

## **TDVS Benefits Bulletin**

**23-2**

### **TDVS Updates**

#### **VA and Veteran Benefit Updates**

#### **Practice Like a Pro**

#### **Advocate Spotlight**

*This month's bulletin is 1,416 words and will take just over 5 minutes of your time.*

### **1 big thing: Veterans experiencing a suicidal crisis may receive emergency care at no cost.**

Since January 17, **Veterans in suicidal crisis can go to any VA or community health care facility** for free emergency health care.

**Between the lines:** But there are eligibility requirements to receive this free care. Eligible individuals, regardless of VA enrollment status, are:

- Veterans who were discharged or released from active duty after more than 24 months of active service under conditions other than dishonorable.
- Former members of the armed forces, including reserve service members, who served more than 100 days under a combat exclusion or in support of a contingency operation either directly or by operating an unmanned aerial vehicle from another location who were discharged under conditions other than dishonorable.
- Former members of the armed forces who were the victim of a physical assault of a sexual nature, a battery of a sexual nature, or sexual harassment while serving in the armed forces.

### **Here's more background -**

- [VA Press Release](#)
- [Interim Final Rule](#) in Federal Register Establishing Authority
- TDVS's VSO Toolbox - [VA Fact Sheet](#): Emergent Suicide Care and Treatment

## **TDVS Updates**

### **Suicide Prevention**

**Tennessee's Veteran suicide rate is too high.** [Tennessee's Veteran suicide rate](#) is higher than both the National and Southern Region Veteran suicide rates. TDVS has taken several

actions to reduce this rate and 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 --

- [Governor's Challenge Psych Armor Training Portal](#)
  - **S.A.V.E.** - Signs of suicide, Asking about suicide, Validating feelings, Encouraging help and Expediting treatment
  - Communication Skills with Veterans
  - Advanced De-escalation Techniques
  - And many, many more!

### [Instructions to Join Tennessee's Governor's Challenge Training Portal](#)

- [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
- [VA S.A.V.E. and a Review of General Suicide Prevention Efforts](#) - [March 2022](#) Monthly Training
- [Suicide Prevention and TN Dept. of Health County Health Councils](#) - [February 2023](#) Monthly Training

Here is a quick recap of available resources --

- [Veterans Crisis Line](#) (**Dial 988 then Press 1**) – Use when confronted with an immediate need for intervention.



- The [Tennessee Suicide Prevention Network \(TSPN\)](#) is a resource for training and suicide prevention, intervention and postvention resources for your organization, but not when confronted with an immediate need for intervention.
- Tennessee's [Department of Health](#)
  - [Suicide Prevention Mailing List](#)
  - [Suicide Prevention in Tennessee 2022 Annual Report](#)
  - [2021-2022 Mental Health and Suicide Prevention Services Statewide Directory and Resource Information Guide](#)

TDVS Town Hall



Training Updates

- March Lunch and Learn, March 8<sup>th</sup>, 11:30 to 12:30 p.m. CST
  - PACT Act Updates: New Forms, Lessons Learned from Decisions, and More
- April Regional Quarterly Training (Mandatory Training)
- Initial Accreditation Training, April 24 - 28
- May Lunch and Learn, May 10<sup>th</sup>, 11:30 to 12:30 p.m. CST
  - TN State Parks and TN Dept. of Transportation Veteran Programs
- June Lunch and Learn, June 14<sup>th</sup>, 11:30 to 12:30 p.m. CST
- [2023 Training Schedule Published](#)

### VetraSpec Working Group

**TDVS has established a VetraSpec Work Group** to assess and recommend improvements to VetraSpec and its utilization to support consistent operations.

It includes representation from a broad variety of VetraSpec users –

- TDVS Leadership,
- TDVS Employees;
- County Service Officers Representatives from Each Region; and
- Representatives from TN County Veterans Service Officer Association.

It's been hard at work on issues like –

- VetraSpec Improvements – provided VetraSpec with recommendations for system improvements.
- Consistent Usage – collecting and disseminating of best practices to enhance service to Veterans and improve efficiency.
- Imagining the Future – articulating what the perfect claims management system might look like and participating in system demonstrations.

**Contact your [Regional Director](#)** to learn more about your Region's representatives and how you can engage and offer ideas.

### PACT Act Toolbox – Updates

**TDVS has created a [PACT Act Toolbox](#)** to help you serve Tennessee Veterans and their families. It's an advocate's one-stop shop for all things PACT Act –

- VA Fact Sheets
- VA Web Resources
- TDVS Fact Sheet
- TDVS FAQs
- Bill Text, Summaries, and More
- Training Resources

#### **What's new:**

- PACT Act Claim Receipt and Production Data

## VA and Veteran Benefit Updates

### VA Changes Procedures for Alternate Signers

**VA recently updated its procedures for alternate signer certifications** affecting disability compensation, pension, and survivor benefit programs.

- VA will now accept alternate signer certification when the VA Form submitted contains the certification below.
- A valid alternate signer can support the claims they have satisfactorily filed for the life of that claim.

**Why it matters:** Frequently the age or disability of the Veterans we serve requires the use of an alternate signer. These procedural changes allow advocates to utilize this tool in a more efficient manner.

Here’s an example of an alternate signer certification section taken from the July 2022 version of the VA Form 21P-534EZ, Application for DIC, Survivors Pension, and/or Accrued Benefits:

SECTION XIV: ALTERNATE SIGNER CERTIFICATION AND SIGNATURE (NOTE: REQUIRED ONLY IF ITEM 12B IS BLANK)	
<p>I certify that by signing on behalf of the claimant, that I am a court-appointed representative; <b>OR</b>, an attorney in fact or agent authorized to act on behalf of a claimant under a durable power of attorney; <b>OR</b>, a person who is responsible for the care of the claimant, to include but not limited to a spouse or other relative; <b>OR</b>, a manager or principal officer acting on behalf of an institution which is responsible for the care of an individual; <b>AND</b>, that the claimant is under the age of 18; <b>OR</b>, is mentally incompetent to provide substantially accurate information needed to complete the form, or to certify that the statements made on the form are true and complete; <b>OR</b>, is physically unable to sign this form.</p> <p>I understand that I may be asked to confirm the truthfulness of the answers to the best of my knowledge under penalty of perjury. I also understand that VA may request further documentation or evidence to verify or confirm my authorization to sign or complete an application on behalf of the claimant if necessary. Examples of evidence which VA may request include: Social Security Number (SSN) or Taxpayer Identification Number (TIN); a certificate or order from a court with competent jurisdiction showing your authority to act for the claimant with a judge's signature and a date/time stamp; copy of documentation showing appointment of fiduciary; durable power of attorney showing the name and signature of the claimant and your authority as attorney in fact or agent; health care power of attorney, affidavit or notarized statement from an institution or person responsible for the care of the claimant indicating the capacity or responsibility of care provided; or any other documentation showing such authorization.</p>	
14A. ALTERNATE SIGNER SIGNATURE	14B. DATE SIGNED (MM/DD/YYYY) <div style="border: 1px solid black; width: 100%; height: 20px; display: flex; align-items: center; justify-content: center;"> <span style="border: 1px solid black; width: 20px; height: 15px; display: inline-block;"></span> /              <span style="border: 1px solid black; width: 20px; height: 15px; display: inline-block;"></span> /              <span style="border: 1px solid black; width: 20px; height: 15px; display: inline-block;"></span> </div>

**I need more:**

- VA’s Adjudication Procedures Manual – [M21-1, Part II, Subpart i. 2.B.3.](#)
- March’s Lunch & Learn will include discussion of recent changes to VA forms.

### Supreme Court Decision

**The Supreme Court decided** VA cannot assign an earlier effective date than the date the VA received the claim even if a service-connected condition prevented the Veteran from meeting a filing deadline.

**Why it matters:** There are several exceptions to the general rule on effective dates that allow VA to award an effective date earlier than the day VA received the claim. Some examples include -

- Claims Based Upon Clear and Unmistakable Error
- Disability Compensation Claims Received Within One Year of Discharge
- DIC Claims Received Within One Year of Veteran's Death
- Reconsideration Due to Newly Obtained Military Service Department Records

**Now what:** This opinion is not favorable for Veterans. Even if there are extraordinary reasons a Veteran did not file a claim within a year of discharge, courts cannot create additional exceptions to the general effective date rule of 38 U.S.C. § 5110 beyond those exceptions articulated by Congress.

Check out the Court's opinion in [Arellano v. McDonough](#) for yourself.

#### Copayment Exemption for Indian Veterans

**VA has proposed to waive copayments** for eligible American Indian and Alaska Native Veterans.

**Why's this happening:** This regulation implements a requirement from a 2021 law – The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020.

- The intent of this policy is to encourage Veterans to seek regular primary care treatment, which can yield better health outcomes.

**Here's more background –**

- [VA Press Release](#)
- [Proposed Rule](#) in Federal Register

#### Practice Like a Pro

**One way to reduce appeal wait times** is by providing solid counsel on decision review options.

Here are several tools VA created to assist representatives with discussing the supplemental claim and HLR decision review options.

- [AMA Brochure](#): This is a tri-fold document providing a detailed overview of AMA. It provides information about both the supplemental claim and HLR decision review options.
- [AMA Infographic](#): This simple, 1-page document visually depicts the HLR, supplemental claim, and Board review options utilizing a car lane metaphor.
- [AMA Fact Sheet](#): The fact sheet provides information about the supplemental claim and HLR decision review options.
- [Informal Conference Fact Sheet](#): The fact sheet provides information about the Informal Conference option within the HLR decision review option.

**What's next:** Next month's practice like a pro segment will return to the topic of developing medical evidence to support a claim. We'll build upon this discussion with –

- Look at January's 2023 NVLSP Battle of the [Medical Experts Presentation](#)
- Next Benefit Bulletin – More About Private Medical Opinions – Here's a preview of [NVLSP's sample letter](#) to a medical professional requesting a medical opinion.
- More Advocacy Tips
- Hands On Practical Exercises

Contact your Regional Director or the Appeals & Accreditation Division [Training Team](#) for Small Group Training.

### **Advocate Spotlight**

Please join us in welcoming Tennessee's newest accredited representatives:

Jacqueline Bumpas, Nashville Field Office, TDVS  
Ashley Capps, Putnam County  
George Davis, Chattanooga Field Office, TDVS  
Benjamin Eley, Bedford County  
Douglas Gale, Stewart County  
Gwenda Harder, Robertson County  
Tommy Harveston, Rhea County  
Jared Kennamer, Warren County  
Terald Kiehn, Benton County  
Mark Lytle, Warren County  
Melissa Moore, Cheatham County  
Ronald Pulley, Wayne County

Myleisha Wharton, Wilson County

Congratulations on your recent completion of TDVS's Accreditation Course and TDVS accreditation!

*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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