

TDVS Benefits Bulletin

22-6

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- Mandatory July Quarterly Training: Establishing Entitlement to Service Connection for Hearing Loss and Tinnitus, July 11-17, 2022, viewing will be available for seven days 24/7. Email invitation sent out May 26, 2022, with registration instructions.
- July Initial Accreditation Training, July 25th – 29th, 2022
- SAVE THE DATE, Annual Conference, September 26 - 28, 2022 at Montgomery Bell State Park
- [2022 Service Officer Training Calendar](#)

Groundbreaking of the Tennessee State Veterans Home in Arlington

On May 13th, TDVS joined in celebrating the groundbreaking for the future [State Veterans' Home in Arlington](#). This future 126-bed facility will be situated on 28.5 acres in rural Shelby County.

Tennessee Veteran Spotlight

Watch Commissioner Baker's conversation with Colonel James C. Harding (USAF, Ret.), the 25th most decorated Veteran in US Military history. Here is the [video](#) in TDVS's Tennessee Veteran Spotlight.



VA and Veteran Benefit Updates

VA Insurance Service Automates with DocuSign

Beneficiaries now have the option to [electronically sign and submit VA Form 29-4125e](#) to claim the proceeds of VA issued Life Insurance policies.

Special Monthly Pension Allowance Resources

The St. Paul Regional Office recently developed a [FOCUS Special Monthly Pension Allowance Toolkit](#), which includes a resource guide, caregiver checklist, estimator app and outreach business card.

Pension Management Center Jurisdiction & Inquiries

On October 12, 2021, the Veterans Benefits Administration (VBA) changed the jurisdiction of Pension Management Center (PMC) workload by consolidating Burial, Plot Interment, State Cemetery Plot or Interment Allowance and Dependency and Indemnity Compensation (DIC) claims processing to the Philadelphia PMC. Previously, all three PMCs processed burial, pension and survivors' claims. To provide more efficient service to Veterans and their families, VBA separated these workloads and centralized survivors' and burial claims. This

allows each PMC to focus on specific types of work, thereby improving the delivery of benefits.

Effective June 6, inquiries regarding PMC-related claims, benefits, and community engagement should be directed to the appropriate PMC under this updated jurisdiction model. Veterans Service Officers (VSOs) are encouraged to submit inquiries to the respective email address below:

- Milwaukee: PMCVSO.VBAMIW@va.gov – Pension workload.
- St. Paul: PMC.CVSO.VBASPL@va.gov – Survivor Blue Water Navy claims.
- Philadelphia: PensionCtrVSO.VBAPHI@va.gov – Burial, Plot Interment, State Cemetery Plot or Interment Allowance, and DIC.

Tennessee continues to be aligned with the Milwaukee PMC (330) for pension and other benefit inquiries not being handled by the Philadelphia PMC. [TDVS's Appeals Division](#) can also assist in routing PMC related inquiries.

QuickSubmit Replacing Direct Upload

QuickSubmit is scheduled to replace Direct Upload effective June 30, 2022. Here are some updates regarding Direct Upload and its eventual successor, Quick Submit.

- Quick Submit is currently live for all Direct Upload users. Access the same way you would access Direct Upload; only click on the Quick Submit button to access.
- Quick Submit is expected to fully replace Direct Upload effective 6/30/22.

Question: Will all Direct Upload submissions be assumed into Quick Submit Upload history?
Answer: Yes, Direct Upload will have a read-only functionality effective June 30, 2022, and will be live until all Direct Upload submissions are migrated into Quick Submit upload history.

Practice Like a Pro

Advocacy Tips – Back to Basics

Last month, TDVS began an Advocacy Tips series to help you practice like a pro by providing basic advocacy tips on: I'm a Service Officer...Now What? This month we continue that series by providing advocacy tips on connecting the dots beginning with how to review a VA claim file.

(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 II: How to review a VA claims file.

Information is taken in part from the National Veterans Legal Services Program (NVLSP) Veterans Benefits Manual, 2021-22 edition.

TDVS facilitates access to several VA Systems, such as VBMS and SHARE, necessary to review a VA claims file by supporting issuance of a VA Personal Identify Verification or PIV card. Here are [step-by-step](#) instructions for using your PIV to access VA Systems. TDVS has also provided training on how to use [SHARE](#) and [Caseflow](#) (December 2021 Lunch and Learn).

The best place to start when reviewing a claims file is with the most recent decision. This might be a rating decision, higher-level review decision or even a Board of Veterans' Appeals decision. A review of the most recent decision will give you a good overview of current issues and some knowledge of past claims. Then proceed chronologically starting with the most recent documents and work your way backwards in time.

Doing this review early in the claims process is a best practice as it provides a factual view of the Veteran's claim history. Then, an advocate can help develop a claim using the 3 criteria needed for a grant – in-service incident, current diagnosis, medical nexus. Additionally, having a clear picture of the claim history, evidence of record, and pertinent data allows an advocate the opportunity to explain why, by law, there is no reasonable possibility of obtaining benefits. This is a hard conversation to have with clients, but sometimes a necessary one.

While reviewing, the advocate must keep in mind all benefits for which the Veteran or family may be eligible, including unclaimed issues, secondary issues, ancillary benefits (VR&E, education, some VHA benefits), and CUEs (clear and unmistakable error). An advocate is reviewing to (1) Develop a list of claimed issues in progress and (2) Develop a list of prior claimed issues.

There are three important documents that comprise a complete rating decision and help with your review:

1. Notification Letter – informs the Veteran of the rating decision. **Advocacy Tip** -- The date on the notification letter is important because in most cases the Veteran has one year from this date to disagree with a VA decision.
2. Rating Decision Narrative - VA's explanation for a grant or denial. **Advocacy Tip** – It includes evidence considered, positive evidence, and lists the legal requirements for a higher evaluation.
3. Rating Decision Code Sheet – provides information about the current decision, past decisions, and the current state of entitlement to compensation and pension benefits. **Advocacy Tip** -- The past decision information, including previous denials, is important for helping a Veteran decide on the appropriate method of disagreement with a previous VA decision.

TDVS's September 2021 Lunch and Learn -- [How to Read a Decision Letter](#) -- is a great starting point to refresh yourself on the basics. TDVS's Training Officer and Appeals Division personnel are available to support in-person small group trainings on these and other topics to ensure you're practicing like a pro.

Next time we'll provide several Advocacy Tips on effective advocacy before VA.

VA Caregiver Updates

As highlighted in [Benefits Bulletin 22-4](#), on March 22nd VA announced it was pausing reassessments under the Program of Comprehensive Assistance for Family Caregivers. This topic was covered at length at Quarterly Regional Training. Here's NVLSP's [slide deck](#).

On June 9th, VA announced it was also [suspending annual reassessments](#) for participants of the Program of Comprehensive Assistance for Family Caregivers while VA continues its review.

Researchers Think They've Found the Cause of Gulf War Illness

Here's a recently published study and [article](#) for those of you following the rapidly evolving events around military toxic exposures. A [recent study](#) published in the journal Environmental health perspectives claims to provide proof that Gulf War Illness was caused by sarin.

Providing journal articles or other medical literature as evidence in support of a claim may be beneficial for several reasons:

- Courts have recognized that medical literature can be an important supporting factor when combined with a medical opinion and in some cases provide sufficient evidence of a nexus without the need of medical personnel.
- Favorable medical literature may be informative or persuasive to a medical examiner providing a nexus opinion.
- Including favorable medical literature in support of a claim is important for successful appeals to both the Board of Veterans' Appeals and Court of Appeals for Veterans Claims.

Advocate Spotlight

Back to Basics Results in Retroactive Award

Utilizing VA Systems, such as VBMS and SHARE, and knowing how to review a claims file made all the difference for this incarcerated Veteran.

Earlier this year, TDVS received an inquiry from an incarcerated Veteran that needed assistance with a debt letter. The Tullahoma Field Office established power of attorney and used the techniques outlined above to review the claims file.

The TDVS team member's review of the claims file determined the Veteran had a 100% permanent and total service-connected disability rating, but VA had withheld benefits and established a debt because of an arrest and incarceration in 2015.

Although the Veteran was incarcerated, he had not been convicted of a felony and as a result VA had mistakenly withheld benefits and established a debt. The TDVS team member filed a supplemental claim arguing clear and unmistakable error and provided evidence from the County jail, which confirmed there had not been a conviction.

VA realized their error and adjusted benefits back to the 100% rate and provided retroactive benefits of nearly \$250,000. Utilizing VA Systems, such as VBMS and SHARE, and knowing how to review a claims file made all the difference for this 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

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