

VFW POST 604 NEWS

V.F.W. Mission Statement

The purpose of this corporation (VFW) shall be fraternal, patriotic, historical, charitable, and educational; to preserve and strengthen comradeship among its members; to assist worthy comrades; to perpetuate the memory and history of our dead, and to assist their widows and orphans; to maintain true allegiance to the Government of the United States of America, and fidelity to its institutions of American freedom, and to preserve and defend the United States from all her enemies, whomsoever.

WWW.VFW-604.ORG

April 2015

Commander's Corner

Hello Everyone!

I mentioned in our last newsletter that election time was coming up. Well, here it is already. Our meeting for April will be on Tuesday the 21st. At this meeting, we will be holding our nominations so please plan to attend. Our meeting starts at 6:00pm sharp.

On March 21st, I attended the 7th District Awards Program for Patriot Pen and Voice of Democracy in Martinsville. Post 604 entry Tatiana Andrade was awarded 2nd place in the Patriot Pen contest. She received a certificate, backpack and a check for \$150.00. Congratulations Tatiana and thank you for participating in one of our programs.

We are in the final stages of planning for our Memorial Day program at Valhalla Memory Gardens. Our ceremony starts at 10:00am on May 25th so mark your calendar now so you don't forget. We will have the Southern Indiana Pipe & Drum Corp., Bloomington Community Band, Southern Indiana Home Schooled Choir, Veterans Honor Guard, Red Cross, Boy Scouts, special singers, speakers, free coffee and donuts. A free lunch of hamburgers and hot dogs will be at the Post following the program (don't forget to bring a lawn chair).

We are planning on having a great summer at the Post so come on out and join us. Keep an eye out for possible new members and invite them to the Post so they can see what we are about. We still need 14 members to pay their dues to get to 100%. Please help.

Joe Hardin, Commander

Post 604 Men's Auxiliary

I'm trying to make a comeback both on Thursday and Friday nights. This group is working their tails off and I can never praise or thank them enough. They know who they are and they need to know that I greatly appreciate all they do. We sure could use a couple more volunteers – commitment would be just once a month (although more if you want) – helping out on our dinner special (cooking or serving) or Thursday night's Texas Hold'em (dealers needed and happy to train if necessary). Our club is growing and we need some help hoping that some of our members who are currently not involved will come out and help a little. I know everyone is busy and this is another commitment but it doesn't feel like work. We have a great group, small as we are, and we have a lot of fun. It doesn't feel like work and we sure could use the help.

Thursday night poker - Texas Hold'em Tourney and cash games - are super!! Friday night "Fish Fry" gets bigger each month with more new faces coming out to eat plus our regulars who already know how good this is. NASCAR Sunday is still growing too with a new record set at each turn-out.

The third Tuesday of the each month at 6pm is meeting night. Everyone is welcome. If you have any questions or are interested in getting involved, plan to attend the next meeting on April 21st.

If you've not been at our new post you are really missing out on some great food and fun times. We have a special dinner at a cheap price every Friday night. Come get you some. Bring family and friends and give us a try just one Friday and see what you've been missing!!

Thanks

**Tim Haney, President
Men's Auxiliary VFW Post 604**

Post 604 Ladies Auxiliary

Ladies,

I was disappointed to, say the least, in the fact we did not have enough people here for a March meeting. This makes the second meeting we've not had this year. This month, (April), our meeting is on the 21st at 6:00 PM. Please, please, please come and see what's going on.

Add your thoughts and ideas.

Our dinner will be Friday, April 24th. Plans are to have a Taco Bar. All you can eat for \$6.00 and we are asking our auxiliary to please bring desserts. We also need volunteers to help.

A reminder if you have not paid your dues, after June 30th you will no longer be a member and will have to start all over as a new member. This means to be a member you would have to rejoin, prove your eligibility, get voted in and start over your continuous years. So it's much better to just pay your \$25.00 now.

Be sure to check the calendar and other newsletter articles for Friday night dinner specials.

Julia Curtis
VFW Ladies President
812-822-0028

APRIL SHOWERS!!!

So good to see the sun again and better weather. 1st Friday of the Month Dinner Special (Apr 3rd)—this month we will feature Country Fried Pork Loin with Mashed Potatoes, Gravy and Corn. Now this fried pork loin is going to be Monstrous but the price is still going to be small--\$5.00. Serving starts at 6:00 pm till we run out!!

There is NO NASCAR Sunday this month since there are no afternoon races scheduled for this month; however, the Mens Aux. will be back next month with their Great Big Ole Tenderloin Sandwiches.

3rd Friday of the Month STEAK NIGHT (Apr 17th)!! 8 oz. Ribeye with Baked Potato and Salad and Dessert all for just \$10. This meal would easily cost \$11 and change--minimum - anywhere else but here at your VFW Post 604!--That's right--just \$10. Texas Hold-em Tournament every Thursday, starts at 7:00 p.m. And then the Bunny Rabbit gets in the way so we will not have a Sunday Texas-Hold-em Cash game this month. Silly rabbit!!!

House Committee

VA "New Laws" effective 24 March 2015

I hardly know where to begin. Paul Curtice, VFW Service Officer and head of the Indianapolis VFW office, told me late last year that some serious changes were going to happen in March regarding Department of Veterans Affairs claims processing procedures and adjudication requirements. (Paul and I worked together in the late 1970s when I was a junior veterans' benefits counselor for the VA and Paul was a junior service officer for the VFW.) From the context of our brief conversation, I got the impression that these changes helped Paul finally decide to retire.

I've mentioned before that VA-initiated ("inferred") claims for disability compensation will stop. No longer when, in the course of their looking through a veteran's military medical records to consider a veteran's disability claim for X disability, are the good VA employees permitted to also file on the veteran's behalf for the Y disability they happen to see documented. Had this rule been in effect in the early 2000s, I would not have at least one and perhaps two of my currently rated service connected disabilities, would have less compensation, and would be in a lower priority group for VA health care.

In a post-24 March world in which the burden is on the veteran to know every possible disability that might be rated as service connected so that he or she can claim each that they might still have and forgot the related dispensary treatment that occurred forty years ago ... well, that's not consistent in my opinion with the VA's "duty to assist" established by the courts

Combine this change with the almost impossibility of a veteran being able to examine his or her official medical records in VA custody, page by page. Even if the veteran's VA claim folder, the old fashioned hard copy version, had not yet been sent to a federal storage facility and was still in a VA regional office, actually seeing it is a real chore. The VA cannot leave a veteran alone with his or her claim folder because of fear that the veteran might slip in a fake document, take something out, whatever. On those rare cases in which the veteran does request and gain access, a VA employee must stay with the veteran the entire time. There may be hope that the veterans' records will - someday - all be scanned into an accessible electronic record. I guarantee you we are not there yet. 'Low priority work for the VA.

The above information is from Paul. We're not even into the DAV article yet (*Formalizing the process*, DAV Magazine, March/April 2015 issue, page 5), which begins - "The days of being able to informally start disability claims . . . by writing a simple statement on a sheet of paper are over. That will no longer secure an effective date for the evaluation of an award. New laws going into effect March 24 will require claimants to use specific forms for claims and appeals. The new laws require that all claims to the VA be filed on standard forms, regardless of the type. The VA states that abolishing the longtime practice of informally initiating veterans' disability claims will be one way of improving the quality and timeliness of processing.

(Cont. on Page 4)

Laurens B. Strain – VFW Post 604

April 2015

Closed Sunday	Open 1200 - 2200 Monday	Open 1600 - 2200 Tuesday	Open 1600 - 2200 Wednesday	Open 1600 - 2200 Thursday	Open 1400 - 2200 Friday	Open 1000 - 2200 Saturday
			<p>1</p> <p>April Fool's Day</p>	<p>2</p>  <p>Starts at 7pm</p> <p>* Vet to Vet – 1800</p>	<p>3</p> <p>Serving Dinner 1800-2100</p> <p>Friday Night Special (Good Friday)</p> <p>Passover Begins</p> <p>Post open at 2pm</p> <p>Commander's Drawing @1900</p>	<p>4</p> <p style="text-align: center;">○ Full Moon</p>
<p>5</p> <p>Easter Sunday</p>	<p>6</p> <p>HOT DOG MONDAY</p> <p>Army Day</p> <p>Open @ Noon</p>	<p>7</p>	<p>8</p>	<p>9</p>  <p>Starts at 7pm</p> <p>Nation Former POW Recognition day</p> <p>* Vet to Vet – 1800</p>	<p>10</p> <p>Serving Dinner 1800-2100</p>  <p>Post open at 2pm</p> <p>Commander's Drawing @1900</p>	<p>11</p> <p>Persian Gulf War Official Cease Fire (1991)</p>
 <p>Last 1/4</p> <p>12</p> <p>Orthodox Easter</p>	<p>13</p> <p>HOT DOG MONDAY</p> <p>Open @ Noon</p>	<p>14</p> <p>Meetings</p> <p>V.F.W. – 1800</p> <p>Men's Aux – 1800</p> <p>Ladies Aux – 180</p>	<p>15</p> <p>Income Tax Day</p>	<p>16</p>  <p>Starts at 7pm</p> <p>* Vet to Vet – 1800</p>	<p>17</p>  <p>Serving Dinner 1800 – 2100</p> <p>Post open at 2pm</p> <p>Commander's Drawing @1900</p>	 <p>New</p> <p>18</p>
<p>19</p>	<p>20</p> <p>HOT DOG MONDAY</p> <p>Open @ Noon</p>	<p>21</p>	<p>22</p> <p>Administrative Professionals Day</p> <p>Earth day</p>	<p>23</p>  <p>Starts at 7pm</p> <p>* Vet to Vet – 1800</p>	<p>24</p> <p>Ladies Aux. DINNER SPECIAL</p> <p>(Arbor Day)</p> <p>Post open at 2pm</p> <p>Commander's Drawing @ 1900</p>	 <p>1 1/4</p> <p>25</p>
<p>26</p>	<p>27</p> <p>HOT DOG MONDAY</p> <p>Open @ Noon</p>	<p>28</p>	<p>29</p>	<p>30</p>  <p>Starts at 7pm</p> <p>* Vet to Vet – 1800</p>		<p>31</p>

(* For Vet-to-Vet Held at IVY Tech, 200 Daniels Way room A118 – Check website <http://www.vetovetbloomington.com/> to confirm location)

Telephone Number **(812) 339-2375**

Charity Game Night License # **134469**

Raffle License # **134470**

VA “New Laws” (Cont)

The new law eliminates the practice of using reports of hospitalizations, examinations and other medical records to serve as the start of informal claims for increase or to reopen while retaining the retroactive effective dates.

The change also affects appeals. Under the new laws, the VA will accept an expression of dissatisfaction or disagreement with its decision as a notice of disagreement (NOD) only if it is submitted on a standardized form.”

The article goes on to specify the new forms, talk about DAV service officer training, and brags about DAV involvement in these changes. I don't think I'd brag. For at least the last fifty years, a semi-literate veteran (Maybe a WWII Philippine Scout, not too familiar with English? Risked torture and death at the hands of the Japanese to help the American soldiers?) could send in a signed, hand written note to the VA saying, “I was shot in my right side during the Las Banos raid in 1954 and it still hurts. Rodrigo down the street gets compensation from the VA. Can you help me?” The VA would date stamp the note, initiate processing as an informal claim for compensation, then answer the veteran and lead him through the process of perfecting the claim. When his claim was finally adjudicated, the effective date would be based on that first date stamp. There are words to describe this procedure, such as “decent”, “helpful”, “honorable”, “traditional” - and, on the 24th of March 2015, “history”.

Before I forget, when the author of the DAV article says “new law” he almost certainly means “change to applicable sections of Title 38 Code of Federal Regulations.” The United States Code is law. Agencies such as the VA can change the regulations (through a lengthy process which includes considering input from affected organizations and individuals) as to how to apply the Code, but not the Code itself.

I can understand the new generation of VA GS-345 program analysts trying to streamline the adjudication and appeals processes. Treating veterans as widgets instead of human beings, force-fitting their unique cases into cookie-cutter standard forms and procedures – this really does increase *efficiency*. Central Office analysts know all. Everything is standardized. Less case development is required. Cases are closed a lot quicker. Backlogs are reduced. People get awards. But *effectiveness* is hurt if we assume “effectiveness” is still defined by the VA as getting the right compensation (everything they deserve but not any more than they deserve) to the right veterans. The VA has been down this path before. When the pendulum swings too far away from helping the veterans; the vets are hurt, they and their families complain, cases reversed on appeal go up, and Congressional pressure and/or US Court of Appeals for Veterans Claims case law forces the pendulum to swing back toward being helpful. (Unfortunately, some of the veterans hurt during the bad phase stay hurt, casualties of the “veterans versus the VA” perpetual conflict.) Some of you may remember the 1990s VA requirement for incoming claims to be complete before they would be considered. (These days we call the complete concept “Fully Developed Claims”, even though the VA is not as restrictive as in the 1990s. Yet.) By 2000 the public, courts, and Congress had had enough. The “force the claimants to do all the development leg work” screening incoming claims policy was dropped and the VA was forced to start sending out the infamous “duty to assist” letters in reaction to every single claim, whether the claimant needed any help or not, whether the submitted claim was totally complete or not – thereby delaying every claim's processing and insulting and discouraging even more veterans.

Well, here we are. The VA forms which must be used for their intended purposes:

VA Form 21-0966: *Intent to File a Claim for Compensation and/or Pension, Survivors Pension, or Other Benefits*. This takes the place of the old informal claim (signed scrap of paper from the WWII Scout) and must be followed up by one of the following three forms (or by filing electronically) within one year:

VA Form 21-526EZ for service connected compensation and the related disability rating(s).

VA Form 21-527EZ for non-service connected pension. (Wartime veteran cannot work, low income, low net worth. Medical expenses reduce countable income, such as nursing home care. Aid and Attendance is the highest level of pension.)

VA Form 21-534EZ for survivors benefits, such as dependency indemnity compensation (DIC) where the veterans death was service connected or the veteran was rated 100% service connected disabled for 10 years or more preceding death; survivors pension (similar to the veterans pension, but less money), low income, low net worth, medical expense deduction from income, Aid and Attendance highest level; and accrued benefits, i.e., what the veteran was owed by the VA at the time of his passing.

VA Form 21-0958, *Notice of Disagreement*: Similar to the informal claim being no longer valid on a piece of paper that any claimant anywhere on Earth might have handy, the claimant who feels they were harmed by a VA decision can no longer use a handy piece of paper to tell the VA “I'm not happy with such-and-such decision”. Not even a typed business letter. Nooo! ‘Hasta be on a special VA form to be considered as a real notice of disagreement in order to start the appeal process. I suppose if you don't have the 21-0958 to complete, sign, and send in before the 364th day after the decision and your one year appeal right expires, or can't get through to the VA on the 800 827 1000 number to have a good representative complete the new form over the phone on that last day, you are out of luck. By the way, when was the last time you were able to get through to the VA through the toll-free number?

I know the VA has been under a lot of pressure to close cases. Closing cases too quickly produces a high error rate, which causes a high proportion of appeals. We all understand that. But the answers should have been selecting and hiring better VA employees, better training for VA employees, better mentoring of VA employees at the start of their careers, and better monitoring of VA employees work, including feedback when errors were discovered so that those kinds of errors would not occur again. Evidently the VA has chosen to rely on new and changed forms and matching new and changed regulations and procedures instead. So – let me get this straight – if we take the same VA employees along with others selected the same way that got us the ones on board now, with the same marginal level of training but now with new topics added (because we will have grandfathered pre-24 March cases which will be worked for years to come mixed with post-24 March cases), same minimal mentoring, same lack of quality control, and same lack of systemic corrective feedback, using new (stovepipe data) forms which can't possibly match every unique case . . . and we expect a better outcome?

Paul, you made the right decision.

Laurens B. Strain V.F.W. Post 604
2404 W Industrial Park Drive
Bloomington, IN 47404-2690

NON-PROFIT ORG.
US POSTAGE PAID
BLOOMINGTON IN 47401
PERMIT No. 205

"Oldest Post in the State"

RETURN SERVICE REQUESTED



Phone: (812)-339-2375

