



- Presented by the Department of Washington
- Veterans of Foreign Wars of the United States

# **Post Service Officer Class**

## Post Service Officers Can Make a Difference but DO NO HARM FIRST

- Post Service Officers scope of service is limited by National but is still very important
- Outreach and referral are your critical tasks
- Link up with an accredited department service officer and pass forms to them. Build an effective working relationship with a PRO
- Don't infer that you are submitting the Veterans claim, you are passing their forms forward to save them time and travel plus providing a local contact to get them help. Post Service Officers are the point person that links Veterans with Accredited professionals'
- Providing incorrect information hurts the Veteran

# First Steps of Claims Process



# First Steps of Claims Process

- Confirm eligibility for compensation (DD 214 with a character of discharge other than “dishonorable”)
- Have veteran / claimant sign a VA Form 21-22 (P.O.A.)
  - Veteran is the person who served in the military, with qualifying service
  - Claimants are:
    - Veteran’s Surviving Spouse
    - Veteran’s Minor Child and/or Helpless Child
    - Veteran’s parent(s)
    - Parent of Veteran’s Minor /Helpless Child
- Send the 21-22 to the VFW Seattle Regional Office with all other documents. An Accredited Service Officer will check to ensure the Veteran does not have any open appeals or is represented by another service organization, once this is verified the 21-22 will be sent to the VA so the VFW can represent the Veteran.

# First Steps of Claims Process (continued)

- Two key elements to a veteran's well-rounded claim for disability:
  - ✓ A current physical or mental disability (damage to your body or mind that makes you less able – or totally unable – to do everyday tasks, including meaningful work, **and**
  - ✓ An event, injury, or illness that happened while you were serving in the military to cause this disability.

# Types of Claims



# Types of Claims

- Intent to File
- Initial Claim
- Add New Issue, Request Increase or Add New Secondary Condition
- Supplemental Claims
- Higher Level Review
- DIC, Death Pension and Accrued Benefits
- Individual Un-Employability
- Aid and Attendance
- Burial and Memorial Benefits
- Appeals

# Intent to File a Claim





# Intent to File a Claim

- 21-22 (Appointment of Veterans Service Organization) –Can only be signed by an accredited service officer
- 21-0966 (Intent to File A Claim)
- Notifies the VA that the veteran is going to file a formal claim for benefits
- Veteran has one-year from the date of filing an “Intent to File” in which to file a formal claim with the VA

# Intent to File a Claim

- Why use an Intent to File?
  - The veteran does not have his/her DD214
  - The veteran does not have current medical records to support the claim
  - It is close to the end of the month and getting the claim to the VA will reserve the “date of claim” for any retro pay.
    - ✓ “Date of claim” is the date that the VA “takes custody of the claim”, meaning that the VA has received the claim. “Date of claim” is not the date a form is signed.
    - ✓ \*NOTE: An “Intent to File a Claim” is not a legal claim. If the veteran does not file a formal claim within one year, or if he/she passes away before filing a formal claim, there is no continuation.

# Initial Claim for Disability



# Initial Claim for Disability

- 21-22 (Appointment of Veterans Service Organization)
- 21-526EZ (Compensation and Pension Form)
- 21-4142 & 21-4142a (Medical Release of private doctor medical records)
- 21-4138 (Statement in Support of Claim)
- Private Medical Records
- Service Treatment Records, if available

Add New  
Condition,  
Request Increase  
or Add  
Secondary  
Condition



# Add New Condition, Request Increase or Add New Secondary Condition

- 21-22 (Appointment of Veterans Service Organization)
- 21-526EZ
- 21-4138 (Statement in Support of Claim)
- 21-4142 & 21-4142a (Medical Release)
- New Medical Evidence for each claimed issue
- New Medical Evidence for secondary issue, as it relates to primary issue

Dependency



# Dependency

- 21-22 (Appointment of Veterans Service Organization)
- 21-686c (Declaration of Status of Dependents)
- Marriage Certificate for current marriage
- Divorce Decree(s) for ALL divorces of veteran and current spouse
- Birth Certificates
  - Current Spouse
  - Biological Children
  - Adopted Children (must also provide adoption decree)
  - Step Children (if not living with the veteran, must provide name and address of where child lives)
- Social Security Cards (Spouse, Children)

➤ *Complete dates and places for all marriages and divorces are required. Incomplete forms will be returned to the veteran.*



# Dependency (continued)

- Form 21-686c is used for ANY changes to dependency
- Form 21-686c was expanded to include:
  - Addition of, or Removal of, a dependent
    - Spouse
    - Minor / Helpless Child
    - Parent
  - Removal of a dependent child who is no longer attending school

VCAA  
5103 Notice  
Response



# 38 U.S.C. 5103 Notice Response

- Known as the **VCAA** or “Duty to Assist” Letter
- Options for veteran/claimant to choose to send additional evidence in support of claim and ask the VA to wait 30 days to decide OR choose that all evidence has been submitted and requesting VA decide immediately.
- Should be signed, dated, and returned to the VA within 30 days of the date of the letter.
- May be the last page of the letter sent by the VA and may not have the veteran’s identifying information on the form. Make sure to ADD the veteran’s ID (name and SSN #)

Individual  
Un-Employability  
(I/U)



# Requirements for I/U

- One disability rated at 60% or higher **OR**
- A combined rating of 70%, with at least one disability rated at 40% or higher
- Veteran is unable to get, or maintain, “gainful employment” as a result of a service-connected disability
- VA may grant a discretionary I/U rating
- Veteran may continue to earn a limited income (refer to VA income threshold)
- Each year the veteran’s income will be verified by cross-reference with Social Security records, and his/her claim for I/U will be re-evaluated.

# Individual Un-Employability

- 21-22 (Appointment of Veteran Service Organization)
- 21-8940 (Application for I/U)
- 21-4138 (Statement in Support of Claim)
- 21-4192 (Request for Employment Info)
  - Send/take this form to former employer

Aid and  
Attendance



# Aid & Attendance Criteria

- Special Monthly Compensation (SMC) **or** Special Monthly Pension (SMP)
- Is not a benefit alone – veteran or surviving spouse must meet the eligibility for Pension (low-income), or veteran must have a disability rating of 30% or higher.
- Is increased monthly benefit paid to a Veteran or surviving spouse.
- Must require the aid of another person in order to perform activities of daily living.



# Aid & Attendance Criteria

- 21-22 (Appointment of Veteran Service Organization)
- 21-0779 (Nursing Home Information)
  - IF veteran / claimant resides in an Assisted Living facility or Nursing Home (full-skilled care facility)
  - NOT for “retirement” facility
- 21-2680 (Exam for Housebound Status)
  - Must be completed, in full, by primary care physician

# Burial and Memorial Benefits



# Burial & Memorial Benefits

- 21P-530 (Application for Burial Benefits)
- 40-1330 (Claim for Headstone or Marker)
- 40-1330M (Claim for Government Medallion)
- 27-2008 (Application for Flag for Burial)
- 40-0247 (Presidential Memorial Certificate)

# Where to Send Claim Forms



# Where to Send Claim Forms

- ALL forms must be sent to the Seattle VFW Regional Office
  - MAIL: VFW Dept. Service Officer  
915 2<sup>nd</sup> Ave Suite 1044  
Seattle WA 98174-1061
  - FAX (preferred): (206) 223-3414

# Questions & Contact Info



# Contact Information

VFW Seattle Regional Office

**Phone:** 206-341-8284

**Mailing Address:**

915 2<sup>nd</sup> Ave Suite 1044

Seattle WA 98174

**Office Manager: Kathy Nylén**