OCEAN COUNTY
VETERANS SERVICE BUREAU
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HVAC SUBCOMMITTEE on DISABILITY ASSISTANCE & MEMORIAL AFFAIRS
OCTOBER 3RD, 2014

RHETORIC vs. REALITY

PHILADELPHIA VA REGIONAL OFFICE

I AM A COMBAT DISABLED VIETNAM VETERAN. I HAVE SERVED MY FELLOW VETERANS, THEIR SPOUSES AND CHILDREN IN THE CAPACITY OF AN ADVOCATE AND CLAIMS REPRESENTATIVE SINCE 1982. I AM THE PAST PRESIDENT OF THE NATIONAL ASSOCIATION OF COUNTY VETERANS SERVICE OFFICERS (NACVSO, 2004-2005), THE PAST NATIONAL SERVICE DIRECTOR (NSD, 2005-2012), THE PRESIDENT OF THE NEW JERSEY ASSOCIATIONS OF VETERANS SERVICE OFFICERS (NJAVSO, 1998-PRESENT) AND THE DISTRICT COMMANDER OF VFW DISTRICT 12 (2013-PRESENT).

IT IS EXTREMELY EASY TO SINGLE OUT A PARTICULAR RO AND POINT TO PROBLEMS WITHIN THAT AGENCY WITHOUT OFFERING SOLUTIONS. LADIES AND GENTLEMEN, TRUE RESOLUTION REQUIRES A SEMBLANCE OF THE TRUTH. TRUTH BE TOLD, THE INADEQUACIES THAT CLAIMANT'S EXPERIENCE UNDER THE JURISDICTION OF THE PHILADELPHIA RO ARE ENDEMIC TO THE ENTIRE VA SYSTEM OF PROCESS AND ADJUDICATION. SOME OF THE PARTCULAR PROBLEMS OF THE CLAIMANT'S EXPERIENCE WITH THIS RO ARE:

1) DUTY EXECUTED POWER OF ATTORNEY FORMS (VA FORM 21-22, VA FORM 21-22a) ARE NOT SCANNED AND RECORDED INTO THE CLAIM FILE IN A TIMELY FASHION- THIS PROBLEM, DUE TO THE PRIVACY ACT OF 1972, DOES NOT ALLOW EFFECTIVE COMMUNICATION FROM THE FIELD REP AND THE RATING SPECIALIST OR OTHER PERSONNEL STATIONED AT THE RO;
2) WITH THE UTILIZATION OF THE "PAPERLESS" INITIATIVE UNDER FORMER SECRETARY SHINSEKI, COPIES OF RATING DECISIONS, TO INCLUDE RATING SHEETS, ARE DENIED THE FIELD REP BY HARD COPY, UNLESS THEY ARE AUTHORIZED TO USE THE VETERANS BENEFITS MANAGEMENT SYSTEM (VBMS). WITHOUT THE RATING SHEET, IN PARTICULAR, AVAILABLE TO THE FIELD REP, WE, WHO SIT ACROSS THE DESK FROM THE CLAIMANT ON A DAILY BASIS, ARE LEFT IN THE BLIND AND MISINFORMATON AND ADVERSITY TO THE VA BY THE VETERANS' COMMUNITY ABOUNDS.

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THIS MAY SEEM LIKE A CORRECTABLE SITUATION WITH THE ONUS OF RESPONSIBILITY PUT UPON THE FIELD REP BUT, THE AUTHORIZATION PROCESS IS COMPLEX AND LABORIOUS, AT BEST. CASE IN POINT, AS I AMBLE THOUGH THE PROCESS OF AUTHORIZATION TO UTILIZE VBMS, I HAVE TO PHYSICALLY COUNT THROUGH EVERY POA WHOM I REPRESENT. PRESENTLY, I AM HALFWAY THROUGH THE ALPHABET AND AM AT NEARLY 2,000 CLAIMANTS. THIS PHYSICAL COUNTING PROCEDURE HAS TAKEN SO FAR 3 WEEKS OF MY TIME, EVEN WITH THE ASSISTANCE OF 2 MEMBERS OF MY STAFF.

3) THERE IS A NEW ELECTRONIC INITIATIVE, THE PC-3 PROGRAM. IT BECAME AVAILABLE IN DECEMBER, 2013. WE, IN THE FIELD, WERE NOT NOTIFIED UNTIL JUNE, 2014. TRAINING ON THE USE OF THIS SYSTEM IS YET TO BE ANNOUNCED. INEFFECTIVE COMMUNICATION FROM THE TOP DOWN, IN MY EXPERIENCE IN COMBAT, KILLS PEOPLE. TRANSLATED TO THIS PROCESS, IT DELAYS OUR COMPLIANCE WITH THIS "PAPERLESS" SYSTEM. DELAYED ADJUDICATION IS JUSTICE DENIED TO THOSE, AND THEIR FAMILIES WHO HAVE PUT THEMSELVES IN HARM'S WAY SO THAT THE REST OF US CAN ENJOY FREEDOM.
4) THE INORDINATE AMOUNT OF TIME THAT IT TAKES TO ADJUDICATE A CLAIM HAS LITERALLY TAKEN ITS TOLL ON THE VETERANS POPULATION, THE TENS OF THOUSANDS OF VETERANS AND THEIR FAMILIES WHOM I HAVE HAD THE HONOR AND PRIVILEGE TO REPRESENT OVER THE DECADES. I HAVE HAD AT LEAST 3-4 DOZEN CLAIMANTS DIE WHILE WAITING FOR A VA DECISION ON THEIR CLAIM. OH, WE CAN EXTOLL THE VIRTUE OF THE ELECTRONIC INITIATIVE, THE FULLY DEVELOPED CLAIM PROCESS (FDC), THE VA FORM 21-526EZ, ETC. THESE CLAIMS ARE A QUICK TURNAROUND TIME, FOR RECENTLY RELEASED VETERANS. WHAT ABOUT THE WWII VETERANS, THE KOREAN VETERANS, THE VIETNAM VETERANS AND ALL OF THE OTHERS IN BETWEEN WHO DO NOT HAVE ACCESS TO THEIR SERVICE MEDICAL RECORDS OR HEALTH CARE OR THE PRODUCTION OF ANY EVIDENCE OR DOCUMENTS THAT WILL SUPPORT THEIR CLAIMS. WHAT IF ALL THE AFORMENTIONED VETERANS MEMORY OF EVENTS IS QUESTIONABLE. THE OLDEST CLAIM I HAVE IN MY OFFICE IS 11 YEARS OLD. WE STILL HAVE A BACKLOG IN THOSE CLAIMS.
5) APPEALS STILL TAKE 2-3 YEARS TO BE HEARD AND WHEN THEY ARE, WITH A JUDGE'S ORDER TO EXPEDITE THE CLAIM, I FEEL

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THAT NO ONE IN THE ENTIRE VA SYSTEM KNOWS THE MEANING OF THE WORD "EXPEDITE." I REALIZE THAT THIS ISSUE GOES BEYOND THE RO, BUT MAYBE WE SHOULD ALSO LOOK AT THE INTERACTION BETWEEN THE RO AND THE BOARD OF VETERANS APPEALS (BVA).

I WOULD BE REMISS IF I DID NOT COMPLIMENT THE PENSION MANAGEMENT CENTER DIRECTOR, GARY HODGE, AND HIS STAFF FOR THEIR EFFORTS ON BEHALF OF MY CLAIMANTS. IF I CALL OR EMAIL, THEY ARE RIGHT ON THE PROBLEM. THE SAME KUDOS SHOULD BE AFFORDED THE RO'S INSURANCE CENTER. I DO NOT MEAN TO BESMIRCH THE COMPENSATION COMPONENT, OR ANY OTHER OPERATIONAL COMPONENT FOR THAT MATTER, OF THE RO. I KNOW WE DO OUR BEST. SO, TOO, DO I KNOW WE CAN DO BETTER. ELECTRONIC ANSWERS FROM THE VA CENTRAL OFFICE ARE NO SUBSTITUTE FOR HARD WORK IN THE FIELD. I AM FAMILIAR WITH THE NEW RO DIRECTOR, MS. DIANA RUBENS. I HOPE THAT SHE CAN ADDRESS THE ISSUES OF ALL OF WE FIELD REPS. THE RECENT TOWN MEETINGS ARE A GOOD FIRST STEP. THERE SHOULD BE MORE! UNDERSTAND, THAT IF GOVERNMENT IS TO TRULY SERVE THE PEOPLE, AS WE REITERATE CONSTANTLY, THAN IT IS IN THOSE PEOPLE'S INTEREST THAT WE ARE TRUE PARTNERS. MY ASSOCIATES ARE, FOR BETTER OR WORSE, FTE'S THAT ARE GROSSLY UNDER UTILIZED BY THE VA IN GENERAL.

LADIES AND GENTLEMEN, YOU SHOULD NOTICE BY NOW THAT I DO NOT REFER TO THE ONGOING PROBLEMS OF THE VA PROCESS AS A "CHALLENGE." A CHALLENGE IS ME TRYING TO RE ENLIST IN THE MILITARY ON 09/12/2001. THESE PROBLEMS HAVE BEEN INHERIT WITHIN THE CLAIMS PROCESS OF THE VA SINCE I BEGAN MY VOYAGE OF ASSISTING OTHER VETERANS AND THEIR FAMILIES OVER 3 DECADES AGO. THEY HAVE NOT GOTTEN BETTER. WE JUST CREATE NEW DIALOGUE AND THE PROBLEMS ARE NOT ADEQUATELY ADDRESSED AS OUR ATTENTION IS DRAWN ELSEWHERE.. I DO NOT BELIEVE THAT THERE ARE MEAN SPIRITED PEOPLE WITHIN THE VA WHO WOULD SUBJECTIVELY DENY ENTITLEMENTS TO A CLAIMANT. I BELIEVE THAT THE PROCESS IMPLEMENTED THROUGH THE FORMER SECRETARY AND HIS STAFF IN THE IVORY TOWER TO ADDRESS THE BACKLOG AND THE RATING SYSTEM, WERE, AND STILL ARE, BASED UPON PHONY STATISTICS. MANY OF THOSE STATISTICS WERE THE PRODUCT OF A PERFORMANCE BONUS PROGRAM. ARE YOU SERIOUS? I HAVE ATTENDED MANY MEETINGS IN THE CENTRAL OFFICE, NOT WITH THE PURPOSE OF TEARING THE SYSTEM DOWN BUT, TO POINT OUT

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DEFICIENCIES AND OFFER ANY METHOD THAT WOULD MAKE THE SYSTEM LESS FRUSTRATING TO THE CLAIMANT. IT TOOK A WHISTLE BLOWER FORMER VA MEDICAL EMLOYEE TO OPEN UP THE EYES OF AMERICA AND CONGRESS TO THE WORKINGS OF "GAMING" THE COMPUTER IN ORDER TO RECEIVE A BONUS. OKAY, THAT WAS THE VETERANS HEALTH ADMINISTRATION (VHA). THE SAME PERFORMANCE BONUS SYSTEM IS AVAILABLE WITHIN THE VETERANS BENEFITS ADMINISTRATION (VBA). TO ME, IT'S **BLOOD** MONEY. IT IS THE BLOOD OF MY FELOW VETERANS THAT WE ARE TALKING ABOUT HERE; THE PEOPLE WHO PAY OUR SALARIES; THEY DESERVE BETTER!

THANK YOU FOR THIS OPPORTUNITY TO SPEAK TODAY AND I WILL NOT, EVEN IF THE REST OF YOU PAY NO ATTENTION TO THE PROBLEMS ENDEMIC WITHIN THE VA CLAIMS PROCESS, REST ON MY CLAIMANTS UNTIL THE LAST BREATH LEAVES MY BODY.

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