

Did You Know?

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That the most commented upon articles I have written has been on the various Veterans Administration rumors. The first time this subject appeared in my monthly column was back in 2008 and since then there have been many updates, revisions and additions. I have dusted off the archives and edited that old article and here it is again. It is in two parts and the next one will be in the March newsletter. Enjoy!

1. I can only get a pair of eyeglasses if my eyes were hurt in the service. Incorrect. Besides those veterans who actually received an eye injury in service, any veteran rated 10% or more for any condition can receive a pair of eyeglasses, hearing aids or any other prosthetic device the VA doctor deems necessary. So the veteran getting 10% or more for diabetes, loss of their big toe, shell fragment wound to the buttocks, PTSD or any other condition can get a pair of glasses. And in some cases even if you are not service-connected disabled but your hearing or vision loss interferes with your health care service you may qualify. For additional information contact the prosthetic chief at your Veterans Administration hospital.

2. Only veterans can be buried in a National Cemetery. Wrong. The deceased spouses and eligible deceased dependent children can also be buried there. And it doesn't even have to be in the same cemetery. Example. Mr. Joe Q. Veteran's wife dies in 2001. He has her buried in Abe Lincoln National Cemetery in Illinois. Ten years later he relocates to Florida and dies there. He can be buried in that state. And there is no limit to the number of spouses that can be buried. The record we are aware of is a veteran who lives in the Danville Illinois area. He is on his fourth marriage and his first three wives are interred in the VA cemetery down there.

3. The military talked me into taking a lump-sum severance payment and that prevents me from getting VA compensation. Entirely false. Any veteran who elected a lump-sum severance payment can and should file for VA compensation. The VA will make its own determination on the percent of disability and in many cases it is more than what the military medical board decided. The only stipulation is that before the VA actually issues money they have to recoup the severance payment. For instance, a veteran gets \$10,000 from the Army as severance. The VA awards \$1,000 a month in compensation. The veteran would not get a check for the first ten months; \$1,000x10 months=\$10,000. After that they would get a payment for the rest of their life! But a VA claim has to be filed for this to take effect. And if the disability was incurred in a combat zone or combat-related operations there is NO recoupment at all.

4. I was denied my claim over a year ago so my appeal rights have expired. I am out of luck and can't do anything further. Wrong again. Although that VA decision became final after the

one year appeal period ended, the veteran or claimant can always reopen a claim with new and material evidence. Let's say Joe Veteran was denied his claim because his service records were burnt in the St. Louis fire of 1973. He fell off a deuce and a half, broke his leg and had a cast for six weeks. But there was no proof. Eight years later Joe Veteran finds out his old Army unit is having a reunion and he meets two soldiers that remember him and his broken leg. They give affidavits as witnesses to the incident. This is new and material evidence and the VA will reopen the claim. If won the effective date of benefits would be the date the veteran reopened his claim with the affidavits.

5. I am drawing service-related compensation at the 100% rate and heard that I can't draw any Social Security benefits. Absolutely wrong. These are two entirely different government benefit programs; they are like apples and oranges and are completely separate. Veterans can and should draw both if they have enough Social Security work credits to qualify. The only exceptions are the VA's non-service connected pension program, which is income sensitive, and the SSI program. With those programs income is a factor. Talk to a Legion Service Officer for guidance.

6. I am receiving compensation at the 100% rate; if I return to work they will reduce my benefits. Partially true. There are two types of 100% ratings; straight ratings and those based on individual unemployability. If you receive a straight 100% rating e.g. severe lung cancer, COPD, diabetes, etc. and you still wish to try work, there would be no reduction. But if your 100% rating is based on the fact that your conditions keep you from working and you return to work, you could be reduced. (This can be somewhat technical so if you are in this situation contact our office for advice).

Hope you found these rumors and the real truth enlightening.

If you have any questions contact our office at the above telephone number or e-mail address. Or if you have heard another rumor and want it checked out let me know. To be continued in next issue.