



# **Lesson 22**

## **Process: Steps After Winning a Service Connection Claim**

*The American Legion DSO School*

*March 2022*

# Lesson 22 Learning Objectives

Learn about additional steps an advocate should consider to assist a Veteran who just won service connection for a disability from VA:

- Learn about issues to spot when reviewing a Veteran's VA rating decision.
- Learn about signing up for VA health care, for the Veteran and the family.
- Learn about additional benefits Veteran can obtain through VA and state governments.

# Review VA's Rating Decision



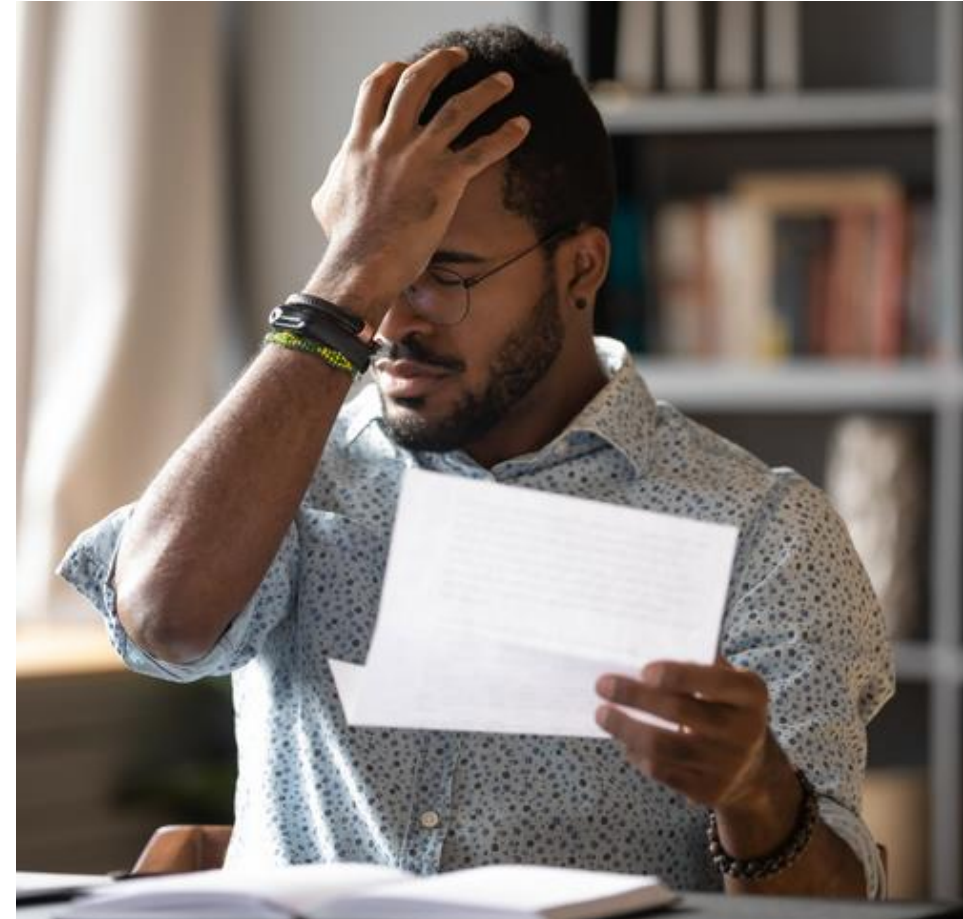
Veterans are often pleased when they win, yet there are a few **extra steps** to assist them:

- Determine exactly what VA's rating decision granted, including:
  - **Issues / conditions** were granted?
  - **Rating percentages** were assigned?
  - **Effective dates** of the grant award?
- Veterans do **not** receive a copy of the rating decision code sheet that is available in VBMS.
- Did you spot anything in VA's rating decision the Veteran may wish to dispute?

Join us in the Summer for strategies on appealing VA rating decisions.

# Did VA Overlook Any Issues?

- Did the Veteran raise the issue of unemployability? If yes, then VA must address entitlement to total disability based on individual unemployability (TDIU).
- Is the Veteran entitled to any Special Monthly Compensation (SMC)?
  - Aid and attendance.
  - Housebound.
- Is the Veteran “permanently and totally” disabled?”



# Permanent and Total Disability

- VA will find that there is permanent and total (P&T) disability when “such impairment is reasonably certain to continue throughout the life of the disabled person.” 38 C.F.R. § 3.340(b).
- When VA finds a Veteran P&T disabled, they will no longer be called in for periodic VA C&P reexaminations.
- If the Veteran is **not** P&T, then they may be called in for regular VA C&P reexaminations to determine if their service-connected conditions have improved.
- P&T status opens doors to other VA and state benefits.
- Veterans can file claims to be found P&T disabled.



# Signing up for VA Healthcare

Department of Veterans Affairs  
**APPLICATION FOR HEALTH BENEFITS**  
 SECTION I - GENERAL INFORMATION  
 Federal law prohibits criminal penalties, including a fine and/or imprisonment for up to 5 years, for concealing a material fact or making a materially false statement. (See 18 U.S.C. 1001.)

TYPE OF BENEFIT(S) APPLYING FOR:  
 ENROLLMENT - VA Medical Benefits Package (Veteran meets and agrees to the enrollment eligibility criteria specified at 38 CFR 17.30)  
 REGISTRATION - VA Health Services (Veteran meets the "treatment not required" eligibility criteria specified at 38 CFR 17.37)

1A. VETERAN'S NAME (Last, First, Middle Name) 1B. PREFERRED NAME 1C. MOTHER'S M maiden name

2A. BIRTH SEX 2B. SELF-IDENTIFIED GENDER IDENTITY 4. ARE YOU SPANISH, HISPANIC OR LATINO? 5. WHAT IS YOUR RACE? (You may check more than one. Information is required for statistical purposes only.)

6. SOCIAL SECURITY NO. 7A. DATE OF BIRTH (mm/dd/yyyy) 7B. PLACE OF BIRTH (City and State) 8. RELIGION

9A. MAILING ADDRESS (Street) 9B. CITY 9C. STATE 9D. ZIP CODE 9E. COUNTY

10A. HOME ADDRESS (Street) 10B. CITY 10C. STATE 10D. ZIP CODE 10E. COUNTY

11. CURRENT MARITAL STATUS  
 MARRIED  NEVER MARRIED  SEPARATED  WIDOWED  DIVORCED

12A. NEXT OF KIN NAME 12B. NEXT OF KIN ADDRESS 12C. NEXT OF KIN RELATIONSHIP

12D. NEXT OF KIN TELEPHONE NO. (Include Area Code) 12E. NEXT OF KIN WORK TELEPHONE NO. (Include Area Code) 13. DESIGNEE - INDIVIDUAL TO RECEIVE POSSESSION OF YOUR PERSONAL PROPERTY LEFT ON PREMISES UNDER VA CONTROL AFTER YOUR DEPARTURE OR AT THE TIME OF DEATH. (Note: This does not constitute a will or transfer of title.)

14. WHICH VA MEDICAL CENTER OR OUTPATIENT CLINIC DO YOU PREFER? (For listing of facilities visit [www.va.gov/locations](http://www.va.gov/locations)) 15. WOULD YOU LIKE FOR VA TO CONTACT YOU TO SCHEDULE YOUR FIRST APPOINTMENT?  
 YES  NO

SECTION II - MILITARY SERVICE INFORMATION

1A. LAST BRANCH OF SERVICE 1B. LAST ENTRY DATE (mm/dd/yyyy) 1C. FUTURE DISCHARGE DATE (mm/dd/yyyy) 1D. LAST DISCHARGE DATE (mm/dd/yyyy)

1E. DISCHARGE TYPE 1F. MILITARY SERVICE NUMBER

2. MILITARY HISTORY (If less than one)		YES	NO	3. YES		NO	
A. ARE YOU A PURPLE HEART AWARD RECIPIENT?		<input type="checkbox"/>	<input type="checkbox"/>	G. DO YOU HAVE A VA SERVICE-CONNECTED RATING?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. ARE YOU A FORMER PRISONER OF WAR?		<input type="checkbox"/>	<input type="checkbox"/>	IF "YES", WHAT IS YOUR RATED PERCENTAGE _____ %			
C. DID YOU SERVE IN A COMBAT THEATER OF OPERATIONS AFTER 11/11/1988?		<input type="checkbox"/>	<input type="checkbox"/>	H. DID YOU SERVE IN VIETNAM BETWEEN JANUARY 8, 1962 AND MAY 7, 1975?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. WERE YOU DISCHARGED OR RETIRED FROM MILITARY FOR A DISABILITY INCURRED IN THE LINE OF DUTY?		<input type="checkbox"/>	<input type="checkbox"/>	I. WERE YOU EXPOSED TO RADIATION WHILE IN THE MILITARY?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. ARE YOU RECEIVING DISABILITY RETIREMENT PAY INSTEAD OF VA COMPENSATION?		<input type="checkbox"/>	<input type="checkbox"/>	J. DID YOU RECEIVE NOSE AND THROAT RADIATION TREATMENTS WHILE IN THE MILITARY?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. DID YOU SERVE IN SW ASIA DURING THE GULF WAR BETWEEN AUGUST 2, 1990 AND NOVEMBER 11, 1996?		<input type="checkbox"/>	<input type="checkbox"/>	K. DID YOU SERVE ON ACTIVE DUTY AT LEAST 30 DAYS AT CAMP LEJUNGE FROM AUGUST 1, 1953 THROUGH DECEMBER 31, 1967?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

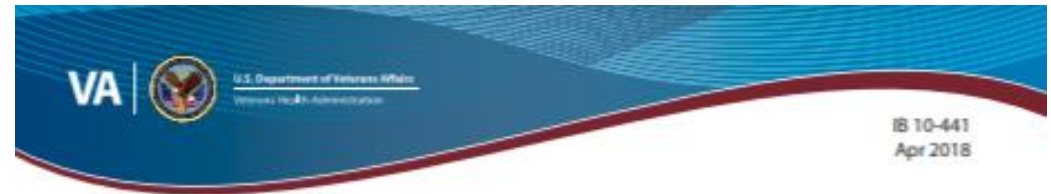
VA FORM 10-10EZ, JUL 2021 PREVIOUS EDITIONS OF THIS FORM ARE NOT TO BE USED HRC PAGE 3 OF 5

VA Form 10-10EZ

- Veterans Health Administration (VHA) and Veterans Benefits Administration (VBA) are separate and require separate applications.
- Once a Veteran is service-connected by VBA for a disability, then they are eligible for free VHA care for that condition. Click [here](#) for more information on how to apply.
  - Use **VA Form 10-10EZ** to apply for VHA care.
  - Gather all requested information to expedite the health application process.

# VHA Priority Groups

- Veterans enrolled in VHA are assigned priority groups (1-8).
- Priority groups affect how soon one is signed up for care and the amount one pays for care.
  - Example: Priority Group 1 is for Veterans with a total service-connected disability rating of 50% or a grant of TDIU.
  - No copay for first 3 urgent care visits in a calendar year.
  - No copay for medication.
- Click [here](#) for more information.



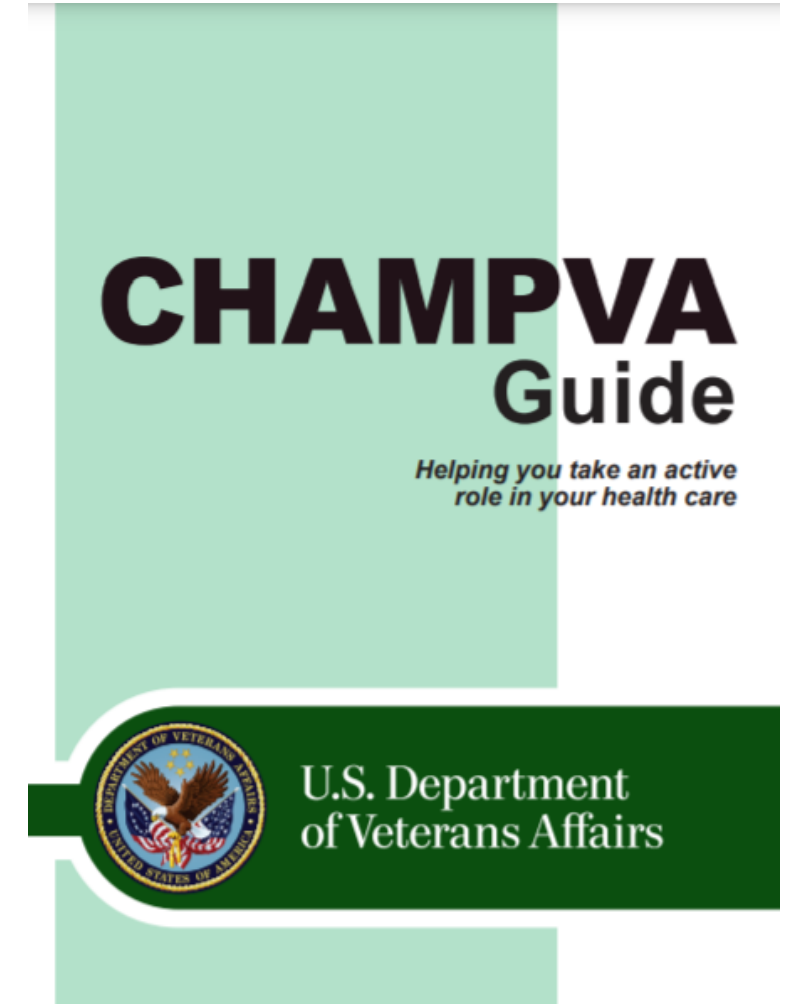
## Enrollment Priority Groups

Today's Veterans have a comprehensive medical benefits package, which VA administers through an annual patient enrollment system. The enrollment system is based on priority groups to ensure health care benefits are readily available to all enrolled Veterans. Complementing the expansion of benefits and improved access is our ongoing commitment to providing the very best in quality health care service to our patients when they are needed during that enrollment period, regardless of the treatment program or the location.

Priority Group	Definition
1	<ul style="list-style-type: none"><li>• Veterans with VA-rated service-connected disabilities 50% or more disabling</li><li>• Veterans determined by VA to be unemployable due to service-connected conditions</li><li>• Veterans awarded the Medal Of Honor (MOH)</li></ul>
2	<ul style="list-style-type: none"><li>• Veterans with VA-rated service-connected disabilities 30% or 40% disabling</li></ul>
3	<ul style="list-style-type: none"><li>• Veterans who are Former Prisoners of War (POWs)</li><li>• Veterans awarded a Purple Heart medal</li><li>• Veterans whose discharge was for a disability that was incurred or aggravated in the line of duty</li><li>• Veterans with VA-rated service-connected disabilities 10% or 20% disabling</li><li>• Veterans awarded special eligibility classification under Title 38, U.S.C., § 1151, "benefits for individuals disabled by treatment or vocational rehabilitation"</li></ul>
4	<ul style="list-style-type: none"><li>• Veterans who are receiving aid and attendance or housebound benefits from VA</li><li>• Veterans who have been determined by VA to be catastrophically disabled</li></ul>
5	<ul style="list-style-type: none"><li>• Nonservice-connected Veterans and noncompensable service-connected Veterans rated 0% disabled by VA with annual income below the VA's and geographically (based on your resident zip code) adjusted income limits</li><li>• Veterans receiving VA pension benefits</li><li>• Veterans eligible for Medicaid programs</li></ul>

# CHAMPVA Health Benefits

- VA offers health insurance through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA).
- Spouses and children can apply if:
  - The Veteran is permanently and totally disabled due to service-connected disability.
  - The Veteran was rated as totally and permanently disabled at the time of death,
  - The Veteran died due to service-connected disabilities.
- CHAMPVA covers medically necessary care received from an authorized provider.
- Click [here](#) and [here](#) for more information.





# Ancillary VA Benefits



- VA offers a wide variety of additional earned benefits for Veterans.
- Some are based on a Veteran's service-connected status.
- Other benefits are separate from their disability compensation.
- [VA's full 2021 benefits guide is here.](#)

**Advocacy Tip:** Yes, there are more VA forms. Keep resources and additional forms on hand to share with Veterans.

# Dependency Compensation

- When a Veteran reaches a 30% **combined VA disability rating**, then they are eligible for **additional compensation** for each dependent family member.
  - Spouse.
  - Children under 18.
  - Children under 23 attending school at least part-time.
  - Dependent parents living with Veteran.
  - Click [here](#) for information on dependents.
- The Veteran must inform VA of any changes in family status.
- Use VA Form 21-686c to inform VA of spouse and children and VA Form 21P-509 to inform of dependent parents.

# Educational Benefits (Chap. 33)

- The Post-9/11 GI Bill (Chapter 33) is generally available to Veterans who served after Sep. 11, 2001. Click [here](#) for more information.
- Benefits last up to 36 months.
- Benefits can be used to pay for tuition and fees, housing, and books.
- Veterans whose service ended before Jan. 1, 2013, have 15 years from their date of exit to use their benefits.
- As of 2017, Veterans whose service ended on or after Jan. 1, 2013, have unlimited time to use their benefits.



# Educational Benefits (Chap. 35)



- VA provides educational benefits for dependents and survivors (Chapter 35 benefits). Click [here](#) for more information.
- The spouse or children may be eligible if:
  - The Veteran is permanently and totally disabled due to service-connected disabilities, or
  - The Veteran died while on active duty or due to service-connected disabilities.
- VA provides funds for education and training, tuition, housing, and books and supplies.







# VA Home Loans

- VA home loans are generally available to Veterans.
- Includes benefits to adapt a home for the needs of Veterans with permanent and total disability.
- Click [here](#) for more information.



# Base Commissary Access



- Veterans with service-connected disabilities and their dependents can access military bases for commissary and exchange access.
- Veterans can use their Veterans Health Identification Card (VHIC) for access.
- Click [here](#) for more information.



# State Benefits



- Many states offer additional benefits to Veterans.
- For example, most states offer:
  - Discounts for hunting/fishing licenses.
  - Real estate tax exemptions for 100% disabled Veterans.
  - Veteran designation in a small business database.
  - “Veteran” status on driver’s license.
- Click [here](#) for links to your state’s Veteran benefits information.

# Additional Considerations

- Advise the Veteran to:
  - Keep DD-214, other service records, and VA decisions in a safe location.
  - Keep any passwords to VA systems, such as eBenefits, in a safe location.
  - Keep VA up to date on any address changes or changes in family status.
  - Think about the future: Contact you if their conditions worsen and they are considering filing new claims.



- **This presentation is complete.**
- **A PDF version of these slides will be provided to you at the conclusion of the course for future reference.**