



What's New

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Course Topics

- Updated Court Cases
- My HealtheVet
- Pact Act
- Enhancing VA Claims with AI
- Hot topics from VA
- Survivor Benefits Reform
- Visitor Engagement Reporting Application (VERA)
- Claims Division / Field Operations
- Upcoming Training Events



Ingram v. Collins

- Question: Do medical opinions discussing flare-ups eliminate need to discuss benefits of medication?
- Answer: No. Each court decision (re: flare-ups and meds) was made as they relate to each other, and do not change the application or understanding of another.
- Ingram was SC at 10% for both back and ankle, resulting from active and reserve service
- Takes prescribed medication
- Submitted claim for increased evaluation



Ingram v. Collins

- Decisions – BVA is required to discount beneficial medication effects
 - Jones v. Shinseki
 - Jackson v. McDonough
- Decisions – Examiners must provide range of motion estimates under the worst-case scenario of a flare-up
 - Sharp v. Shulkin
 - Mitchell v. Shinseki
 - DeLuca v. Brown
- VA argued that since opinion already considers flare-ups, then additional consideration of medications for Ingram is moot
 - CAVC found this argument in error, and all decisions remain relevant



Laska v. McDonough

- Question: Do the requirements to meet SMC(T) criteria mirror those to meet SMC(R)(2) criteria?
- Answer: No SMC(T) explicitly accommodates the unique disability of traumatic brain injury (TBI).
- Veteran Haskell was knocked unconscious by an RPG in Vietnam and is service connected for TBI.
- His wife, a retired psychologist, provided in-home care
- Veteran and Ms. Laska claimed he met criteria of SMC(T)
- Veteran died before appeal was decided



Laska v. McDonough

- VA argued that SMC(t) was the same as SMC(R)(2) and therefore the veteran should be held to the same standards
 - Higher level of Aid and Attendance
- VA argued that not requiring veterans with TBI to meet the same criteria means some veterans would be compensated at the same level for a less serious condition
- CAVC found this argument erroneous, and that the entire purpose of SMC(T) is to address the cognitive and psychological manifestations
 - Veteran with SC TBI must be in need regular Aid and Attendance, and without it would need residential care
 - Otherwise, TBI would simply have been added to SMC(R)(2)



Chisholm v. Collins

Question: Is a Supplemental Claim (i.e. appeal) restricted in which forms can be used to initiate it?

Answer: No. The veteran only needs to make clear that a greater benefit is desired, and to provide additional evidence.

- Claimant, Chisholm, is an attorney who once tried to help veteran
- Later, veteran made a new claim for IU using an 8940, and did not have assistance with this claim from anyone
- Chisholm argues that this is a supplemental claim and thus requires attorney fee payments



Chisholm v. Collins

- VA argues that a supplemental claim/appeal, has a specific form (VA Form 20-0995)
- VA argues that the claim for IU, using VA Form 21-8940, is a new claim and not subject to attorney fees
- CAVC found this argument in error
 - Phillips v McDonough found that TDIU is considered by VA to be another way to claim increased evaluation for a disability
- CAVC found that a supplemental claim is not restricted to initiation by form 0995.
 - Intent to receive greater benefit + new evidence = supplemental claim



Rudisill v. McDonough

Question: If a veteran who qualifies for both the Montgomery GI Bill (CH 30) and also the Post-9/11 GI Bill (CH 33) wants to use the entire 48 months benefit, is that veteran first required to exhaust the Montgomery GI Bill?

Answer: No. Veterans who qualify to use both can do so in any combination, provided they do not exceed a total of 48 months of benefits.

- Veteran Rudisill served 2000-2002, 2004-2005, and 2007-2011
- Rudisill enrolled in college after all three periods of service



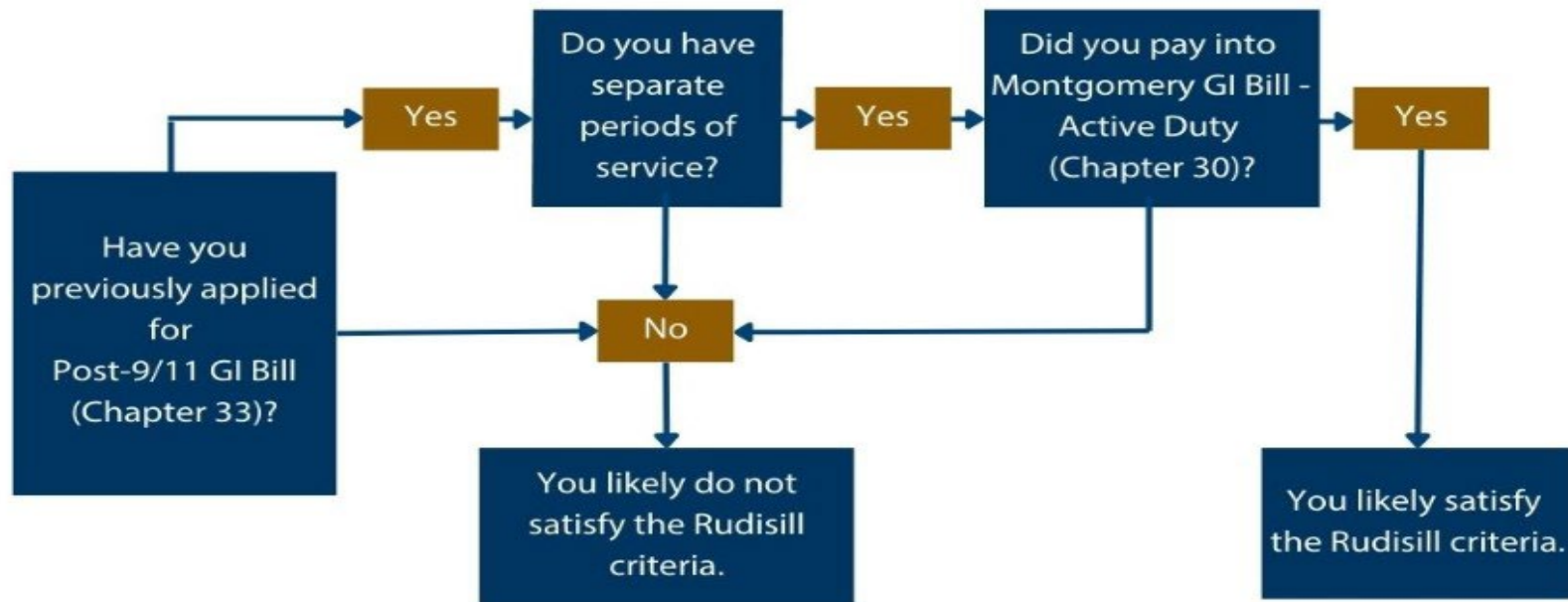
Rudisill v. McDonough

- Veteran completed undergraduate degree before his 3rd period of service in 2007, using up 25 ½ months of Montgomery GI Bill
- Veteran began PhD program in 2011, and asked to use Post-9/11 GI Bill from then on
- VA argued that since he started with Montgomery GI Bill, he must use it up before he can use a different benefit – or –
- VA argued that if he switched to Post-9/11, he could only use the remainder of 36 months
- SCOTUS found the argument in error, stating that neither 38 USC 3322(d) or 3327 restrict veterans' use of both entitlements, as long as there is compliance with 38 USC 3695(a)
 - 38 USC 3695(a) discusses the 48-month cap on educational benefits



Rudisill v. McDonough

RUDISILL Decision Tree





My HealtheVet

- DS Login to be removed Sept. 30, 2025
- My HealtheVet website is staying
- Login.gov & ID.me new login options
 - Able to use with other VA websites or mobile app
 - Provides secure login
- [Creating An Account For VA.gov | Veterans Affairs](#)



PACT Act – K-2

- Karshi-Khanabad (K-2) or Camp Stronghold Freedom in Uzbekistan was added to the Gulf War locations Jan. 8, 2025.
- VA can verify classified or restricted information using the Military Records Research Center (MRRC).
- Potential Toxic Exposure Risk Activity (TERA) exposures at K-2 include:
 - Jet fuel
 - Volatile organic compounds
 - Particulate matter and dust
 - Depleted uranium
 - Asbestos
 - Lead based paint
 - Lead in water samples



PACT Act – Gulf War Presumptive

- Update January 2, 2025.
 - Urinary bladder
 - Ureter
 - Related genitourinary cancers
- Update January 10, 2025.
 - Acute and chronic leukemias
 - Multiple myelomas
 - Myelodysplastic syndromes
 - Myelofibrosis



Enhancing VA Claims with AI

- Forms
 - More detailed submissions results in higher-quality ratings
 - Accurate, complete data supports stronger claims
- Learning
 - Increased exposure to data enables faster, smarter decisions
 - Continuous learning improves claim processing efficiency
- Fraud
 - Identifies discrepancies across claims
 - Flags anomalies that may indicate fraudulent activity



Pros to AI

- **Smart Triage & Sorting:** AI quickly categorizes claims by complexity, routing them efficiently for faster processing.
- **Automated Evidence Gathering:** AI pulls relevant medical and service records, reducing manual work and improving accuracy.
- **Predictive Analytics for Prioritization:** Machine learning identifies high-probability claims, speeding decisions on likely approvals.
- **AI-Powered Decision Support:** Tools assist processors by analyzing patterns and enhancing the quality of evaluations.
- **Built-in Quality Assurance:** AI audits completed claims for compliance and accuracy, ensuring fair, policy-aligned outcomes.
- **Backlog Reduction & Efficiency Gains:** Routine tasks are automated, enabling faster claim resolution and freeing staff for complex cases.



Cons to AI

- **Transparency & Appeals Issues:** AI decision-making can be difficult to explain, complicating veterans' understanding and appeals.
- **Risk of Bias in Historical Data:** AI may unintentionally reinforce existing biases, leading to unfair or inconsistent outcomes.
- **Privacy & Data Security Concerns:** Handling sensitive personal information raises risks related to data breaches and confidentiality.
- **Over-Reliance on Automation:** Complex cases may suffer when human judgment is underused in favor of automated decisions.
- **Incomplete or Missing Records:** AI may fail to account for lost military files or private medical records, unfairly impacting claims.
- **Burden on Veterans for Documentation:** Veterans must often retrieve and submit private records manually, or risk claim denial due to gaps in data.



Hot Topics From VA

- VA Form 21-10210 (Lay/Witness Statement)
 - Used to certify witness statements
 - If VA can verify both veterans served together, this can satisfy corroboration
 - Useful for conditions with gaps in medical evidence
 - Must be based on direct observation, not medical opinion
- C&P Exams
 - Call 800-827-1000 or complete 21-4138 ASAP
 - Get it on record so VA can request exams again
 - Ensure veterans can attend prior to filling
- **BLANK CHECKS ARE NO LONGER REQUIRED FOR CLAIMS**



Survivor Benefits Reform

- The Office of Survivors Assistance will be moved under the Office of the VA Secretary
- VA will create a “white-glove” survivor outreach team to guide and assist survivors throughout their DIC claims process
- VA will begin work to identify areas where automation can be used to make the DIC claims process easier

[VA announces major survivor benefits reforms](#)



Visitor Engagement Reporting Application (VERA)

- New self-scheduling option that allows stakeholders to select a convenient time for informal conference when filing VA Form 20-0996
- Self scheduling is available beginning May 5, 2025
- Scheduling link is sent via email or text within a couple weeks of submission
- If no link is sent the Decision Review Operations Centers (DROC) will call to schedule the informal conference



Claims Division & Field Operations

Claims Division

- Brett Dickerson
 - Jerry Lemme
 - Rob Angerhofer
 - Lance Brouwer
 - Chad Rydberg
 - Jethel Curry
 - Caitlyn Olsen
 - Amanda Lemme
 - Misty Litwiller
 - Therenia Struck

Field Operations

- David Huntimer
 - DJ Montreal
 - Kevin Bowen
 - Kevin Swanson
 - Guy Arnold
 - David Denson
 - Will Huffmon
 - Julie Schaffner



Upcoming Training Events

- | | | |
|------------------------|------------|-----------|
| • SDDVA Benefit School | 9-12 Sept. | In-person |
| • TAL 101 Course | | Online |
| • 6-20 May | | |
| • 3-17 July | | |
| • 4-18 Sept. | | |
| • 4-18 Nov. | | |
| • TAL 202 Course | 11-25 June | Online |
| • TAL 301 Symposium | 19-24 Oct. | In-person |
| • Winter Mini | TBD | Online |



TAL Service Officer 101 Course



The American Legion
Service Officer Training 101
Virtual Agenda
2024



LESSON	LESSON TITLE
1	Introduction / How to Take Lessons
2	The American Legion Code of Procedures / VA Standards of Conduct
3	Process I: VBMS / VA Privacy / TRIP
4	Process II: Four VA Claim Scenarios
5	Service Connection I: Fundamentals and General Service Connection
6	Service Connection II: Presumptive Service Connection
7	Service Connection III: Chronic Conditions
8	Process III: Duty / Residency / Locating Records
9	Disability Ratings I: Fundamentals
10	Disability Ratings II: Individual Unemployability
11	Process IV: Evaluating Compensation and Pension Exams
12	Process V: Claim Submission Exercise
13	Process VI: AMA Overview
14	Process VII: Steps After Winning Service Connection
15	PACT Act VA Claims
16	Camp Lejeune Justice Act Tort Claims
17	Veteran Suicide Prevention
18	School Test

- Name: Service Officer 101 Course.
- Eligible Students: New hires or future VA-accredited service officers.
- Format: Virtual training with 15 or more lessons taking approximately 16 hours, plus test.
- Schedule: Offered nine months per year.
- Next Offering: November 1, 2024.
- Training Goals: Educate new advocates on the fundamentals of VA disability claims and forms.



TAL Service Officer 201 Course

- Name: Service Officer Introductory 201 Course.
- Eligible Students: For service officers with up to five years of experience or as a refresher course.
- Format: Virtual training with 30 or more lessons taking approximately 24 hours, plus test.
- Schedule: Offered once per year.
- Next Offering: March 10 – 31, 2025.
- Training Goals: Detailed training on filing VA claims and other lessons.



Department Service Officer School
Winning Claims at Your Regional Office
Virtual Training Agenda
March 4 - 24, 2024



Lesson	Lesson Title
1	Introduction: How to Take This School
2	The American Legion Code of Procedures / VA Standards of Conduct
3	Process: Appeals Modernization Act Overview
4	Process: Four VA Claim Scenarios
5	Process: Completing VA Forms
6	Service Connection: Fundamentals and Direct Service Connection
7	Service Connection: Chronic Conditions
8	Service Connection: Presumptive Conditions
9	Service Connection: Secondary and Aggravation
10	Service Connection: Musculoskeletal / Joint Conditions
11	Service Connection: Mental Health Conditions
12	Process: VBMS / VA Portal / TSP
13	Process: Duty to Assist: Locating Records
14	Process: Researching Service Records
15	Disability Rating: Fundamentals
16	Disability Rating: Individual Unemployability
17	Research: Tips on Looking Up Laws and Regulations
18	Process: Winning Claims with Written Advocacy
19	Toxic Exposures: PACT Act VA Claims and Care
20	Toxic Exposures: Camp Lejeune Justice Act
21	Pension Benefits
22	Caregiver Benefits and Eligibility Requirements for VHA Benefits
23	Process: Steps After Winning Service Connection
24	Process: Claim Submission Exercise
25	Process: Non-VA-Accredited Companies
26	Advocating for the Earliest Possible Effective Dates
27	Recent Court Decisions
28	How Federal Court Decisions Assist Our Veterans
29	Veteran Suicide Prevention
30	School Evaluation
31	School Test



TAL Service Officer 202 Course

AMERICAN LEGION Department Service Officer School
Winning VA Reviews and Appeals
Virtual Training: Sep. 11 - Oct. 1, 2023



Lesson Number	Presentation Title
1	Introduction: How to Take This School
2	AMA & Reading VA Rating Decisions
3	Higher-Level Reviews
4	Supplemental Claims
5	Board Appeals
6	Choosing Review Type with Veteran
7	Reading C&P Exams: Nexus Exams
8	Musculoskeletal Conditions: Service Connection
9	Mental Health Conditions: Service Connection
10	Musculoskeletal Conditions: Rating Repetitive Use, Flare Ups, and Functional Ankylosis
11	Mental Health Conditions: Increased Ratings
12	Individual Unemployability
13	Reading C&P Exams: Rating Exams
14	Writing Medical Opinions and DBQs
15	Writing Arguments I: Using IRAC Method
16	Writing Arguments II: PACT Act Decisions
17	Writing Arguments III: CUE Motions
18	Scope of Claim Arguments
19	Effective Date Arguments
20	Burial Benefits
21	Effective Advocacy at VA Hearings
22	School Exercise: Preparing for a Hearing
23	Veterans Treatment Courts
24	Camp LeJeune Justice Act Claims
25	Recent Court Decisions
26	School Evaluation
27	School Test - 40 Questions

- Name: Service Officer Advanced 202 Course.
- Eligible Students: For experienced service officers or as refresher course.
- Format: Virtual training with up to 30 lessons taking approximately 24 hours, plus test.
- Schedule: Offered once per year.
- Next Offering: June 9 – 30, 2025
- Training Goals: Training on filing and **winning VA claim reviews and appeals.**



Questions

