

National Association of County
Veterans Service Officers

Testimony of
Darlene McMartin,
First Vice-President
Veterans Legislation



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Introduction

Mr. Chairman, members of the committee, it is truly my honor to be able to present this testimony before your committee. As First Vice-President of the National Association of County Veterans Service Officers, I am commenting on:

- The Past Year in Veterans Legislative Efforts by the National Association of Veterans Service Officers; and
- The upcoming Year and suggestions for improvements in Veterans Affairs.

The National Association of County Veterans Service Officers is an organization made up of local government employees. Our members are tasked with assisting veterans in developing and submitting their claims to the DVA for adjudication. We exist to serve veterans and partner with the National Service Organizations and the United States Department of Veterans Affairs (DVA) to serve veterans. Our Association focuses on outreach, standardized quality training, and claims development.

We are extension or arm of government, not unlike the VA itself in service to the nation's veterans and their dependents.

The Past Legislative Session

Over the past year, as in the five years prior, the National Association of County Veterans Service Officers has concentrated on legislation that would assist the Department of Veterans Affairs with claims development and the inventory of pending veteran claims. We fully supported HR 4264 The Veterans Outreach Improvement Act of 2005 by Congressman McIntyre of North Carolina and its companion bill in the Senate S. 1990 by Senator Burr of North Carolina. There are other bills such as HR 4355 The Rural Veterans Services Outreach and Training Act by Congressman Wu of Oregon that we believe to be on the right track to improve services to our great nation's veterans. We believe that legislation such as this, is what is needed to reduce the backlog of veterans claims that has continued to grow larger in spite of valiant efforts of the Department of Veterans Affairs. In 2002 the National Association of County Veterans Service Officers testified before the House Subcommittee on Veterans Benefits that Veterans are "Dying while Waiting" for their claims to be adjudicated. Sadly, this is still going on. The saddest circumstance is that it is needless and can be changed for the better. The relationship between the Department of Veterans Affairs (DVA) and the County Veterans Service Officers (CVSOs) throughout our great nation has traditionally been professional and mutually advantageous and has developed into a partnership benefiting the nations veterans. The DVA has assisted the CVSOs in providing limited training opportunities and access to

information the DVA holds on our mutual clients. By a large majority of disability and pension claims, the CVSOS serves as the primary entry point nation-wide for the local veteran to access the services offered by the DVA. Most veterans view the local CVSOS as “The VA” and do not realize that the DVA and the CVSOS are not one and the same and in many ways we are the VA to our communities.

NACVSOS sees the role of County Veteran’s Service Officers as one of advocacy and claims development in concert with the veteran or dependent at the grassroots level. Our members sit across the desk from our veterans everyday. Because of this direct access to our veterans, we believe we are in the position to assist the DVA in claims development in an unprecedented way as set forth in HR 616 introduced by Congressman Baca in 2005.. NACVSOS believes that developing a fast tracking method for the submission of fully developed claims eases the burden on the DVA’s inventory of pending claims and NACVSOS also believes that a Pilot program, as outlined in HR 616, would provide relief to the astronomical number of veteran claims awaiting processing around the nation. The process begins with a face to face, in depth interview between the veteran and the CVSOS. This initial interview accomplishes many things. It builds a trust between the veteran and the CVSOS and provides the veteran with a basic understanding of how the DVA system works. The CVSOS honestly explains the process with the veteran while building realistic expectations for the veteran. This results in lessening the impact of frivolous claims or unrealistic appeals that the DVA is mandated to process and develop. Once complete, the application package is then passed on to a state or national service office for review and presentation to the VA regional office of jurisdiction. Any hearings or additional records required can be obtained by the CVSOS of record if needed. Once the rating decision is made and received by the veteran, the veteran nearly always returns to the CVSOS for an explanation. The

CVSO then interprets the decision for the veteran and explains what the decision means to the veteran and their dependents. The CVSO reviews the rating decision for accuracy and explains the veteran's benefits. If an appeal is warranted, the CVSO can explain what a notice of disagreement is and assist the veteran with the preparation of the appeal. The CVSO can also limit frivolous appeals at this point through proper guidance and counsel to the veteran without further bogging down the system. We believe this division of responsibility, between two arms of government (federal and local), benefits the veteran, the CVSO and the DVA and has the potential to provide a clearer understanding for the veteran of the process of claims development and how the DVA system works.

The Current and next Legislative Session:

The future of Veterans services is the developing partnership between the NACVSO, National Service Organizations and the DVA is the most important legislation Congress can pass for the veterans and dependents that are eligible for Veterans Benefits. County Veterans Service Officers play a vital role in the veteran's advocacy system. The National Association of County Veterans Service Officers views the local County Veterans Service Officer as an extension or arm of government, not unlike the VA itself. VSO Relationships we subscribe to would be a **Full Partnership and Cooperation** between the VBA and all VSO's. This partnership must include the Veterans Service Organizations (VSOs), State Departments of Veterans Affairs (SDVAs), and County Veterans Service Officers (CVSOs). The local CVSO is the closest to the veteran and dependent and with funding from the VA the CVSO could provide services to an increased number of possible beneficiaries. NACVSO is capable of providing an out-stationed network of over **3000 FTE** to develop well-documented and "ready- to- rate claims", help defer frivolous claims and increase veterans satisfaction by providing timely claim status to the veteran. We are already present in most communities and stand ready to do our part to assist the Department of Veterans Affairs with this monumental task. NACVSO supports HR 4264 and its companion bill S1990, introduced by Congressman Mike McIntyre and Senator Burr of North Carolina. Local grants to county veteran service officers to enhance outreach to veterans and their dependents would also ensure the quality of training provided to the CVSO's meets the highest standards. NACVSO is available and has the capability to assume the roll of manager and develop tracking and payment controls as defined by the grant or administrative claiming program guidelines.

Outreach:

Outreach efforts must be expanded in order to reach those veterans and dependents that are unaware of their benefits and to bring them into the system. Nearly 2 million poor Veterans or their impoverished widows are likely missing out on as much as \$22 billion a year in pensions from the U.S. government, but the Department of Veterans Affairs has had only limited success in finding them, according recent reports in the North Carolina Charlotte Observer. According to a recent study performed by the National Association of State Directors of Veterans Affairs the national average for our nation's veterans who receive Compensation and Pension from the Veterans Administration stands just over 11 % of the number of veterans in the respective jurisdictions. This is merely a measuring stick that many in State and Local Veterans Affairs Agencies believe is at a minimum acceptable level. The National Association of County Veterans Service Officers believe that we must do better. With approximately 88 plus % of veterans not being compensated for injuries or diseases. It is more likely than not a lack of access or knowledge of available services rather than a lack of interest by the veteran.

Nonetheless, one VA estimate of the program shows the potential pool of poor veterans and widows without the pensions has remained unchanged the past four years. The total number of pension cases fell to 541,000 in fiscal 2005, the sixth straight year of declines. The VA actuary's office report obtained by Knight Ridder, predicts that pension participation is likely to drop further, losing between 7,000 and 8,000 enrollees a year and falling below 500,000 participants by 2012. At the same time, the separate 2004 report estimated that an additional 853,000 veterans and 1.1 million survivors – generally widows -- **could get the pension but don't**. Of all those likely eligible, only 27 percent of veterans and 14 percent of widows receive the money. It is obvious that there is a great need for outreach into the veteran's community and the local CVSO is the advocate closes to the veterans and widows and with minimal funding could reach the maximum number of eligible veterans and widows. Therefore, NACVSO is supporting HR 4264 and its companion bill S 1990, introduced by Congressman Mike McIntyre and Senator Richard Burr, of North Carolina, that would allow Secretary Nicholson to provide federal – state – local grants for assistance to state and county veterans service officers to enhance outreach to veterans and their dependents. We are already present in most communities and stand ready to do our part to assist the Department of Veterans Affairs with this monumental task.

Standardized or minimum training requirements:

There have already been some discussions by the VA on this topic. This discussion on the development of training standards must be moved to the “front burner.” NACVSO has been an advocate for standardized training for claims development for many years. We feel that the person who sits across the desk from the Veteran or their dependents should have a minimum amount of training that will ensure that the veteran is getting proper service and the very best information available. The service that a veteran receives should not be based on what state or county he or she is living. Every veteran should have the right to expect whoever is helping them is adequately trained and is giving them the very best of assistance. The standards must be set high. As professionals, NACVSO would like to see VA training standards established to help ensure quality assistance to the veteran with his / her claim. With VA standards there needs to come some type of assistance to insure that every county, state and veterans service organization

fulfills this requirement. . In this day and age of shrinking county budgets, it only makes sense to provide some sort of training grants for those counties that simply cannot afford the to send their Veterans Service Officers and claims representatives to basic and advanced training. Training is the Key to the success of producing ready to rate claims. The VA has, at its disposal a ready workforce consisting of approximately 3000 FTE ready to become true partners with the VA in claims work. This would also allow the CVSO to strive to meet professional goals and then seek quality professional continuing education to meet accreditation requirements and to gain access to the veterans electronic file.

Improved Access:

Access to the veteran's electronic VA file for CVSO's who have had the proper training, certifications by VSO's for power of attorneys and the correct permissions granted by the VA , have access to the veterans electronic file. We can access the veterans MAP-D and SHARES records using the VA's VPN from remote locations. For those of us who have this access, it has been a tremendous asset when working with a veteran. With this access, we can discuss the veterans claim with the most current information available. This makes all of us who are involved in the benefits process look more professional. The VA should immediately expand training opportunities for the attendance of TRIP Training, encourage certification for accreditation by VSO's and provide access to all electronic files for the veterans claims to include Virtual VA. Work should start quickly to allow electronic filing of veterans claims, the capability exists to do this. When the claimants paper work, including all supporting documents, can be electronically transmitted to the VA regional office from the remote county office instantaneously and placed in real time in front of a "TRIAGE" person to log in and distribute the work, this can make a real difference in the inventory/backlog of claims. The key to this succeeding is a partnership between governmental agencies like the DVA, the County and the State and Veteran Service Organizations that ensures access to the necessary programs that are under the VA control, for example CAPRI and Virtual VA.

Claim Development:

The Monday Morning Report of 26 August 2006 showed the there was 596,706 veterans C&P claims pending in WIPP. This is approximately double the amount of claims that would ideally be in WIPP. This is an increase of 88,757 claims in one year. This is unacceptable and causes an undue burden on the claimant and the VA workforce. There are two methods to consider in order to reduce the amount of claims pending in WIPP. One method is to hire and train significantly more Development Clerks, Adjudicators and Raters. If there is a 25% increase in these positions, we would see more claims completed than new claim entering the system. This would allow the backlog of claims to be reduced and reduce the amount of time the veteran has to wait on a decision. This would be a costly avenue to pursue and would take 2 to 4 years to be fully effective. The most cost effective way to work down the backlog is to have the VA employees spend less time on each claim. If 15 to 30% less time is spent on each claim, it would result in more claims being processed in the same amount of time. At some point completed claims will

out number the new claims thus reducing the backlog. How can this be accomplished? By the Department of Veterans in partnership with NACVSO and the VSO making a serious effort in providing in-depth training and guidance of true claims development. Any rating officer will tell you that is a pleasure receive a new claim that is fully developed. The rater can review the claim, produce a decision and move on to the next one. You have an army of about 3000 governmental partners who are willing to do more in the development area. The County, City and State Service Officers would welcome an in-depth training program on proper claims development. The National Association of County Veteran Service Officers stand ready, willing and able to assist the VA in the development, piloting, evaluating and the implementation of a professional claims development course.

Mr. Chairman, I thank you for this opportunity to provide this testimony to your committee on veterans issue before this committee. I would be glad to answer and questions you or your committee members may have.