



# IOWA COUNTY VETERANS NEWSLETTER

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**Jeffrey T. Lindeman, County Veterans Service Officer**

## SPRING, 2018

### MEMORIAL DAY FLAG ORDER

Posts and Cemetery Officials please contact the Veterans Service Office with your Memorial Day flag order by April 6<sup>th</sup>.

### EMERGENCY MEDICAL BILL CLAIMS

The Department of Veterans Affairs (VA) has published a revised rule that allows payment of hundreds of thousands claims for private sector emergency care that veterans' other health insurance paid in part. Some pending claims for non-VA emergency care were as far back as 2010 and were kept alive by appeal.

The revised rule states it will not allow retroactive reimbursement for non-VA emergency care claim decision that became final before April 8, 2016, the day VA lost a federal court fight in the Staab case. The January 9, 2018, rule expands eligibility for reimbursement of non-VA emergency treatment to any veteran who receives only partial payment for such care from a health-plan contract. It also establishes a reimbursement methodology for payments. The payments are to cover "reasonable costs" to include hospital charges, professional fees and emergency transportation including ambulances. The VA cannot, by law, reimburse for co-pays, cost shares or deductibles requires by other health insurance.

The rule explains that when a judicial decision invalidates a VA regulation or how it interprets a law, it "cannot affect prior final VA decisions" citing two earlier federal court decisions. Therefore, the VA will not retroactively pay benefits for claims that had

final denial decision before April 8, 2016, the date of the decision in the Staab case. The VA had suspended action on any claim for non-VA emergency care, since the Staab decision. As of September 29, 2017, the number of claims held in abeyance totaled 822,000. The VA is now processing those claims using this revised rule.

### SAME-DAY CARE FOR URGENT PRIMARY AND MENTAL HEALTH-CARE NEEDS

The VA announced in mid-January, that 100 percent of its medical facilities across the country now offer same-day services for urgent primary and mental health-care needs.

Same-day service means a veteran with an urgent need for primary care or mental health care services will receive a face-to-face visit with a clinician; advice provided during a call with a nurse; a telehealth or video care visit; an appointment made with a specialist; or a prescription filled the same day, depending upon what best meets the needs of the veteran.

In addition to offering same-day services, VA has reduced patient wait times. The VA has also implemented a new process to ensure timely follow-up appointments for time sensitive medical needs. More than 100,000 such appointments have been completed.

In 2017, Veterans completed over 57.5 million appointments and VA clinicians saw almost 6 million patients. To view more access information about any VA facility nationwide, visit [www.access-to-care.va.gov/](http://www.access-to-care.va.gov/). The VA is the only hospital network in the nation that offers this information.

## **BLUE WATER NAVY VIETNAM SERVICE UPDATE**

Legislation to extend disability benefits to nearly 100,000 war veterans potentially exposed to Agent Orange while stationed on ships off the Vietnam coastline was again sidelined in the fall of 2017. The House legislation, with 317 co-sponsors, was sidelined over an ongoing dispute about how to pay the potential costs, estimated to total about \$1.1 billion over ten years.

The legislation seeks to put “blue water” Navy veterans in the same presumptive group that ground troops and inland waterway Navy veterans are currently in, thus reversing a 15 year old change in VA policy excluding them. Blue Water Navy veterans may be eligible for disability compensation for conditions related to Agent Orange if they can show they had “boots on the ground” in Vietnam through ship logs or other evidence. Scientific evidence of the presence of Agent Orange on or near the ships is impossible, given decades that have passed.

The House Veterans’ Affairs Committee chairperson, Rep. Phil Roe (R-TN), proposed rounding down veterans’ cost-of-living adjustments to cover the cost. The move would reportedly cost individual veterans no more than \$12 per year in benefits, but could generate around \$2 billion in savings that could be reinvested in other veterans programs. Opponents of the COLA round-down, including ranking committee member, Rep. Tim Walz (D-N) have stated “it is bad policy to take from one group of veterans to pay for another”. VA Secretary Dr. David Shulkin, has stated he is committed to finding an answer but wants to work with lawmakers instead of acting on his own.

## **DISCHARGE UPGRADE**

Without any fanfare or announcement, the Department of Veterans Affairs has launched a new online wizard to help veterans seeking to upgrade their military discharges. Available on the VA’s Vets.gov benefits website, the interactive questionnaire walks former service members through the upgrade process’ many steps, tailored to their particular situation. The new tutorial is especially useful for vets trying to correct or upgrade “bad paper” discharges, administered for misconduct, that bar them from enjoying many VA benefits. It comes after an August announcement that the Pentagon would ease the criteria

for granting upgrades, giving veterans “a reasonable opportunity to establish the extenuating circumstances of their discharge.” For veterans interested in more information on applying for a discharge upgrade, the Department of Veteran Affairs guidance can be found at <https://www.vets.gov/discharge-upgrade-instructions>

## **VA AND CONSUMER FINANCIAL PROTECTION BUREAU ISSUE A WARNING ORDER**

The VA Interest Rate Reduction Refinance Loan (IRRRL) lowers your interest rate by refinancing your existing VA home loan. During FY17, VA guaranteed over 190,000 home loans under this program. In FY 2017, there were nearly 1,500 lenders that participate in the VA Home Loan program.

Regrettably, some lenders have taken advantage of Service members and Veterans with VA home loans in the past. They have sent unsolicited offers to refinance VA mortgages with misleading advertising. If you have a VA home loan, there is a good chance you have already come into contact with unsolicited offers which appear official and may sound too good to be true.

Understand that certain advertised benefits, such as no out-of-pocket closing costs, skipped mortgage payments, and escrow refunds, are costs that are generally added to your loan and increase the overall principal balance. These are all red flags that may indicate that the loan is less likely to benefit you. Before you proceed with a VA mortgage refinance, be sure to consider the long-term and short-term benefits and consequences of refinancing your loan.

If you have questions that aren’t being answered by your lender, please get a second opinion from another lender, or call a VA loan specialist who is available to assist you from 8 a.m. to 6 p.m. ET, Monday through Friday at (877) 827-3702.

## **LOWE’S MILITARY DISCOUNT**

Lowe’s has expanded the everyday military discount it offers to include all honorably discharged veterans, this expansion takes effect in May, 2018 and includes online shopping. The procedure for getting the discount has changed: active duty service members, retirees and veterans must sign up online at [www.lowes.com](http://www.lowes.com) click on the “Military Discount”

tab, and follow the instructions. If deemed eligible, you will be provided a Lowe's personal shopping card to qualify for the discount. The card provided is not a credit card; you can choose to use your telephone number if you do not want a card.

### **VA DENTAL BENEFITS**

Eligibility for dental care through the VA is not the same as it is for other medical benefits. I have listed those veterans and situations in which VA dental care is allowable. Veterans who:

- Are rated 100% service connected, including those paid at the 100% rate due to Individual Unemployability. Temporary 100% rating does **not** qualify.
- Have been discharged within 180 of desired treatment and received a discharge other than dishonorable. This allows one-time dental care if the DD 214 indicates a complete dental exam was not administered prior to discharge.
- Have a compensable (10 % or greater) service connected dental condition. Any needed dental care.
- Have a non-compensable service connected dental condition. Any dental care needed to provide and maintain a functioning dentition.
- Have a dental condition clinically determined by VA to be associated with and aggravating a service connected medical condition.
- Are in the vocational rehab program (Chapter 31): Only dental treatment needed to gain entrance into the program, help achieve the veteran's goals in the program, prevent interruption of the program, hasten the return into the program or to secure employment during the period of employment assistance.
- Are enrolled in a VA homeless program: One time course of dental care determined to be medically necessary to relieve pain, assist in obtaining employment or treat gingival and periodontal conditions.

If you believe you are eligible for dental treatment, your VA health care provider will have to do a consult for you before you may be seen.

### **VETERANS SERVICE ORGANIZATION HAPPENINGS**

No submissions received at the CVSO office.

### **WISCONSIN LEGISLATURE WORKING ON "GREEN ALERT" SYSTEM**

Wisconsin may become the first state in the nation to institute a "Green Alert" system for missing, vulnerable veterans. The system, as currently proposed, would be similar to the "Amber" and "Silver" alerts utilized for missing, vulnerable children and elderly adults respectively. The state Senate passed SB 473 on 23 Jan 2018, the Assembly is expected to take up AB 585 in February. State Senator LaTonya Johnson was moved to introduce the bill after the death of an Air Force veteran last year. She stated the veteran had served three tours and came home safe. If the veteran had made it home safe, "we should have done everything to make sure the veteran was made whole." Republican state Assemblyman, Joel Kleefisch, a co-sponsor of the bill stated he expects it to pass the Assembly and be on Gov. Scott Walker's desk by the end of the current legislative session.

### **VA DEBT FAIRNESS ACT OF 2018**

Three Senators (Tester (D-MT), Brown (D-OH), and Blumenthal (D-CT)) introduced legislation to change the way the VA collects debts from veterans.

During a subcommittee hearing on Oct. 25, the VFW highlighted several issues with the current system and offered ways to correct the current system. The bill would limit the VA's ability to collect debts that occur as a result of an error or fraud on the part of a veteran or their beneficiary. It would require that the VA could garnish no more than 25 percent of a veteran's monthly payment when recouping an overpayment or other debt. It would also prevent the VA from collecting debts incurred more than five years prior. Currently the VA is able to garnish 100 percent of a veteran's monthly compensation until the debt is paid in full.

### **VA HOSPITAL MADISON NOW DEMENTIA FRIENDLY**

Wm. S. Middleton VA Memorial Hospital has become the second hospital in Dane county and the only hospital in Madison to be recognized as "dementia friendly". This has resulted in some changes in procedures and naming of clinics. The dementia friendly mindset is planned to shape future endeavors at the hospital.

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Newsletter**

**IMPORTANT DATES**

March 11 <sup>th</sup>	Daylight savings time begins. "Spring Ahead"
April 6 <sup>th</sup>	Flag Orders for Memorial Day are due from Posts and Cemetery Officials
April 1 <sup>st</sup>	Easter
May 28 <sup>th</sup>	Memorial Day

**VETERANS SERVICE OFFICE CLOSINGS**

Good Friday	Friday, March 30 <sup>th</sup>
CVSO Training Conference	May 14 - 18
Memorial Day	Monday, May 28 <sup>th</sup>