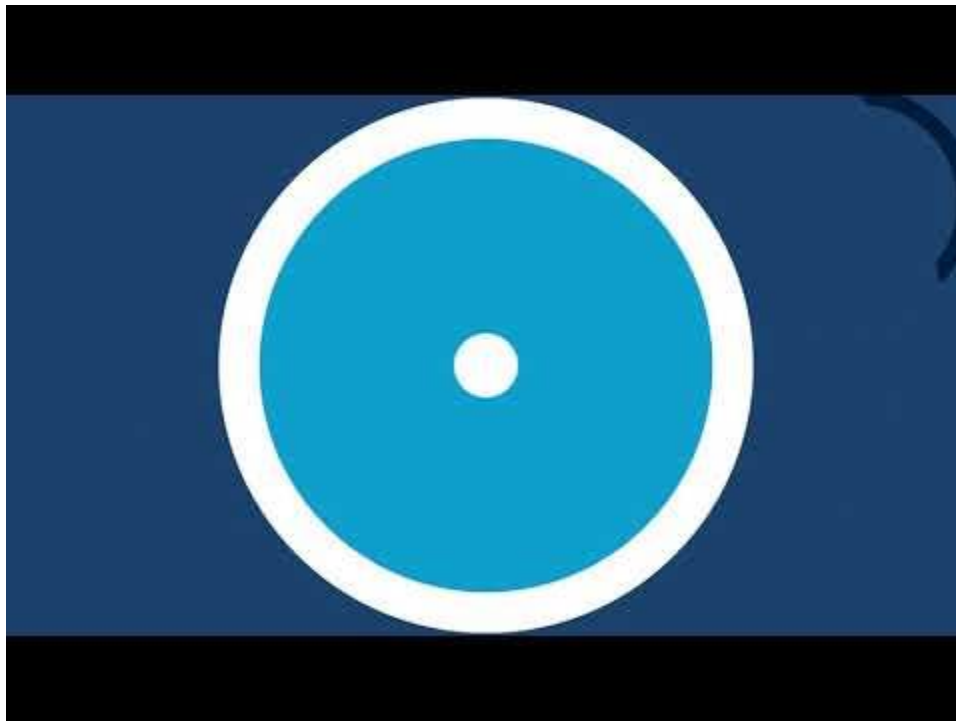
On May 3, 2022, VA published a [final rule](#) that amends 38 CFR part 3 to add the words “Space Force” in various sections that list the branches of the U.S. Armed Forces and to add reference to “space service” in references to “active military, naval, or air service.” This rule implements Congress’s expansion of the definition of “veteran” that required VA to furnish benefits and services on the basis of service in the Space Force.

VA Self Service Tools

Veterans can create a [VA.gov account using ID.me](#) to better manage their benefits and access all VA resources.



[Registering](#) for a My HealthVet, VA's online patient portal, provides Veterans with access to and an ability to manage their VA health care. It allows Veterans to download and print some of their medical records, which can help advocates when applying for or disagreeing with VA benefit decisions.



Practice Like a Pro

Advocacy Tips – Back to Basics

In this series, TDVS will help you practice like a pro by providing basic advocacy tips on:

- (1) I'm a Service Officer...Now What?
- (2) Connecting the Dots
 - (a) How to review a VA claim file;
 - (b) Effective Advocacy Before VA; and
 - (c) Obtaining Military Records and Information to Help Substantiate a Claim.

PART I: I'm a Service Officer...Now What?

The excerpts below are from the National Veterans Legal Services Program (NVLSP) Veterans Benefits Manual, 2021-22 edition.

You are now an accredited County Service Officer or Veterans Resource Coordinator. You are settled into your workspace – VetraSpec log-in, post-its, pens, and paperclips at the ready. Or maybe you are a seasoned advocate for Veterans. Either way, learning comes best by repetition. So, no matter the amount of time in your seat, we can all ask the same question. Now what?

To help Veterans and their families, we must be the best advocates possible for them. A good advocate knows how to do the job. A great advocate is open to and willing to both learn and share new information. What does that mean? Let's start at the beginning – what is advocacy?

Effective Advocacy Before the VA – “The goal of any veteran advocate should be to obtain all possible benefits from the Department of Veterans Affairs (VA) for their client in the shortest possible time.”

“An advocate is someone who actively supports a cause or proposal. Good advocacy before VA is a 3-step process. 1) Identify all potential VA benefits to which the claimant may be entitled, 2) the advocate must obtain supporting evidence – often a difficult task, and 3) the advocate must present the evidence in a way that its significance is not lost or ignored by the VA adjudicator.”

“The goal of an advocate is to persuade the adjudicator to grant the claim. To be successful, the advocate must obtain and present the relevant evidence in a clear, concise, and persuasive way. The advocate must connect the dots for the adjudicator.”

Next time we'll provide several Advocacy Tips on connecting the dots beginning with how to review a VA claim file.

Advocate Spotlight

Back to Basics – Knowing How to Review a VA Claims File and Past Decision Makes the Difference in a Successful Claim

A recent brief to the United States Supreme Court has characterized the VA benefits system as "...complicated, slow and inaccurate." That clearly seems to be the case here, however, one of the most important factors in effective VA advocacy is identifying and obtaining the evidence needed to win the claim.

This month's advocate spotlight demonstrates that knowing how to review a claims file can help you identify and point out the evidence needed to win the claim. In this case, a close review of a previous decision and existing medical evidence resulted in an increased rating with an effective date of 2007 when the Veteran left active military service.

Knowing how to review a VA claims file and past decisions can make the difference in a successful claim. Late last year, a Veteran visited the Cheatham County Veterans Service Office seeking an increase to his service-connected allergic rhinitis, which was evaluated at 0%. The CSO reviewed the claims file including the 2007 rating decision awarding service connection and identified medical evidence – nasal polyps – that warranted a 30% evaluation based on VA's Schedule for Rating Disabilities. The CSO filed a claim alleging that VA made a Clear and Unmistakable Error or CUE. VA agreed and the rating decision resulted in an increased rating with an effective date of 2007 when the Veteran left active military service.

Stay tuned because next month's Benefits Bulletin will provide several Advocacy Tips on how to review a VA claims file.

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