

POW/MIA Update 2-25-2014

The Department of Defense POW/Missing Personnel Office (DPMO) announced today that the remains of a U.S. serviceman, missing in action from the Korean War, have been identified and will be returned to his family for burial with full military honors.

Army Cpl. Billy M. McIntyre, 19, of Carter, Okla., will be laid to rest Jan. 17, in Oklahoma City. In late November 1950, McIntyre and elements of the 31st Regimental Combat Team (RCT), historically known as Task Force Faith, were deployed along the eastern banks of the Chosin Reservoir near Sinhung-ri, North Korea. McIntyre was reportedly killed in action on Dec. 7, 1950, after his unit was engaged by a vastly superior number of enemy forces.

Between 1991 and 1994, North Korea gave the United States 208 boxes believed to contain the remains of 200-400 U.S. service members. North Korean documents, turned over with some of the boxes, indicated that some of the human remains were recovered from the area where McIntyre was last seen.

NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION

Health Policy Unit

On Monday, February 17, 2014, The American Legion's System Worth Saving Task Force conducted a Town Hall Meeting at 7 PM American Legion Battle Mountain Post 71 at 1045 Jennings Avenue in Hot Springs, SD for veterans to discuss the VA Black Hills Healthcare System.

On Tuesday, February 18 through Thursday, February 20, 2014, The American Legion's System Worth Saving Task Force is conducting a site visit of the VA Black Hills Healthcare

System in Hot Springs, SD. During the visit, the Task Force will focus on the medical center's stated proposal to close and move the Domiciliary from the Hot Springs campus to Rapid City.

On Tuesday, February 18, 2014, VA&R Staff are meeting with Howard and Jean Somers regarding the possibility of having a national event on 6/10/14, the anniversary of their son, Daniel Somers,' death. IAVA and Caitlin Thompson from the Canandaigua VA Medical Center have already agreed to participate in the meeting.

The purpose of the national event will be to not only promote awareness of PTSD, but also create a grassroots effort to expand the support network of our veterans by offering information to the general public of how they can help. Mr. and Mrs. Somers were hoping to achieve this by holding local events at American Legion, DAV and VFW halls where all of the local agencies/organizations would be represented to provide immediate support to any veteran who walked in and to educate/engage any non-veteran. Mr. and Mrs. Somers will have a universal message that would be given to everyone so that all local news agencies would be reporting the same thing.

On Wednesday, February 19, 2014, Senior Field Service Representative, Ed Lilley worked with Past National Commander Paul Morin to assist a veteran who has been unable to get his VA Identification Card (VIC) at the Lee County VA Healthcare Center in Cape Coral, Florida, and was ultimately turned away for care.

After contacting the facility, Ed was told that nationwide the VA is in the process of issuing new Veteran Health Identification Cards (VHICs), yet does not yet know when these cards will be available and is unable to issue veterans identification cards. Ed then contacted the Bay Pines VA Healthcare System's Patient Advocate and informed him that the veteran was turned away for not having his VA ID Card. The Patient Advocate asked Ed that he put the veteran in touch with him to ensure that he won't be turned away for health care. I put the veteran in touch with the medical center's Patient Advocate in order to ensure that he will still be able to receive care until he is issued a new card.

Assistant Director for Healthcare, Roscoe Butler reached out to his contact at the Chief Business Office (CBO) concerning the issue with ID cards and was told:

- In 2010, VA began working on implementation of a new, more secure Veteran identification card to replace the current card, which has the Veteran's Social Security Number (SSN) embedded in the card's barcode. This effort is in accordance with SSN reduction mandates put into effect throughout the Federal Governments.
- Last September, VA suspended issuing Veteran identification cards to allow time for final changes to information systems to read the new card format. However, VA has continued taking Veterans' requests for cards -- the requests have been put on-hold but will be produced and issued as soon as the final system changes are ready. Also, while VA regrets the delay in providing Veterans their cards, the card is not required to receive VA health care. We appreciate your assistance in getting that word out.
- Additionally, not sure if you are aware, but a representative from CBO is on the agenda to speak at the Veterans Service Organization meeting next week about the new Veteran Health Identification Card and looks forward to providing more details. Some information about the new Veteran Health Identification Cards is posted on the website: <http://www.va.gov/healthbenefits/vhic/>.

After talking with the veteran on Thursday, February 20, 2014, he stated that he has made contact with the Patient Advocate at Bay Pines, and was informed that his paperwork was transferred from his primary medical center in Kansas City, Missouri. However, the Patient Advocate told the veteran that he would need to walk into Lee County VA and would not be able to call the facility and make an appointment, with no explanation as to why. The veteran will also contact Ms. Jan Eckel, who handles patient transfers.

At 4:00 PM later on Thursday, the veteran called Ed and stated that the Lee County VA in Cape Coral has found him in the system, and will take a few weeks to get him an appointment.

Next Steps for The American Legion:

- Following the complaints from the veteran, Deputy Director for Healthcare, Jacob Gadd and Ed Lilley spoke with Kristin Cunningham, Director for the Veterans Health Administration's Chief Business Office, to discuss the directives and policies surrounding "snowbirds" (veterans who live and travel to the south during the winter). Ms. Cunningham stated that the VA will send a reminder to all medical centers to ensure staff does not turn away veterans away without their VIC.
- The VA&R Division is also working with the Chief Business Office and the Primary Care Office to set up a meeting to update VHA's directives on snowbird patients.
- In response to the issue faced by the veteran, The American Legion posted a web article on Thursday, February 20, 2014 concerning the new Veteran Health Identification Cards (VHICs) and making it perfectly clear that cards are **not** required to receive VA healthcare.

Claims Unit

Zachary Hearn, Deputy Director for Claims was interviewed by the Seattle Times regarding the recent visit by the Regional Office Action Review team. The visit was faced with obstacles resulting in Chairman Jeff Miller sending a letter to VA Secretary Eric Shinseki indicating his frustration with VA's lack of cooperation during the visit.

Assistant Director for Claims, Steven J. Henry responded to four written inquiries from veterans and one "walk in" veteran with claims assistance.



Military Evaluation Board/Physical Evaluation Board (MEB/PEB)

Brian Buckler, Joint Base Lewis-McChord: conducted **15** interviews, assisted in the completion of **2** 526EZ Claims for Veterans Disability Compensation & Related

Compensation Benefits, provided MEB/PEB contact information to **20** service members at the PEBLO IDES Brief on February 18, 2014.

Gerardo Avila, MEB/PEB Representative WRNMMC, Fort Belvoir, Fort Meade conducted **4** appointments assisted **6** service members and **5** family members on the IDEs process, VA claims and compensation

Board of Veterans Appeals Unit

During the week ending February 14, 2014, the Board of Veterans' Appeals reached dispositions on **141** American Legion represented appeals. Of those dispositions **77.7%** of the denials were overturned with outcomes favorable to the veteran. In **47** cases, the Board granted benefits outright after considering The American Legion's arguments. In **61** cases, The American Legion was able to point out errors in the development of the veteran's claims which mandated corrective action under the law. Of the total number of dispositions, **28 (19.9%)** were outright denials.

Also during this period, the American Legion Appeals Unit reviewed, prepared written Informal Hearing Presentations (IHP), and/or orally argued **120** veteran's appeals. These claims included originals, remands, as well as specialty cases (Advance on Docket, Independent Medical Opinions, Court Remands, etc.). The unit handled telephone inquiries and provided consultations with veterans, VSO's, and Congressional Offices. The administrative team fielded 168 phone inquiries during this period. The appeal representatives conducted 1 Central Office Hearings. The BVA unit was closed on 2/13/14 due to snow.

Insurance, Pension and Debt Management

The VA&R VA Insurance unit reviewed and processed **69** applications for new insurance coverage, of which **6** were for Supplemental insurance for totally disabled veterans in the Service-Disabled insurance program, along with **54** disability and settlement claims on other veteran's VA policies. Further case development included **18** phone calls with veterans, family members and VSOs, **48** further insurance inquiries or transactions, and **51** veteran insured's

were contacted by mail on their policies, insurance options and action deadlines. There were also **23** direct contacts with VA personnel in regards to correcting or having additional actions taken on veteran's accounts.

The Philadelphia VA&R Pension unit processed **13** new claims for Veterans or Death pensions, along with reviewing and preparing **170** case actions for support of on-going pension benefits. Casework included processing 105 additional transactions and case inquiries to VA , performing 30 audits of Rating reviews and **16** phone contacts with claimants and VSOs. There were **4** personal interview contacts, and **32** waiver of overpayments processed.

The VA&R Pension offices in St. Paul and Milwaukee processed **100** new claims for Veteran's pensions and Death pensions, and presented supporting casework material on 122 claims already in progress, while also processing **85** inquiries and pension transactions, and **420** rating review audits with **1** Appeal. Phone contacts with claimants and VSOs amounted to **98** calls handled for the week ending February 19, 2014.

Benefits Delivered at Discharge

The Western BDD Office reviewed **26** BDD claims with **181** issues. Each claim required reviewing the rating, C&P examination, and service treatment records. Additional research was required on some cases. The BDD office also received **11** phone calls from veterans and Department Service Officers throughout the country requesting the status of a claim or had questions concerning a rating. The office provided an update for the status of the claim or provided options concerning the rating. Additionally, two veterans visited the office with general VA benefit questions. The office received and reviewed **64** pieces of VA correspondence.