

TDVS Benefits Bulletin 25-1

This month's bulletin is 1,720 words and will take just over 7 minutes of your time.

1 BIG THING: TDVS Jackson Field Office - Ribbon Cutting Ceremony



TDVS Updates

☐ TDVS' Knowledge Library

- ☐ Added 2023 TDH Suicide-Prevention-Resource-Guide – VSO Tools – General Health Care – Suicide Prevention OR VSO Tools - Publications
- ☐ Added Benefits Bulletin 24-12 – VSO Tools – TDVS Benefits Bulletin
- ☐ Added VBA VSO Quarterly Meeting Slides – VSO Tools – VBA VSO Quarterly Meeting - FY25
- ☐ Added 2024 Access to U.S. DOD Installations for Eligible Veterans and Caregivers – VSO Tools – Publications
- ☐ Added TN County and State Service Officer Contact Roster January 2025 – VSO Tools – Organizations
- ☐ Added VA Presumptive Exposure & Locations PACT Act Update 01.08.2025 – Honoring Our PACT Act Toolbox – Job Aids

What's next:

- **January Mandatory Quarterly Accreditation Training** – NVLSP Webinar: Identifying Duty to Assist Errors: Reasons Why a VA Medical Examination May be Inadequate – Available Monday, January 20, 2025 – Friday, January 31, 2025
- **February Lunch & Learn** – Wednesday, February 12, 2025, 11:30 – 12:30 CST – Complex Claim Assistance – Discharge Upgrades
- **March Lunch & Learn** – Wednesday, 12, 2025, 11:30 – 12:30 CST – TBD
- **April Mandatory Quarterly Accreditation Training** – Regional / In-person
 - Region 1: April 8, 2025; 9:00am – 4pm; Jackson Area Chamber of Commerce, 197 Auditorium St. Jackson TN 38301
 - Region 2: April 1, 2025; 9:00am – 4pm; Memorial Building, 308 W 7th St., Columbia, TN 38401
 - Region 3: April 10, 2025; 9:00am – 4pm; Veterans Memorial Building, 90 East Spring Street, Cookeville, TN 38501
 - Region 4: TBD; 9:00am – 4pm; TBD

2025 Training Schedule

*We value your input! To ensure future training offerings are relevant, impactful, and meet your advocacy needs, we want to hear from you. Please take a moment to **share your ideas** for training topics or subjects you'd like to see included in upcoming training sessions.*

[Learning Opportunity](#)

REGISTER HERE



VA and Veteran Benefit Updates

[Interim Final Rule – Presumptive Service Connection for Bladder, Ureter, and Related](#)

VA has published an interim final rule in the Federal Register to amend its adjudication regulations to establish presumptive service connection for urinary bladder, ureter, and related genitourinary cancers due to exposure to Particulate Matter for certain Gulf War and Post-9/11 Veterans.

Why it matters: Presumptions lower the burden of proof for Veterans. Rather than proving their service caused their condition, VA assumes their exposure to burn pits and other toxins caused their condition. This is another example of VA using the process established by the PACT Act to establish additional presumptive service-connected conditions based on toxic exposures.

Here's more:

- **Interim Final Rule**
- **Federal Register**
- **VA Press Release**

[Interim Final Rule – Presumptive Service Connection for Leukemias, Multiple Myelomas, Myelodysplastic Syndromes, and Myelofibrosis Due to Exposure to Fine Particulate Matter](#)

VA has published an interim final rule in the Federal Register to amend its adjudication regulations to establish presumptive service connection for acute leukemias, chronic leukemias, multiple myelomas, myelodysplastic syndromes (MDS), and myelofibrosis due to exposure to Particulate Matter for certain Gulf War and Post-9/11 Veterans.

Why it matters: Presumptions lower the burden of proof for Veterans. Rather than proving their service caused their condition, VA assumes their exposure to burn pits and other toxins caused their condition. This is another example of VA using the process established by the PACT Act to establish additional presumptive service-connected conditions based on toxic exposures.

Here's more:

- **Interim Final Rule**
- **Federal Register**
- **VA Press Release**

👉 **Don't forget: 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 –

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

[Proposed Rule – Amendments to the Program of Comprehensive Assistance for Family Caregivers \(PCAFC\)](#)

VA has published a proposed rule in the Federal Register to revise the regulations that govern VA's PCAFC. This proposed rule explains numerous changes VA is considering making that would primarily impact PCAFC, including, but not limited to, removing, adding, and revising definitions; revising criteria related to eligibility, revocations, and discharges; revising certain processes related to reassessments and the timing of reassessments; and relaxing in-home visits during emergencies.

Why it matters: This proposed rule has the potential to expand the availability of PCAFC benefits. It also seeks to address issues such as inconsistent application and eligibility assessments and reassessments that have plagued the PCAFC program.

Here's more:

- [Proposed Rule](#)
- [Federal Register](#)
- [Media Coverage – Military.com](#)

📄 **Don't forget:** Here's an updated **TDVS Fact Sheet** that outlines the history of PCAFC's expansion and issues that have plagued the program. It also includes several resources to support your advocacy on behalf of Veterans and their caregivers.

[VA Lowers Life Insurance Premiums for More Than 3 Million Veterans, Service Members, and Spouses](#)

More than 3 million Veterans, service members, and spouse will receive a discount on life insurance premiums starting in the spring of 2025. The decreased rates vary by program (VGLI, SGLI and FSGLI) and policyholder. All those eligible for this update will automatically receive the discounted rates without any action on their parts.

Here's more:

- [VA Press Release](#)
- [June 2022 TDVS Lunch & Learn – VA Insurance – Training Resources - Monthly Training 2022](#)

[Proposed Rule – Servicemembers' Group Life Insurance and Veterans' Group Life Insurance- Accelerated Benefit Option Regulation Update](#)

VA has published a proposed rule in the Federal Register to amend its regulations governing Servicemembers' Group Life Insurance (SGLI), Family SGLI (FSGLI), and Veterans' Group Life Insurance (VGLI) to allow an alternate applicant to apply for an Accelerated Benefit when a member is terminally ill and mentally incapacitated or when a member's insured spouse is terminally ill and the member is mentally incapacitated.

Why it matters: Federal law allows the payment of accelerated death benefits to terminally ill members in SGLI, FSGLI, and VGLI programs. These proposed regulatory changes would ease the burden for terminally ill members to access and for VA to adjudicate requests for the accelerated benefit.

Here's more:

- [Proposed Rule](#)
- [Federal Register](#)
- [June 2022 TDVS Lunch & Learn – VA Insurance – Training Resources - Monthly Training 2022](#)

Practice Like a Pro

[VA's Failure to Provide Veterans with an Adequate Medical Examination or Opinion](#)

VA has a compensation and pension examination problem. You hear about it from the Veterans you serve. Frequently, your disagreements and the positive dispositions obtained at the Board of Veterans' Appeals are a result of VA's failure to provide an adequate medical examination or opinion.

Dig deeper: VA's Medical Disability Examination Office **presentation** and the C&P exam practical

application session at Annual Conference were a good starting point in equipping you with the knowledge needed to identify and appeal decisions based on inadequate exams.

January's quarterly accreditation training will expand upon this knowledge. This webinar will enhance your ability to practice like a pro by covering -

- How to determine if the VA erred by failing to provide an examination or opinion in the first place.
- A summary of the most common reasons VA examinations and opinions are found to be inadequate.
- The types of claims for which VA most frequently provides inadequate examinations and opinions.
- Boilerplate language, with helpful case law citations, that advocates can use to persuade the VA that an examination is inadequate.
- How to effectively argue that the VA must provide a veteran with a new medical examination or opinion.

I need more:

- TDVS 2024 Annual Training Conference (Day 2) - **Medical Disability Examination Office Presentation**
- TDVS 2024 Annual Training Conference (Day 2) - **C&P Exams Practical Application Session Presentation**
- TDVS 2024 Annual Training Conference (Day 3) - **Toxic Exposure Risk Activity (TERA) Claims Training**

📄 **Don't forget:** The Pact Act included a provision that triggers a VA examination / opinion for certain Veterans with evidence of participation in a TERA, even when claiming certain non-presumptive conditions.

□ Advocacy Spotlight

Duty to Assist Error Paves the Way for a Grant of Benefits

VA has a duty, i.e. legal obligation, to assist Veterans in gathering information and evidence that may help support the Veteran's claim. Understanding these duties and effectively arguing on behalf of your clients is a key component of effective advocacy. This month's Advocate Spotlight highlights a County Veteran Service Officer's (CSO) effective use of this advocacy strategy to support a Tennessee Veteran.

Background: The Veteran was a member of the Tennessee Army National Guard from September of 1976 to August of 1988. He served on active duty for training from October 1976 to January 1977 and also had annual periods of active duty for training through 1984, during which his principal duties included cannoneer, gunner and Chief of Howitzer Section. The RO denied his initial claim for tinnitus. The CSO helped the Veteran file a timely appeal to BVA. Along with the appeal, the CSO identified and argued that VA had failed in its duty to assist this Veteran in gathering the evidence needed to support his claim.

Why it matters: In this case, the BVA agreed with the CSO's argument. It found a pre-decisional duty to assist error because of VA's failure to obtain service treatment records. Although the RO tried to obtain them from NPRC, it did not contact any other repositories, such as the Veteran's Army National Guard Unit and/or the pertinent state Adjutant General, that had been identified by the CSO. On remand, the Veteran was awarded benefits. Although, it was only a modest retroactive award, the Veteran was almost in tears, and you would have thought he was granted 100% P&T. Each case matters to the Veterans you serve.

I need more:

- TDVS 2024 Annual Training Conference (Day 1) - **Navigating the Modernized / AMA VA Review System** – Includes Information on VA's Duty to Assist Under the Appeals Modernization Act
- TDVS 2024 Annual Training Conference (Day 2) – **Duty to Assist and Locating Records**



*Are you a Veteran in crisis or concerned about one? You're not alone - the **Veterans Crisis Line** is here for you. You don't have to be enrolled in VA benefits or health care to call.*

*Do you have an advocacy success story or something you'd like to see included in an upcoming bulletin? If so, **share**.*

*Past TDVS Benefits Bulletins Can Be Found on the **VSO Tools** Portion of TDVS's Knowledge Library*



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