

**TDVS Benefits Bulletin**

**21-6**

**TDVS Updates**

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**Quality Review Insights**

**Practice Like a Pro**

**Advocate Spotlight**

**TDVS Updates**

**Monthly Lunch and Learn**

TDVS's next monthly lunch and learn is scheduled for Wednesday, July 14th, 2021 at 11:30 CST on Tennessee's State Veterans' Homes. The guest speakers will be Executive Director Ed Harries of the Tennessee State Veterans' Homes along with Melanie Cook, Marketing & Public Relations Manager. [Tennessee State Veterans' Homes](#) provide long term skilled nursing care for veterans, veteran spouses, and Gold Star parents at their four locations across the State of Tennessee -- Murfreesboro, Humboldt, Knoxville, and Clarksville. All facilities are governed by the Tennessee State Veterans' Homes Board. Here's a quick preview before next month's learning opportunity --



### Summer/Fall Training Schedule

- July 26<sup>th</sup> to July 30<sup>th</sup> – TDVS Accreditation Course for New Service Officers
- August 24<sup>th</sup> or August 25<sup>th</sup> – (Mandatory) Quarterly Accreditation Training – NVLSP Presents a Live Webinar: Ethics for Veteran Advocates
- September 8<sup>th</sup> – September Lunch and Learn – TBD
- October 13<sup>th</sup> to October 15<sup>th</sup> – (Mandatory) Annual Accreditation Training – Montgomery Bell State Park Inn and Conference Center or Virtual

### **VA and Veteran Benefit Updates**

#### Interim Final Rule Extends Veterans' Group Life Insurance (VGLI) Application Period for Former Service Members Insured Under SGLI

[Benefits Bulletin 20-7](#) highlighted VA's initial extension of the deadline for former service members insured under the Servicemembers' Group Life Insurance (SGLI) to apply for VGLI as a result of the COVID-19 public health emergency. The previous rule extended the existing time period by 90 days that a former service member can apply for VGLI following separation from service.

On June 9<sup>th</sup>, VA published an [Interim Final Rule](#) in the Federal Register that again extended the time period a former service member insured under SGLI can apply for VGLI coverage. As a result of this Interim Final Rule, separating servicemembers applying for VGLI between June 11, 2020 and December 11, 2021 do not need to provide evidence of insurability or proof of good health if they apply within 330 days following separation. In addition, separating servicemembers have 90 additional days – 1 year and 210 days following separation – to apply with proof of good health.

VA administers the [Veterans' Group Life Insurance](#) (VGLI) program that may allow former servicemembers to keep their life insurance coverage after they leave the military.

#### Court of Appeals for Veterans Claims (CAVC) Precedential Decision - Beaudette v. McDonough

In April 2021, a CAVC [precedential opinion](#) extended judicial review to Caregiver determinations.

In 2010, Congress established the Program of Comprehensive Assistance for Family Caregivers (Caregiver Program), to provide financial assistance to caregivers of seriously injured combat veterans. From the outset, VA has taken the position that determinations under the Caregiver Program are not eligible for review by the Board of Veterans' Appeals or

other judicial bodies. The VA has argued that determinations under the Caregiver Program are “medical determinations” that cannot be appealed.

In April 2021, the Court of Appeals for Veterans Claims determined that decisions under the Caregiver Program are eligible for judicial review. The Court ordered the VA to begin notifying claimants of their right to appeal adverse Caregiver Program Determinations to the Board of Veterans’ Appeals.

### **Quality Review Insights**

#### **Scanning and Uploading Documents to VetraSpec**

**When scanning and uploading forms and document into VetraSpec, please don’t scan them all into one PDF document.** As an example, the Appeals Division has seen Medical Evidence and Lay Statement(s) scanned into one PDF *or* a VA Form 21-22 and VA Form 21-0966 scanned together. These lump-PDFs are then placed in VBMS. We’ve encountered the following issues that have negatively impacted veterans because of these lump scans.

**Issue 1:** While adjudicating a claim, the rater pulls up the lump-PDF from VBMS. They quickly scan the medical evidence and easily miss the lay statement(s). The lay statement(s) could be very important for grant vs denial, yet they were missed. This results in the need for a disagreement or appeal.

**Issue 2:** When a VA employee pulls a lump-PDF from the intake portal to process into VBMS, it is highly likely they will only process the first form they view. Understandably, they don’t tend to scroll looking for multiple forms in the one PDF. This results in the Veteran not having an intent to file date established. We then must contact VA and point them at the submitted document.

You can contribute to a timely and accurate VA decision for the veteran you represent by taking the time to scan each form and/or document separately. Give each scanned form or document a unique name (remember...no spaces or special characters) and then upload to VetraSpec.

### **Practice Like a Pro**

#### **M21-1, Adjudication Procedures Manual, Reorganization**

VA has begun a [reorganization](#) of the M21-1. As highlighted in previous bulletins, the [M21-1](#) is the Veterans Benefits Administration’s (VBA) policy manual for how it develops and decides claims for benefits. Think of it as a playbook that outlines each step VBA employees take

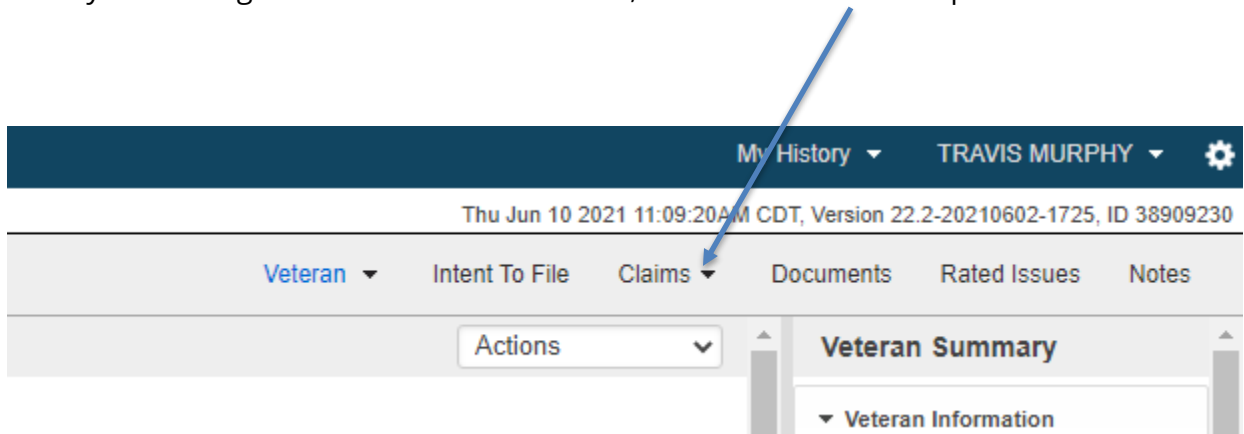
from the time VA receives a claim for benefits to its decision. It's a valuable resource that you should familiarize yourself with if you truly want to practice like a pro.

### Tracking Development in VBMS

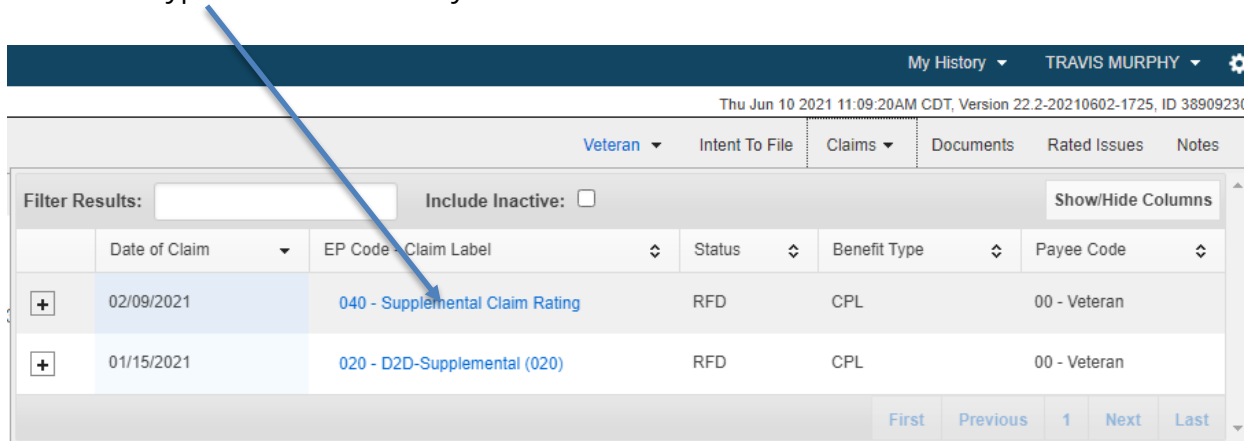
TDVS's Regional Accreditation Training included discussion of VA development actions that could assist clients in receiving quicker decisions. VBMS is a great tool to track development actions and ensure your client's claim is on track and to use the tips and tactics from training to help speed the delivery of benefits.

Here's a step by step guide for making the most of these valuable tools to ensure you're practicing like a pro.

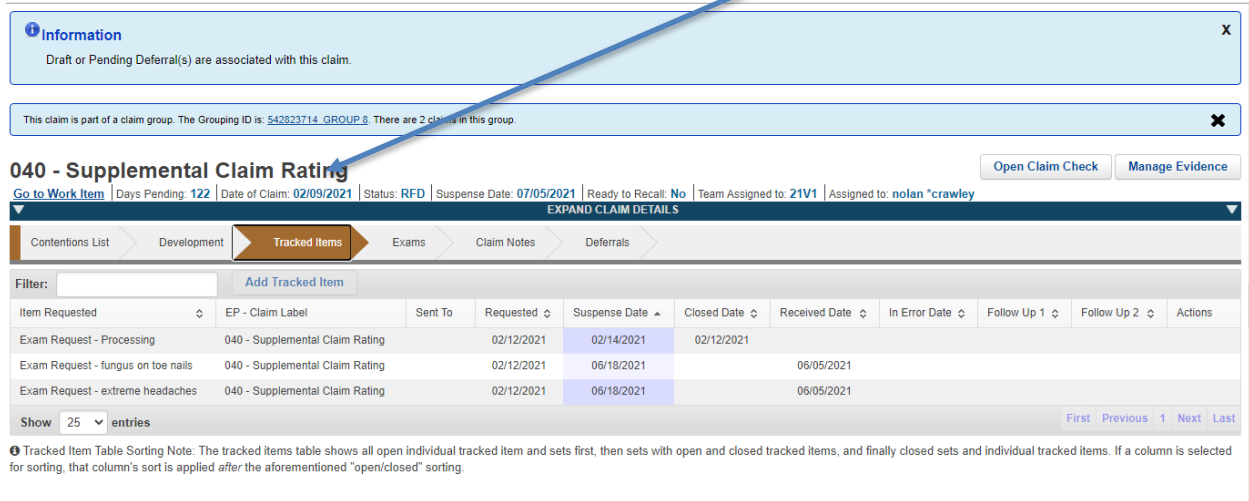
Once you've navigated to the veteran's record, select the "Claims" drop down.



Select the hyperlink of the claim you would like to view.



This opens a new window where you can access a variety of tools to track development actions.



**Information** x  
Draft or Pending Deferral(s) are associated with this claim.

This claim is part of a claim group. The Grouping ID is: 542823714\_GROUP.8. There are 2 claims in this group. x

**040 - Supplemental Claim Rating** Open Claim Check Manage Evidence

Go to Work Item | Days Pending: 122 | Date of Claim: 02/09/2021 | Status: RFD | Suspend Date: 07/05/2021 | Ready to Recall: No | Team Assigned to: 21V1 | Assigned to: nolan \*crawley

EXPAND CLAIM DETAILS

Contentions List > Development > **Tracked Items** > Exams > Claim Notes > Deferrals

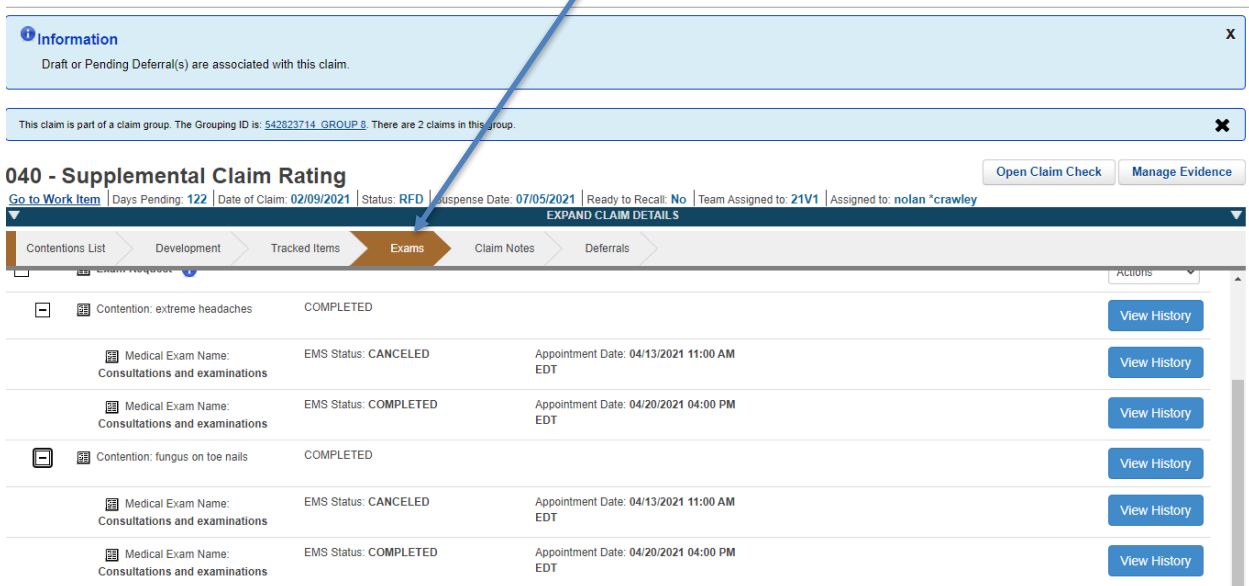
Filter:  Add Tracked Item

Item Requested	EP - Claim Label	Sent To	Requested	Suspend Date	Closed Date	Received Date	In Error Date	Follow Up 1	Follow Up 2	Actions
Exam Request - Processing	040 - Supplemental Claim Rating		02/12/2021	02/14/2021	02/12/2021					
Exam Request - fungus on toe nails	040 - Supplemental Claim Rating		02/12/2021	06/18/2021		06/05/2021				
Exam Request - extreme headaches	040 - Supplemental Claim Rating		02/12/2021	06/18/2021		06/05/2021				

Show 25 entries First Previous 1 Next Last

Tracked Item Table Sorting Note: The tracked items table shows all open individual tracked item and sets first, then sets with open and closed tracked items, and finally closed sets and individual tracked items. If a column is selected for sorting, that column's sort is applied after the aforementioned "open/closed" sorting.

This view also provides a great roll up of C&P exam statuses.



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EXPAND CLAIM DETAILS

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Contention	EMS Status	Appointment Date	Actions
Contention: extreme headaches	COMPLETED		<span>View History</span>
Medical Exam Name: Consultations and examinations	EMS Status: CANCELED	Appointment Date: 04/13/2021 11:00 AM EDT	<span>View History</span>
Medical Exam Name: Consultations and examinations	EMS Status: COMPLETED	Appointment Date: 04/20/2021 04:00 PM EDT	<span>View History</span>
Contention: fungus on toe nails	COMPLETED		<span>View History</span>
Medical Exam Name: Consultations and examinations	EMS Status: CANCELED	Appointment Date: 04/13/2021 11:00 AM EDT	<span>View History</span>
Medical Exam Name: Consultations and examinations	EMS Status: COMPLETED	Appointment Date: 04/20/2021 04:00 PM EDT	<span>View History</span>

## Advocate Spotlight

On May 6, 2021, a VRC at the Murfreesboro Field Office reached out to the Appeals Division for help regarding the proposed reduction of a Veteran's compensation benefits. The Veteran had timely filed a hearing request to contest the reduction and was waiting for the hearing. Meanwhile, the cancer returned for which VA had proposed the reduction.



The VRC asked for help to stop the reduction and continue the Veteran's benefit as before. The Local Appeals team reached out to the Nashville VARO hearing coordinator for assistance. The coordinator made inquiries. On May 12, the hearing request was cancelled, and VA restored the Veteran's benefit to 100% (and all our best to the Veteran!). This is another example of how a field office, Appeals Division and Nashville VARO worked together to benefit a Tennessee Veteran. Way to go Team Veteran!

*If you have an example of teamwork between Veteran service offices/organizations across the state making a difference in the lives of Tennessee veterans, please share with your Regional Director for possible inclusion in an upcoming "Advocate Spotlight."*

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