

DVS Training Document

Subject: FDC Guidance
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Date: March 7, 2016

What Massachusetts Veterans Need To Know

Besides having a copy of your DD 214, this may be one of the most important documents you need to review and save!

The Veterans Administration and the Commonwealth of Massachusetts offer a number of benefits to Veterans and surviving spouses. This document is *not* a complete list of all benefits you may be eligible or entitled to.

By law, the Commonwealth of Massachusetts requires every city and town to have a Veteran Service Officer (VSO) to assist Veterans in obtaining federal and state benefits. *Please do not try to do this on your own!*

Your local VSO is a Veteran and is your primary contact to assist you in answering questions and helping you with the necessary paperwork. Work collaboratively with them!

To locate the name and contact information of your local VSO, go to <http://www.massvetsadvisor.org/>. This web site offers a great deal of information about Veterans benefits.

Massachusetts Veterans, in general, are eligible for the following benefits:

- Welcome Home bonus
- Free tuition in all state community colleges, colleges, and universities
- Have the word 'Veteran' printed on their driver's license
- Under Chapter 115 of Massachusetts General Laws (M.G.L. ch. 115), the Commonwealth provides a uniform program of financial and medical assistance for indigent Veterans and their dependents. Qualifying Veterans and their dependents receive necessary financial assistance for food, shelter, clothing, housing supplies, and medical care in accordance with a formula, which takes into account the number of dependents and income from all sources. Eligible dependents of deceased Veterans are provided with the same benefits as they would were the veteran still living.
- May be eligible for long-term care at the Soldiers Homes in Chelsea and Holyoke
- Burial in the state Veterans' cemeteries in Agawam or Winchendon or the Bourne National Cemetery and obtain grave markers
- Veterans License Plates

- Certain disabled Veterans and former POWs are eligible for a waiver of fees for motor vehicle registration and sales tax
- Free medical care by the VA for one year immediately upon discharge
- Participate in the VA Loan Guarantee Program to purchase or refinance a home

Ultimately, you are responsible for helping yourself and need to play an active role in obtaining benefits. The following tips are based on experiences of VSOs and other Veterans that will serve you well!

General information:

1. Always work closely with your local VSO!
2. When mail arrives from the VA or the state, open it and read it. If you do not understand it, contact your VSO for an appointment to assist you.
3. Always save copies of your VA correspondence as well as your correspondence and copies of any claims or paperwork you have filed.
4. Any documentation requested of you by the VA or that you voluntarily wish to submit should go through your VSO to ensure quality control.
5. If you are a 'snowbird' or are traveling for an extended period of time –especially if you have a claim pending – you must let your VSO know. If you miss a VA compensation and pension (C&P) exam your claim will be denied. By letting the VSO know, the exam can be scheduled upon your return or, for example, if you are in Florida for the winter the exam can be scheduled there.
6. Notify your VSO immediately of any change of address, phone number, or dependents' status.
7. If you are changing your direct deposit information, **NEVER** close out your old account until you have confirmed that your direct deposits are showing up in your new account.
8. A Veteran can apply for VA compensation and pension at the same time. The VA will pay the Veteran the higher of the two benefits.
9. VA monetary benefits are tax free.
10. Upon death, a Veteran's compensation or pension benefits do not transfer to a surviving spouse. A surviving spouse may be eligible for VA pension or accrued benefits.

Contact your VSO for more information. Make sure your will is up to date and that the beneficiaries for any pensions and insurance policies are up to date.

VA Specific:

The vast majority of personnel within the Veterans Administration are themselves Veterans. You should consider the VA as operating like the military but without uniforms. Everything they do is governed by laws, rules, and regulations.

Keep in mind, the VA has access to Social Security and IRS records – be truthful at all times.

VA Compensation Claims must be *service connected*. In other words, the injury/disability must have taken place while on active duty and that the condition has been chronic. A previously existing condition made worse through military service is also valid. There are exceptions such as claims regarding Agent Orange and the contaminated water at Camp Lejeune. As a guardsman or reservist, if

the injury happened during a drill weekend, it doesn't count for VA purposes unless you have a Line of Duty (LOD) document.

VA Pension Claims are available to wartime Veterans and surviving spouses. They are based on income and medical expenses. We will not cover that here because of their complexity.

Always work with your VSO!

We are using the VA Fully Developed Claim (FDC) process exclusively for ALL claims because it is much more efficient. The average claim processing time is 120 days. The FDC process is used for new claims, claims for increases in compensation, or to reopen a claim based on new and material evidence. We also use them for pension claims for Veterans and surviving spouses. Once the claim is filed, you will probably not hear from the VA for about 10 weeks.

When a claim is filed, all evidence including private medical records must be included. The VA will obtain your military medical records. If you have received medical care by the VA, note it in the appropriate section of the claim form. The VA will obtain those records, too.

In the case of guardsmen and reservists, you must obtain a complete set of your service treatment records and submit them with the claim. **Note: you cannot double-dip receiving drill pay and VA compensation together.**

If you submit any documents after the fully developed claim has been filed, it will pull the claim out of the fast track and can take a year or more to complete.

If it is going to take a long time for you to gather the evidence, work with your VSO to submit an Intent to file for compensation or pension (VA form 21-0966). That will establish your date of claim and give you a year to formally submit the claim.

Any statement you provide to the VA in support of your claim must focus **ONLY** on what you are claiming! All too often, Veterans will focus on how bad their health is in general. When that happens, the VA, by regulation, takes those additional complaints as *inferred claims* and will automatically pull your claim out of the fast track.

Evidence in support of your claim comes in many forms:

- Veteran statement
- Spouse statement
- Buddy statement (people you served with)
- Internet evidence from .mil or .gov web sites *only*
- Military service treatment records
- Private medical records (keep in mind, providers are required by law to save the records for only 7 years)

Finding people you served with - If you have lost track of people you served with, the Internet can be very helpful. You can utilize social media such as Facebook or search for your particular unit or ship. You will be surprised how many have 'alumni-like' web sites.

Rating Decisions and Appeals

Once your claim has been finalized, you will receive written notification from the VA about their decision and how they made it. Read it very carefully. If you are dissatisfied with the VA rating decision, you have the right to appeal. It is important to work with your VSO because there are different methods to appeal.

Dental plans

The VA has implemented a comprehensive national VA Dental Insurance Program (VADIP) to give enrolled Veterans and CHAMPVA beneficiaries the opportunity to purchase dental insurance through Delta Dental and MetLife at a reduced cost. Participation is voluntary. Purchasing a dental plan does not affect Veterans' eligibility for VA dental services and treatment. VADIP opened November 2014 for the purchasing of plans, with coverage beginning January 1, 2014.

Covered services include diagnostic, preventative, surgical, emergency and endodontic/restorative treatment. Delta Dental and MetLife are offering multiple plans. Each participant pays the fixed monthly premiums for coverage and any copayments required, depending on the type of plan selected. Dependents of Veterans, except those eligible under CHAMPVA, are not authorized to participate in VADIP. Those individuals may be eligible for separate dental insurance coverage offered by these carriers.

Benefits by the percentages

The VA makes a determination about the severity of a disability based on the evidence you submitted as part of a claim, or that the VA obtains from your military records. The VA rates disabilities from 0% to 100% in 10% increments.

If a Veteran has multiple disabilities, the VA uses a Combined Rating Table to calculate a combined disability rating. Disability ratings are not additive, meaning that if a Veteran has one disability rated 60% and a second disability 20%, the combined rating is not 80%.

Here's a look at what the percentages mean:

The benefits are cumulative as the percentages go up so we are not repeating all the info as the percentages increase.

0%>

- A Veteran is service connected for a disability but it is not disabling enough to warrant compensation. However, the Veteran can receive treatment and prescriptions free from the VA. For example, in cases of hearing loss and/or tinnitus, the Veteran can receive free hearing aids.
- The Veteran is eligible for Service-Disabled Veterans Insurance
- A Veteran can be reimbursed for VA co-pays as far back as his date of claim for his service connected disabilities

10%>

- The Veteran begins receiving compensation for the disability
- The Veteran can obtain a VA ID card at any VA Medical Center

DVS Training Document

- The Veteran can receive a real estate tax abatement effective July 1 of each year (surviving spouse is eligible as well) The VA sends a summary of benefits letter in late June.
- The Veteran is eligible for Voc Rehab
- The Veteran is eligible to receive VA compensation and Combat-Related Special Compensation (CRSC). CRSC is not taxable.

30%>

- The Veteran can begin receiving additional compensation for dependents

50%>

- The Veteran can receive all prescriptions free through the VA even for medications for maladies that are not service connected
- The Veteran is eligible to receive VA compensation and Concurrent Receipt and Disability Pay (CRDP) and VA compensation. CRDP is taxable.

60%

- The Veteran is eligible to apply for a Disabled Veterans plate at the Registry of Motor Vehicles if their disability is mobility impairment.

70%>

- VA is mandated to provide long-term care for Veterans who require it in a VA or contracted facility
- Veterans can get a 50% reduction on the 'T' by filling out a Transportation Access Pass/TAP Charlie Card application and attaching an original letter from the VA specifying your disability rating. Go to: http://www.mbtta.com/uploadedFiles/documents/ACCESS_PASS.pdf

100% service connected as well as Individual Unemployability

- The VA will provide total healthcare for the Veteran including dental
- The real estate tax abatement is larger
- The Veteran, with a special letter from the VA, may obtain access to military installations to include commissary and exchange privileges
- The Veteran or DIC recipients are eligible for the DVS Annuity
- Dependents Educational Assistance is established (must be rated total and permanent)
- Spouses and dependent children may be eligible for CHAMPVA medical coverage

(2/15/16 PJB)