

TDVS Benefits Bulletin
20-12

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TDVS Updates

TDVS's December Lunch and Learn: Death Benefits

TDVS's next lunch and learn will be on Wednesday, December 9th from 11:30 to 12:30 C.S.T.

Virtual Hearing Update

The TDVS Board of Veterans' Appeals Team has received overwhelming support from County offices offering assistance to support Board of Veterans' Appeals (BVA) Virtual Hearings. Please remember that these hearings are conducted in the order that the appeals are received, so a Veteran submitting a VA Form 10182 today cannot "skip the line" by requesting a virtual hearing. If you have a Veteran that is interested in a Virtual Hearing, please simply make a note in VetraSpec so the BVA Team will be aware of the interest when that Veteran is eligible for a hearing.

BVA has introduced a new process for scheduling virtual hearings and has begun sending [letters](#) to Veterans to let them know that the BVA has reserved a date and time for a Virtual Hearing. The letter states that the Veteran must then call the BVA to let them know that he or she intends to keep the reservation and conduct the hearing. The letter also states that at the time of the call, the Veteran must give the name and email address of his or her representative. As a result, you may receive calls from your Veterans asking for your email for an upcoming hearing. **If a Veteran calls you for your email address to give to the BVA, please contact or have the Veteran contact the Appeals Division at 615-695-6385 to connect with an Appeals Advocate. Do not give the Veteran your email address to give to the BVA, as this will cause significant scheduling issues for VA and TDVS's BVA Team.**

VA and Veteran Benefit Updates

COVID & VHA's Monthly Patient Statements

A recent [VA Vantage Point blog post](#) provided information on copayments for medical care and prescriptions. In April, VHA stopped mailing monthly patient statements, which include balances owed for copayments for medical care and prescriptions. These monthly statements may resume in January 2021 and will include all unpaid copayment charges. In November, veterans with an account balance received an information only letter and a call if their balance was more than \$2000. Veterans can check an account balance, pay on a balance or request debt relief.

For more information, visit <https://www.va.gov/health-care/pay-copay-bill/financial-hardship/> or contact a VA medical center billing office.

COVID and VA's Debt Management Center

A recent [VA Vantage Point blog post](#) provided information on VA Debt Management Center's resumption of issuance of debt notification letters as well as collection actions beginning January 1, 2021. The DMC has suspended the issuance of debt notification letters and the collection of certain debt on April 3, 2020 in order to ease financial difficulties associated with the COVID-19 pandemic.

For more information, visit <https://www.va.gov/debtman>.

New VA Forms

The VBA continues to modernize the claims processes to provide faster and more efficient delivery of benefits to Veterans and their families. As such, the VBA has created five new forms for specific types of requests to be used in lieu of the VA Form 21-4138. The new forms are as follows:

- VAF 20-10206 – FOIA/Privacy Act Request
- VAF 20-10207 – Priority Processing Request
- VAF 20-10208 – Document Evidence Submission
- VAF 20-10210 – Lay/Witness Statement
- VAF 28-10212 – Ch 31 Request for Assistance

VetraSpec is aware of and working to add these forms now. Additional information on the new forms can be found on the TDVS training website [here](#).

New Benefits Rate Tables Effective December 1, 2020

VA's new rate tables are now available on VA's website:



[Veteran Compensation Benefits Rate Table](#)

[Veterans Pension Rate Table](#)

[Survivors Pension Rate Tables](#)

[DIC Rate Tables](#)

Quality Review Insights

VA Form 21-4142 and VA Form 21-4142a and Private Medical Records

VA Form 21-4142 (Authorization to Disclose Information to the Department of Veterans Affairs) and VA Form 21-4142a (General Release for Medical Provider Information to the Department of Veterans Affairs) are used when authorizing VA to request evidence from private healthcare providers.

The VA Form 21-4142 and 21-4142a is **not** used to request VAMC and/or DoD records.

When submitting medical records requests to VA, the VA Form 21-4142 is valid for 12 months. There is no need to send this form with multiple claims within the same 12-month period. The VA Form 21-4142a, however, is unique to a specific claim only. Please send one with each claim seeking evidence from private healthcare providers.

You do not need to provide a VA Form 4142 and 4142a if you have the private medical records the claimant is authorizing VA to request. If you have the records and they support the claim for benefits, file them as you would other evidence.

The [M21-1](#) provides additional detail on how VA requests evidence from private healthcare providers.

Practice Like a Pro

Pension Management Center Updates

The Pension Management Center recently provided updates on several issues including changes to expense requirements for accepting nursing home, facility other than nursing home, and in-home sitter fees changed. Notes and information from that update can be found on TDVS's training website [here](#).

National Veterans Legal Services Program (NVLSP) Win for Blue Water Vietnam Veterans

On November 5, 2020, the U.S. District Court for the Northern District of California ruled in favor of thousands of Blue Water Navy Vietnam Veterans and their survivors in response to



the motion filed by attorneys from the National Veterans Legal Services Program (NVLSP) to enforce the 29-Year Old Class Action Consent Decree in [Nehmer v. U.S. Department of Veterans Affairs](#). The Court ordered the VA to automatically readjudicate thousands of benefits claims that the Court found had been wrongly denied under the Consent Decree. The Court also ordered the VA to pay retroactive compensation if it finds the veteran served in the territorial seas of Vietnam.

For more information on this Court order, please visit the NVLSP website, [here](#).

COVID-19 and Remote Claims Assistance

As a reminder, additional updates related to COVID-19 and tips on providing remote claims assistance can be found in the [special TDVS Benefit Bulletin](#). TDVS has provided three updates during the evolution of the Novel Coronavirus outbreak.

TDVS Benefits Bulletins Can Be Found on the [VSO Tools](#) Portion of TDVS's Website