

Overview of Veterans' Benefits & Services

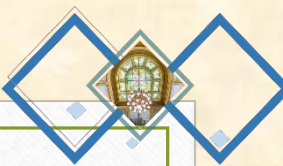
For the

State Administration and Veterans' Affairs Interim Committee

November 14, 2017

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Montana Legislative Services Division



This Briefing Will Cover

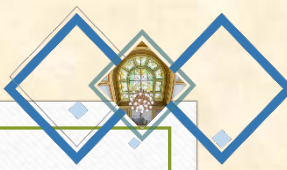
PART I: Big Picture - Organizational Structures

- Federal
- State
- Community

PART II: The Veteran - Navigating the System

- Needs
- Eligibility
- Process





For Data & Statistics

Population Data - <https://www.va.gov/vetdata/>

VA - State Summary for Montana

https://www.va.gov/vetdata/docs/SpecialReports/State_Summaries_Montana.pdf

VA - Fact Sheets

<https://www.va.gov/opa/publications/factsheets.asp>

www.va.gov



PART I

Big Picture - Organizational Structure



A. Federal VA

Health Care System

Benefits

Administration

National Cemeteries

Grant Programs

(administered under above)

B. State

Montana Veterans Affairs Division (MVAD)

- Benefit claims
- State cemeteries

DPHHS

- State vet nursing homes
- Suicide prevention program

Other (various)

- state home loan
- state job services
- special statutory provisions

C. Community

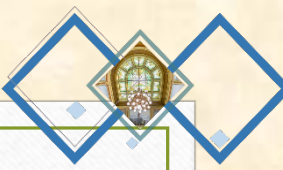
Veteran Service
Organizations

- American Legion
- VFW
- DAV
- VVA

Nonprofit organizations

- homelessness
- transportation
- other special support

County and Tribal
Programs



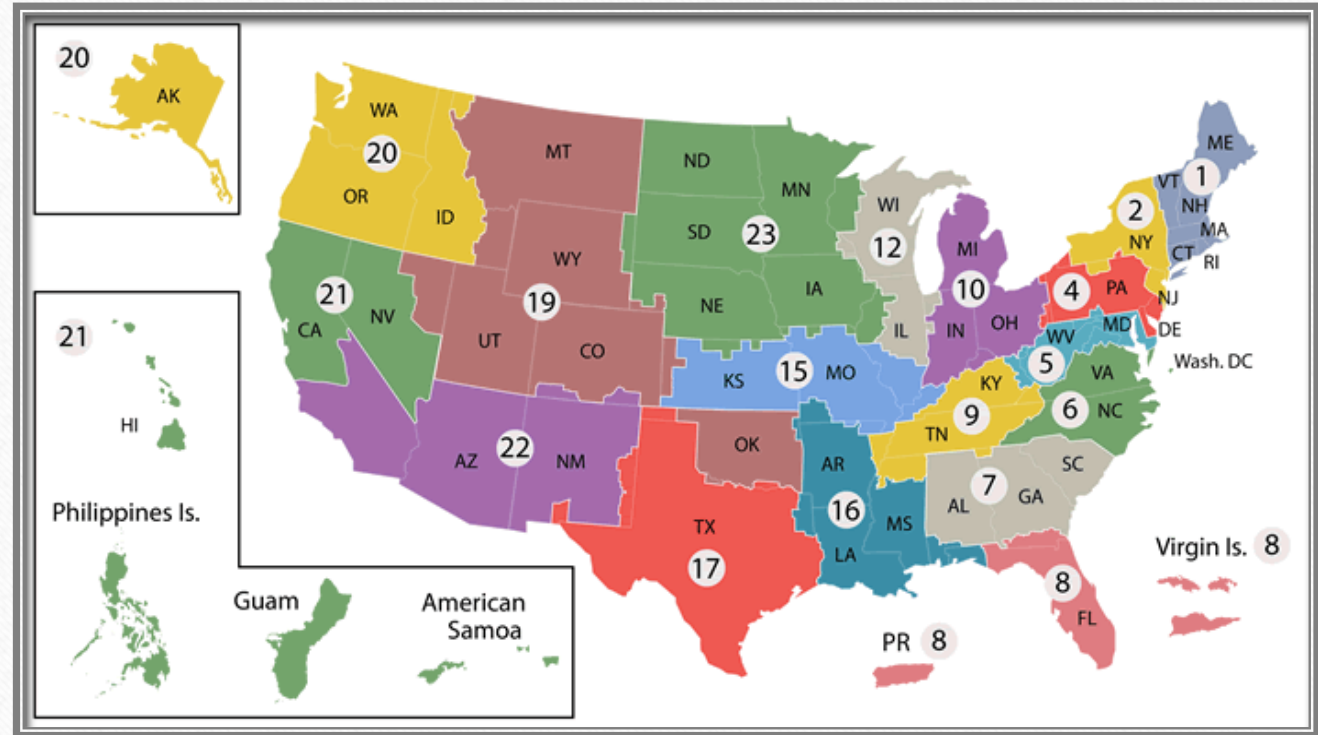
Veterans Health Administration

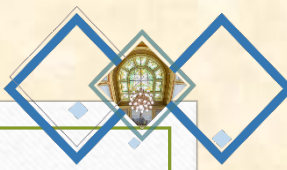




23 Veteran Integrated Service Networks (VISN)

- America's largest integrated health care system - 9 million served each year
- 1,245 health care facilities
 - 170 medical centers
 - 1,065 outpatient sites of care of varying complexity (VHA outpatient clinics)
- Montana in VISN 19





VA Health Care System

- Basic Eligibility Criteria
 - Active military service for 24 months (some variations)
 - Reserve/National Guard called to federal active duty for certain amount of time
 - Discharged/released “other than dishonorable”
- Enrollment Process
 - Application
 - Veteran is assigned to a Priority Group
 - If veteran has a service-connected disability, receives a disability rating
- VA health care is NOT an insurance program



Within VISN 19

VA Montana Health Care System/Providers

- Fort Harrison medical center
- 12 community-based outpatient clinics (CBOCs)
- 4 vet centers
- 2 telehealth sites
- 1 nursing home in Miles City (closing)
- 1 sleep disorder clinic
- Providers approved through Vet Choice Program

<https://www.montana.va.gov/index.asp>



Veterans Benefits Administration





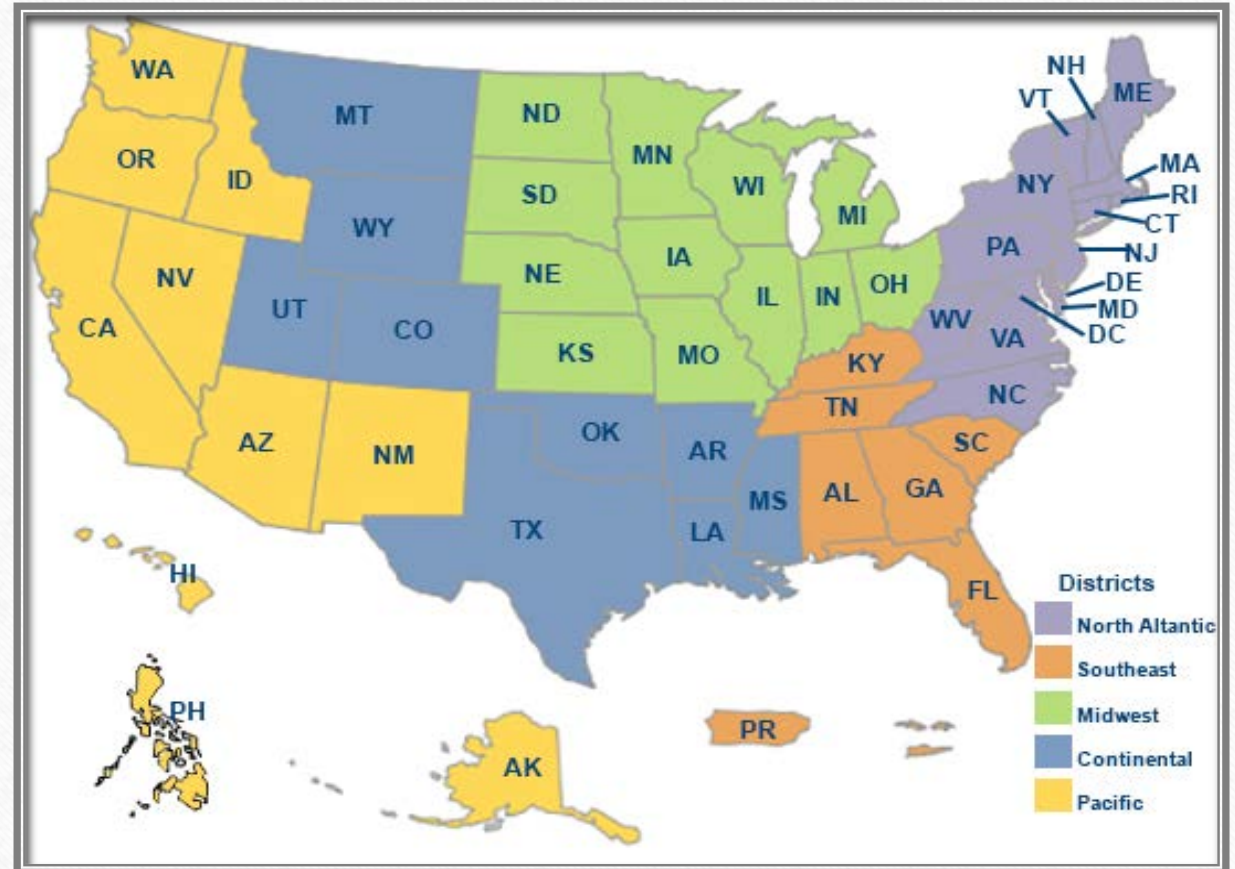
5 Veterans Benefit Districts

Each have:

- 1 District office
- Regional benefit offices
- Regional loan offices

Montana

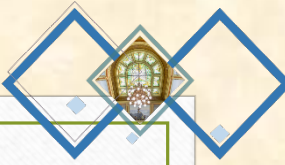
- Regional Benefit Office – (RO)
Fort Harrison, Helena, MT





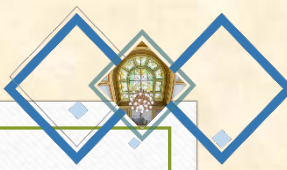
VA Benefit Programs

- Pensions
- Disability compensation
- Education & Training, and VetSuccess on Campus program
- Vocational Rehabilitation and Employment
- Home loans and mortgage delinquency assistance
- Life insurance
- Programs for special groups
 - Elderly, homeless, incarcerated, minority, former POW, etc.
- Services, such as:
 - Transition assistance (when leaving the military service)
 - Beneficiary counseling
 - Career counseling
 - Fiduciary services / financial management
 - Independent living, evaluation and home modification



Entrance to VA Programs

Whether enrolling in VA Health Care System
Or applying for nonhealth benefits,
It all begins with a **claim product**



VA Grant Programs

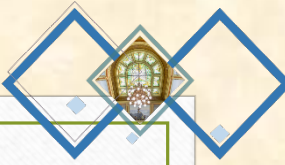
Health Administration
Benefit Administration
National Cemetery Administration



VA Grant Programs

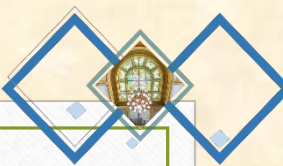
- Specially Adapted Housing Assistance Technology (research)
- Transportation of Veterans in Highly Rural Areas
 - to **state** veterans service agencies & Veteran Services Organizations
- Supportive Services for Veterans Families
 - to private non-profit for very low-income veterans' families
- Homeless Providers Grant and Per Diem (community)
- Rural Veterans Coordination Program
 - to community-based orgs and to local and **state** gov't agencies
- National Veteran Sports Program

**veteran-focused grants from other agencies are not included in this presentations*



Some Grants Are Available Only To State Governments/Institutions

- State Veteran Nursing Homes - DPHHS
 - State Home Construction Program
 - State Nurse Retention Grant Program
 - State Home Per Diem Program
- State Veteran Cemeteries - MVAD
 - Veterans Cemetery Grant Services (also available to Tribes)

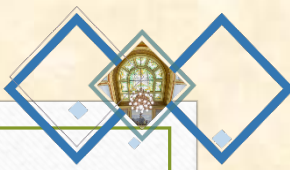


State Structure



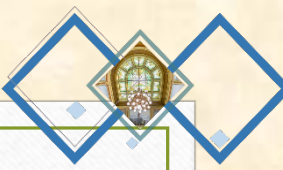
Main State Agencies

- **Montana Veterans' Affairs Division (MVAD)**
 - Claims assistance (veteran service officers) – health and nonhealth claims
 - State veteran cemetery program
- Dept. of Public Health and Human Services (DPHHS)
 - State Veterans' Homes (Columbia Falls, Glendive)
 - State Suicide Prevention Program

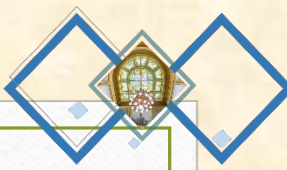


Other State Agency Programs – State Funding

- Dept. of Labor and Industry (employment)
- Dept. of Commerce (home loan)
- Dept. of Revenue (various tax exemptions)
- Commissioner of Higher Education (tuition waivers)
- Dept. of Fish, Wildlife and Parks (hunting/fishing licenses)
- Dept. of Justice (motor vehicles, license plates)



Community Resources



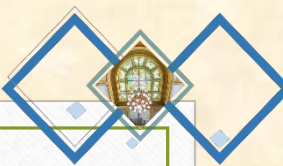
Community Resources

- Veteran Service Organizations – American Legion, VFW, DAV, VVA, others
- Nonprofit organizations – local groups or nationally-affiliated
 - Joining Community Forces – local coalitions
 - Carroll College - <https://www.carroll.edu/academic-services/veteran-services>
 - example: Missoula <http://jcfmissoula.org/index.html>
- Specialized missions
 - Emergency housing, food, job training, suicide prevention, etc.
- County or Tribal Governments may develop programs or partner



PART II

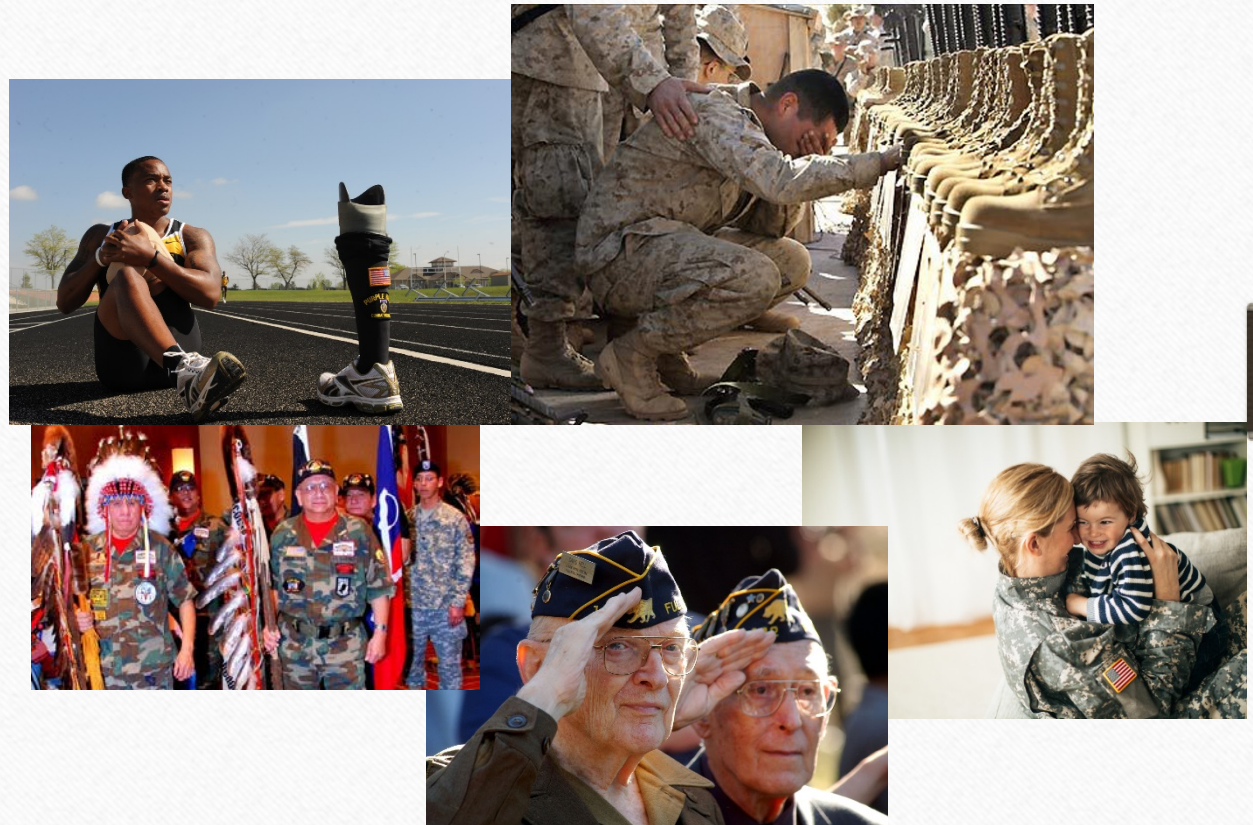
The Veteran - Navigating



Where do you start?

Depends on who you are and what you need, but for VA health care or other benefits...

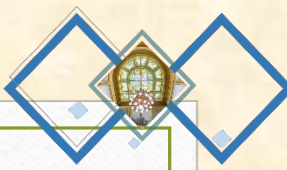
It all starts with an application or **claim product**





Applying

- Numerous ways, depending on benefit sought
 - <https://www.benefits.va.gov/BENEFITS/Applying.asp>
- eBenefits - online gateway
- May wish to find a VA certified agent to assist
 - VA maintains a list

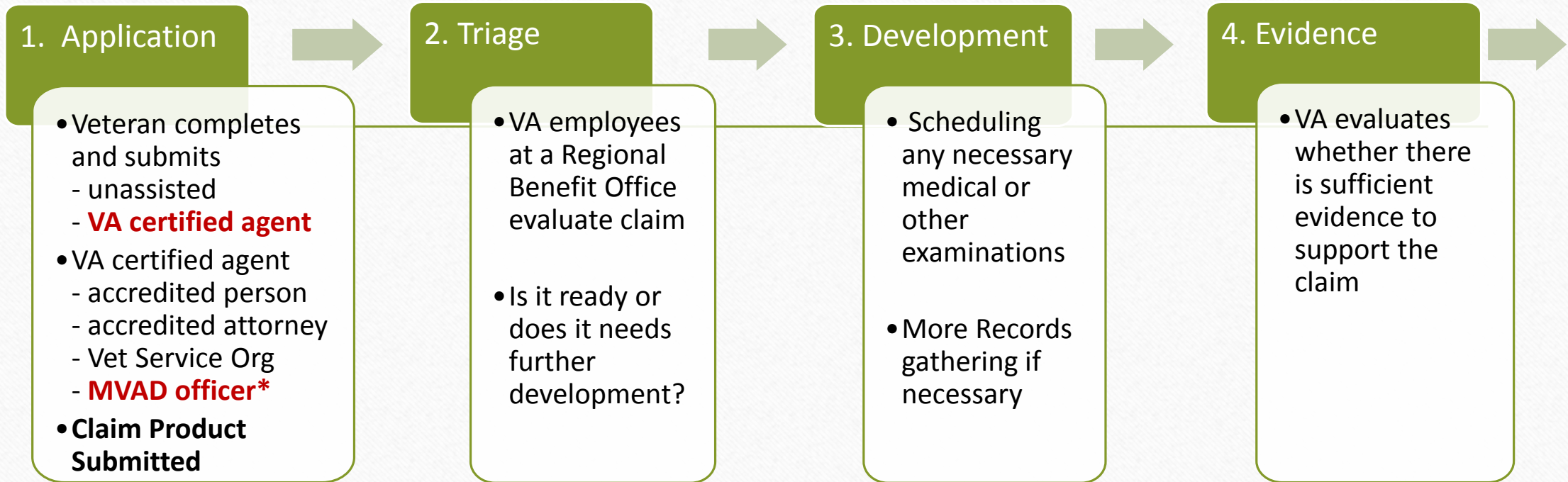


Veterans With Health Issue Start With Enrollment in VA Health Care System

- Initial application
 - Need complete and accurate records
- VA determination of eligibility for enrollment
 - Disability determination – key to eligibility for many programs
 - Percentage service-connected
 - Percentage disabled
- If eligible, VA assigns veteran to a Priority Group



Basic Disability Claim Process – VA

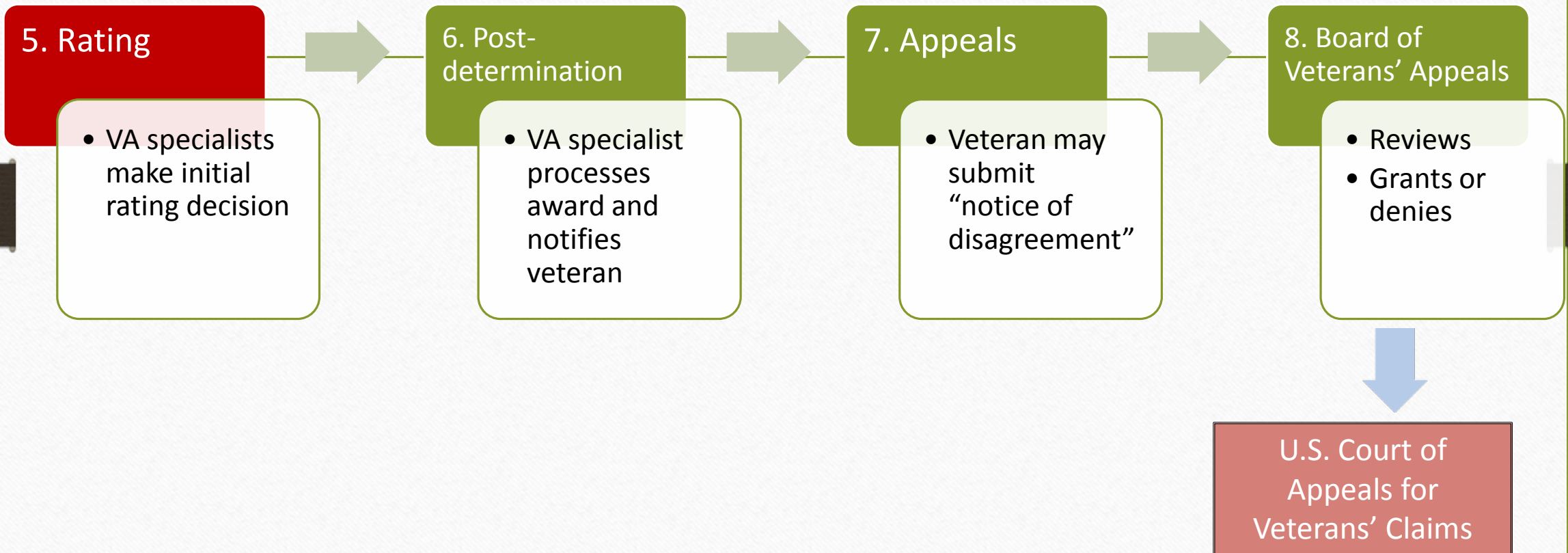


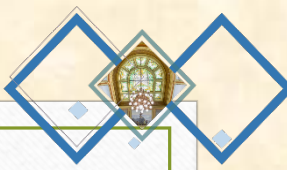
***MVAD Veteran Service Officer Role – State Employees (under Joe Foster)**

If veteran designates MVAD VSO as agent, VSO acts on behalf of veteran throughout process, to gather records, ensure application is complete, and walk veteran through every step



Basic Disability Claim Process - continued





More on Disability Rating

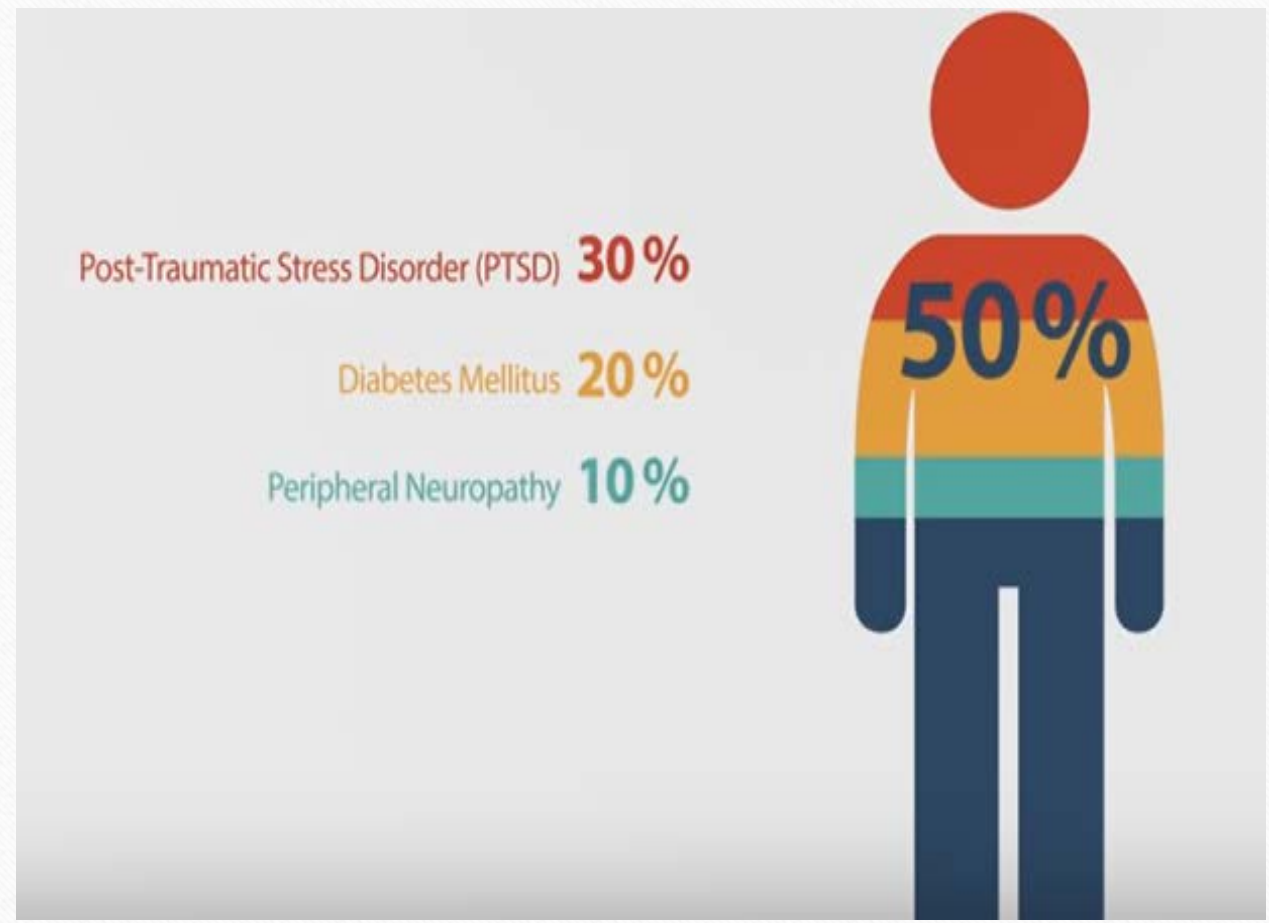
- Percentage of service connection to disability condition
 - Did it occur during service?
 - Was it aggravated during service?
 - Is it a presumptive condition? (example, agent orange exposure)
- What is the nature of condition?
 - How chronic?
 - How often is it a problem?
- Evidence / documentation is the key
 - Service and medical records
 - Medical exams and opinions
 - Private medical records
 - Lay statements

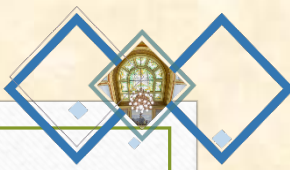


Composite Rating if Multiple Conditions

- Total cannot exceed 100%
- Combined Rating Table

	10	20	30	40	50	60	70	80	90
19	27	35	43	51	60	68	76	84	92
20	28	36	44	52	60	68	76	84	92
21	29	37	45	53	61	68	76	84	92
22	30	38	45	53	61	69	77	84	92
23	31	38	46	54	62	69	77	85	92
24	32	39	47	54	62	70	77	85	92
25	33	40	48	55	63	70	78	85	93
26	33	41	48	56	63	70	78	85	93
27	34	42	49	56	64	71	78	85	93
28	35	42	50	57	64	71	78	86	93
29	36	43	50	57	65	72	79	86	93
30	37	44	51	58	65	72	79	86	93
31	38	45	52	59	66	72	79	86	93
32	39	46	52	59	66	73	80	86	93
33	40	46	53	60	67	73	80	87	93
34	41	47	54	60	67	74	80	87	93
35	42	48	55	61	68	74	81	87	94
36	42	49	55	62	68	74	81	87	94
37	43	50	56	62	69	75	81	87	94
38	44	50	57	63	69	75	81	88	94
39	45	51	57	63	70	76	82	88	94
40	46	52	58	64	70	76	82	88	94





Impact of Disability Rating - Far Reaching

- Determines eligibility for VA health care
- Determines amount of monthly disability compensation paid \$, \$\$, \$\$\$
- Determines eligibility for all kinds of various other benefits, examples:
 - 10% service-connected disability for employment & vocational rehab programs
 - 50% rating and a purple heart for special DV license plate
 - 100% rating (among other criteria) for MT state property tax relief
- Can be for a lifetime



Review of Big Picture Structure

Federal VA System

- Health Administration
 - Hospitals
 - Clinics
 - Vet Choice
- Benefits Administration
 - Pensions
 - Disability compensation
 - Home loans
 - Job training
 - Education
- National Cemetery Administration
- Grant Programs
 - Community organizations
 - **State or local government**

State System

- MVAD (Board of Veterans' Affairs, DMA)
 - **Benefit claims assistance**
 - State cemeteries – some VA grant \$
- DPHHS
 - State Veteran Nursing Homes – some VA grant \$
 - State Suicide Prevention Program
- Other Agencies, Various Programs
 - Revenue, tax benefits
 - Labor & Industry, job training
 - Commissioner of Higher Ed, tuition waivers
 - FWP, hunting/fishing licenses
 - Dept. of Justice, MVD, vehicle licenses



Historical Perspective on Claims Assistance

- Veteran benefits date back to Revolutionary War – kept evolving
- Congressional administration at first
- Growing complexity of benefit types, eligibility
- Federal agencies created, consolidated into VA
- Veterans needed help in presenting claims
- Non-judicial process desirable, but also advocacy on behalf of veteran
- Benefit claims process developed through veteran service organizations and negotiated with VA
- Federal laws and regulations govern claims for VA benefits or health care
- States had interest, too, many state veteran boards or commissions date back to their statehood.
- Montana board created in 1919 to administer a Veterans' Welfare Fund



Importance of Claim Product

- Quality Assurance

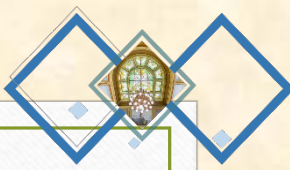
- Attitude of advocacy for veteran
- Technical proficiency and competency
- Is veteran applying for all benefits eligible for?
- Is the claim product presented to the VA the best product that can be presented?
- **MVAD presentation will get into more detail*



Legal Basis for Agents to Assist

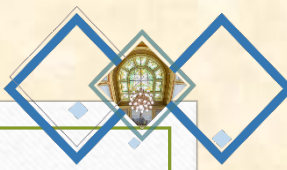
- Begins with federal law – 38 U.S.C. sections 5901 – 5905

 - Agents acting for veterans must be recognized/certified by VA
 - VA may recognize certain listed organizations as agents, such as American Legion, DAV, VFW, others
 - Agents may not charge a fee, must hold a veterans' power of attorney
 - Must receive training and maintain continuing education
 - **MVAD presentation will get into more detail*



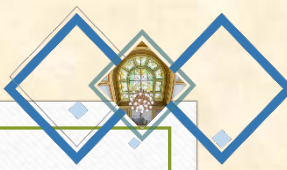
Veteran Service Officers May Work Under...

- No one – may be an individual or attorney certified by VA
- A congressionally recognized veteran service organization (American Legion, DAV, VFW, VVA, etc.)
- A state, county, or tribal government
 - may have an agreement with a veteran service organization, and/or become a congressionally chartered veteran service organization themselves (MVAD has both)



What Do Other States Do?

- Selected States
 - Montana – state VSOs, county VSOs are authorized (Ravalli County only one so far), national VSOs not allowed pursuant to agreement with MVAD
 - North Dakota – county VSOs, national and tribal VSOs present
 - South Dakota – county VSOs, tribal VSOs present
 - Wyoming – state VSOs, there is a Tri-County Veterans Services entity
 - Idaho – state and county VSOs
- North Dakota Study
 - Recommended changing to from county VSOs to state-level VSOs, specifically to Montana's model
 - *Side Note: Some state veterans' organizations encompass more than benefit claims assistance and state cemeteries*



What recourse if claims agent is not performing well?

- Veteran could rescind power of attorney
- VA could withdraw certification
- If a public employee, could be fired
- If working under Veteran Service Organization, could lose recognition
- If an individual or attorney, back to veteran rescinding power of attorney or VA withdrawing certification