

**TDVS Benefits Bulletin**  
**20-8**

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**TDVS Updates**

Monthly Lunch and Learns

During June's regional training, a poll question was asked if TDVS employees and County Partners would be interested in TDVS Monthly training, and 60% of those polled were interested.

Beginning July 8<sup>th</sup>, TDVS began a VSO/VRC webinar training on the second Wednesday of each month at 11:30 – 12:30 CST. The training will last no longer than one hour and provide information on varying subjects. The next monthly Lunch and Learn will be Wednesday, August 12, from 11:30 -12:30 CST and focus on Effects of Incarceration on Entitlement to Receive VA Compensation and/or Pension Benefits.

Presentations and handouts are available on the [Monthly Training](#) portion of TDVS's website following the Lunch and Learn.

**VA and Veteran Benefit Updates**

Proposed Rule – Update and Clarify Regulatory Bars to Benefits Based on Character of Discharge

On July 10, 2020, VA published a [proposed rule](#) in the Federal Register to update and clarify regulatory bars to benefits based on character of discharge. Generally, a veteran's character of discharge or service must be under other than dishonorable conditions in order to be eligible for many VA benefits.

VA and DoD have collaborated on a helpful online [tool](#) to assist veterans with the discharge upgrade process.

Final Rule – Program of Comprehensive Assistance and Family Caregivers Improvements and Amendments Under the VA MISSION Act of 2018

TDVS [Benefits Bulletin 20-3](#) provided information on a [proposed rule](#) in the Federal Register that related to the Program of Comprehensive Assistance for Family Caregivers (Caregiver Program). Specifically, VA proposed addressing improvements and amendments made by the VA MISSION Act of 2018. Notably, the VA MISSION Act of 2018 expanded eligibility to the Caregiver Program to veterans of all eras. The proposed rule did not provide a timeline for that expansion.

On July 31, 2020, VA published a [final rule](#) in the Federal Register, which becomes effective October 1, 2020, that revises VA's regulations governing the Caregiver Program. This final rule includes significant changes including the start of the phased expansion of eligibility to veterans of all eras. In October, VA expects to expand this program to veterans that incurred or aggravated a serious injury in the line of duty in active military service on or before May 7, 1975. The final phase of expansion will occur two years after this first step.

VA has developed a series of [Frequently Asked Questions](#) related to the final rule.

### Education Service Realignment

VBA's Education Service has consolidated its education claims processing into two [Regional Processing Offices](#) (RPO) – Buffalo and Muskogee. Tennessee education claims had previously been under the jurisdiction of the St. Louis RPO. No action is required by veterans or dependents using education benefits or by educational institutions.

GI Bill Beneficiaries who require assistance, can contact the Education Call Center at 888-442-4551 between 7 a.m. – 6 p.m. CST, Monday to Friday.

### **Quality Review Insights**

#### Appeals Modernization

There are three options for disagreeing with a VA decision issued on or after February 19, 2019.

- Supplemental Claim (VA Form 20-0995)
- Higher Level Review (VA Form 20-0996)
- Decision Review Request: Board Appeal (Notice of Disagreement) (VA Form 10182)

These options do not need to be selected in any type of sequential order. For disagreements with decisions prior to February 29, 2019 you will need to file a Supplemental Claim. **The VA Form 21-0958 is no longer in use** and new appeals are no longer accepted using this legacy form/appeals process.

### VetraSpec's Package a Claim Reminders

- Please do not package a VA Form 21-0966 and application for the SAME BENEFIT identified on the 0966 on the same day. Please avoid packaging a VA Form 21-0966 (Intent to File) for a veteran if you will package an application for the same benefit identified on the intent on the same day. If an intent and application for benefits are filed on the same day, the Appeals Division will file only the application because the intent would not be effective if filed the same day as an application for benefits.
- Please attempt to package all documents relevant to a claim or other filing in the same package. The Appeals Division has encountered instances where a 21-22 is packaged, then a short time later a 21-0966 or 21-526EZ is packaged, then supporting evidence for that claim or a 4138 is packaged all within a short time period. To the greatest extent possible, these forms/documents should all be included in one package. This assists the Appeals Division in conducting quality review and ensuring a claim remains fully developed by submitting the claim, and any additional evidence, forms or documents as a single filing.
- Need More Information. When a package has been marked as "Need More Information" by the Appeals Division, the relevant Regional Director will be engaged to assist in obtaining necessary corrections. Once corrections have been made, please create a new package that includes all forms and documents that need to be filed with VA. Unless otherwise noted, no items from the package marked as "Need More Information" will be filed.

### Digital Filing Refresher

- Military Service Information. Section V of the 21-526EZ requires information about a veteran's military service. Much of the information in blocks 18A. to 23B. is required in order to successfully file using D2D. Some digital filing tips related to military service include:
  - VetraSpec has annotated blocks 20C through 23B in red text in order to assist users in properly completing military service information.
  - The National Guard and Reserve addresses are limited to 20 characters.
  - Military Service information can be entered in the "Military Service" tab of VetraSpec in order to auto-populate 21-526Ezs. Select the "Military Service" button from VetraSpec's menu and either "Add New" or "Edit this Record" to add or edit a veteran's military service information.



- **Required Fields Must be Completed.** VetraSpec has annotated D2D eligible forms with red text to highlight required fields, special character rules, and provide other tips. An example is below.
  - Most fields do not allow special characters. Use *only* letters and numbers in fields, unless VetraSpec’s red text indicates otherwise. If a special character is needed, replace it with the word that describes the character. I.E., write the word “percent” instead of using %. Do not use apostrophes.
  - All dates must be complete. IE, MM-DD-YYYY. Partial dates are not accepted in *any* field, including the treatment dates and military service fields on the 21-526EZ.
    - Block 17B must be complete for successful D2D filing even though Block 17 of the current version of the 21-526EZ includes an option to check if you do not have treatment dates.
  - “Yes/No” (checkboxes) on the forms must be answered either Yes or No.
  - Direct deposit information is no longer required on the 526EZ if already established with VA.

18A. DID YOU SERVE UNDER ANOTHER NAME? <input type="checkbox"/> YES (If "Yes," complete Item 18B) <input type="checkbox"/> NO (If "No," skip to Item 19A)		18B. PLEASE LIST THE OTHER NAME(S) YOU SERVED UNDER <input type="text"/>	
19A. BRANCH OF SERVICE (Check all that apply) <b>You must check one.</b> <input type="checkbox"/> ARMY <input checked="" type="checkbox"/> NAVY <input type="checkbox"/> MARINE CORPS <input type="checkbox"/> AIR FORCE <input type="checkbox"/> COAST GUARD		19B. COMPONENT (Check all that apply) <b>You must check one.</b> <input type="checkbox"/> ACTIVE <input type="checkbox"/> RESERVES <input type="checkbox"/> NATIONAL GUARD	
20A. MOST RECENT ACTIVE SERVICE DATES (MM,DD,YYYY) <b>Required.</b> Month Day Year ENTRY DATE: September 4 1991 EXIT DATE: September 4 1994		20B. PLACE OF LAST OR ANTICIPATED SEPARATION <b>Required.</b> <input type="text"/> Norfolk VA	
20C. DID YOU SERVE IN A COMBAT ZONE SINCE 9-11-2001? <b>You must check one.</b> <input type="checkbox"/> YES <input type="checkbox"/> NO		20D. ADDITIONAL PERIODS OF SERVICE (Indicate enlistment and discharge dates, if applicable) <b>VETASPEC INSTRUCTIONS: If you have more than one additional period of service, please use a 4138 to list them.</b> Enlistment Date(s) Discharge Date(s) Month Day Year Month Day Year	
21A. ARE YOU CURRENTLY SERVING OR HAVE YOU EVER SERVED IN THE RESERVES OR NATIONAL GUARD? <b>You must check one.</b> <input type="checkbox"/> YES <input type="checkbox"/> NO (If "Yes," complete Items 21B thru 21F) (If "No," skip to Item 22A)		21B. COMPONENT <input type="checkbox"/> NATIONAL GUARD <input type="checkbox"/> RESERVES	
21D. CURRENT OR LAST ASSIGNED NAME AND ADDRESS OF UNIT: Unit Name Address Name State Address City State ZIP		21E. CURRENT OR ASSIGNED PHONE NUMBER OF UNIT (Include Area Code) <input type="text"/>	
21F. ARE YOU CURRENTLY RECEIVING INACTIVE DUTY TRAINING PAY? <b>You must check one.</b> <input type="checkbox"/> YES <input type="checkbox"/> NO		21C. OBLIGATION TERM OF SERVICE From: Month Day Year To: Month Day Year	
22A. ARE YOU CURRENTLY ACTIVATED ON FEDERAL ORDERS WITHIN THE NATIONAL GUARD OR RESERVES? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "Yes," complete Items 22B & 22C)		22B. DATE OF ACTIVATION: (MM,DD,YYYY) Month Day Year <input type="text"/>	
23A. HAVE YOU EVER BEEN A PRISONER OF WAR? <input type="checkbox"/> YES (If "Yes," complete Item 23B) <input type="checkbox"/> NO		22C. ANTICIPATED SEPARATION DATE: (MM,DD,YYYY) Month Day Year <input type="text"/>	
23B. DATES OF CONFINEMENT (MM,DD,YYYY) From: Month Day Year To: Month Day Year <input type="text"/>			

Additional digital filing tips can be found here -- [Digits to Digits and Digital Filing Fact Sheet](#)

## **Practice Like a Pro**

### Board of Veterans' Appeals Workload and Production Metrics

One of the most common questions posed to you as an advocate is when a veteran or claimant can expect a hearing or decision on their appeal. The Board of Veterans' Appeals (BVA) publishes [metrics](#) that can assist you in answering this question

As of the end of June, BVA' legacy decision docket date was April 2020. This means BVA is making decisions on legacy appeals that were certified to the BVA and docketed in April of this year. The Appeals Division certainly has seen legacy appeals that have a much later date. It's difficult to predict resolution or hearing time frames because many hearings have been postponed as a result of BVA's response to the COVID-19 pandemic.

Board Appeals under the Appeals Modernization Act (VA Form 10182) are being resolved much quicker. Thru June 2020, the average days to complete an appeal from Board intake are 177 days for direct review, 201 days for evidence and 251 days for hearing.

A claimant can also check their appeal status via [VA.gov](#).

Over the next several weeks, BVA will be sending veterans and claimants that requested [travel board](#) or [video teleconference](#) hearings letters urging them to opt-in to a virtual hearing as a result of significant delays in scheduling travel board and video teleconference hearings.

TDVS has successfully transitioned both video teleconference and travel board hearings to virtual hearings. Since BVA's postponement of in-person hearings in late March, TDVS has successfully held nearly 70 virtual hearings. Please contact the [Appeals Division](#) if you or a client would like to opt-in or have questions regarding a virtual hearing. [VA Video Connect for iOS Devices](#) and [Web User Guides](#) are available to assist veterans in accessing the technology that is required for Virtual Hearings.

### Accessing VA Systems (VBMS; SHARE) Through Desktop

You can now access VA Systems such as VBMS and SHARE through a desktop application available via Citrix. This method of accessing VA systems provides a quicker connection and reduces the timing out that frequently occurs when accessing through the RO5VBAAPPS folder. Instructions for navigating to VBMS and SHARE using the desktop are [available 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*