

VETS FOR FULL REPRESENTATION

Assisting Veteran's

I have assisted veterans in some manner or form since 1982. Before 1982, I went through the claims and rehabilitation process myself after being blinded in Vietnam and learned much from that experience. First, I have noticed that some of the veterans' traditional representatives need to be commended for their work. They represented veterans effectively. However, I have also noticed that other traditional veterans' representatives did not do such a good job. For example, they have told veterans to file one issue at a time or to not appeal a denied claim, and not to fight back with they get their disability compensation reduced. They have often missed secondary and ongoing claims. Of course, free is a best option for a veteran unless there are other alternatives when free representation just doesn't work. Sometimes, you get what you pay for.

When I moved to Parkersburg, many veterans in the area were suffering from nightmare situations with their claims. Many of their claims were dragging on for decades without adequate representation, or without any representation at all. I got involved in representing veterans in the VA claims process for this reason. Why shouldn't veterans have the same right to be represented well like any other citizen for any type of claim?

I've helped thousands of veterans over the years. The more veterans I assist, the more I realize that there are many veterans that died without adequate representation. The change in law allowing attorney fees after a Notice of Disagreement (appeal) is filed does not solve the problem of inadequate representation; it just made the claims process more complicated and added conflicts of interest. At the same time, VA overreaches with its definition of a Notice of Disagreement filed to include every claim possible. This does not make any logical sense and is not in the best interest of veterans. Hopefully, VFFR can put the choice of representation in the hands of the veterans rather than in the hands of veterans' organizations and attorneys through legislative control.

Should a veteran wait until he has all the evidence before he files a claim?

www.vets4fullrepresentation.com



INSIDE THIS ISSUE:

<i>VFFR Updates</i>	2
<i>Inside Story</i>	2
<i>Severe Reports</i>	2
<i>Long Appeals</i>	3
<i>Contacting senators and</i>	4
<i>Need for veteran's to be</i>	4



VFFR UPDATES

The VFFR website has been up and running during the past year providing educational information to veterans and the public. The activities and updates on the site are continuous. There are several visits to the website daily. VFFR will be working on ways to increase the website visiting activity.

The current members of the Board of Directors are:

David Huffman,
Esquire
Gary Walker
Ron Conner
Jonathan Bruce,
Esquire

The Board has hired a part-time employee, Michelle DeMetro to

assist with the goals of VFFR to include but not be limited to fund-raising, educational and legislative activities. Ron Conner and David Huffman attended a National Organization of Veterans' Advocates conference in Pittsburgh April 24th-26th, 2014 in order to educate other veterans' law attorneys about VFFR.

Another legislative visit to Washington will be planned in the near future. There was some talk about a number of the attorneys from NOVA and the Veterans' Bar Association getting together to hire a full-time lobbyist in Washington in order to educate the legislators about the representation problems.

Current membership of VFFR: 345

The Board decided that veterans that donated more than \$250.00 will receive a lifetime membership. Other memberships will be renewed after a year. The renewal for membership will be sent to veterans in the near future. A VFFR t-shirt will be given to the veteran upon renewal. In addition, the veteran will have the option to buy a nice looking VFFR polo shirt.

The newsletter will be sent quarterly to all members

Please update addresses, phone numbers and e-mails if necessary. Thank you.

Severe Report Find V.A. List at Hospital's

In the first confirmation that Department of Veterans Affairs administrators manipulated medical waiting lists at one and possibly more hospitals, the department's inspector general reported on Wednesday that 1,700 patients at the veterans medical center in Phoenix were not placed on the official waiting list for doctors' appointments and may never have received care.

The scathing report by Richard J. Griffin, the acting inspector general, validates allegations raised by whistle-blowers and others that Veterans Affairs officials in Phoenix employed artifices to cloak long waiting times for veterans seeking medical care. Mr. Griffin said the average waiting time in Phoenix for initial primary care appointments, 115 days, was nearly five times as long as what the hospital's administrators had reported.

Long Appeals Leave older vets without benefits for years

WASHINGTON — Cases involving the appeal of veterans benefits rulings take almost 19 months to resolve, Department of Veterans Affairs records show, and advocates say the crush of new claims is hurting older veterans.

At least 350,000 veterans of wars before those in Iraq and Afghanistan have outstanding appeals of benefits decisions, according to VA records.

Meanwhile the VA has touted how much it has cut the backlog of benefits claims that have taken longer than 125 days to resolve from 611,000 in 2013 to 344,000 in April.

Progress in resolving initial benefits claims has come at the expense of settling older claims, said Glenn Bergmann, a former VA attorney who now fights veterans' appeals cases at Bergmann & Moore LLC.

"They pull all the back-of-the-line guys to front, but they stole from Peter to pay Paul, and these veterans have been abandoned again," Bergmann said. "They're dying while they're waiting."

The time it takes the agency to handle claims or treat patients at its hospitals has come under more intense scrutiny following the reports that some veterans died while awaiting care at VA hospitals and that some hospital administrators altered documents to make the delays look shorter than they really were.

Walinda West, a VA spokeswoman, said a simple appeals case takes an average of 562 days, but each supplemental piece of evidence can extend that delay by another 200 days.

Bergmann said veterans appeal their cases after they are told their medical conditions were not caused by military service. That often includes post-traumatic stress disorder (PTSD) or respiratory cancer that could be traced to exposure to Agent Orange, the chemical defoliant routinely used in the Vietnam War. The cases often involve incorrectly filled out forms, improperly given medical exams or lost medical records.

VA Secretary Eric Shinseki said last week he is proud of the reduced backlog in benefit claims and will keep pushing for the department to improve. "As I testified before Congress on May 15," Shinseki said in a statement, "I take any allegations about patient safety or employee misconduct very seriously. The reports of veterans' negative experiences while seeking VA care are of great personal concern to me."

Continued on next page

Appeals have always taken a long time to resolve, Bergmann said. "It's nothing new, but it's finally being picked up," he said. "The president talks. The secretary's in hot water. Things are finally happening."

A 2013 report by the Congressional Research Service found it took an average of 1,094 days for the Board of Veterans' Appeals to reach a decision after a veteran filed a claim. Ashton Habighurst, a case manager at Bergmann & Moore, said the law firm finds that many cases fall through the cracks of the VA's huge bureaucracy.

A December report by the American Legion also found that 55% of 260 recently adjudicated claims had errors. The VA's West said about 11% of veterans file an official notice of disagreement, and about 5% make it to the appeals board.

The VA, West said, is trying to fix the appeals backlog by doing the following:

- Moving to a paperless records system.
- Using video teleconference hearings.
- Hiring 100 more full-time appeals workers.

Please update addresses,
phone numbers and e-mails
if necessary.

Thank you.

Contacting Senators and Congressman

IF YOU HAVE
 VETERAN
 FRIENDS THAT
 MAY BE
 INTERESTED IN
 LEGISLATIVE
 CHANGE ON
 BEHALF OF ALL
 VETERANS
 ENCOURAGE
 THEM TO JOIN.

In order for there to be legislative change, senators and congressional representatives from the house need to be contacted. Phone calls and letters do matter. Your voice does need to be heard. If you go to the VFFR website and read the blogs, you can educate yourself about the various ways in which rep-

resentation of veterans is inadequate. We must fight for every veteran to have the opportunity to obtain the benefits he or she has earned. Ask your family and friends to join you in this effort. The more the merrier. If there is legislative change, veterans in the future will certainly be thankful

for what you have accomplished for them.

Need For Veteran's To Be Heard

What has happened at the various VA hospitals with a publicly documented waiting list and a secret waiting list. The bonuses system for VA employees is a good example of why veterans need to have more say about their representation, the claims process and their own medical care. VFFR intends to organize petitioners and use the website to voice opinions about different VA problems, so veterans' concerns can be presented to

Congress with some weight. In the future, VFFR will encourage you to participate in these programs in order to make necessary improvements to the veterans claim process.

VETS FOR FULL REPRESENTATION

A Constitutional Right

Suite 302 • 521 Market Street
Parkersburg, WV 26101

VFFR

WE ARE ON THE WEB
VETS4FULLREPRESENTATION.COM
