

## Dale K. Graham Veterans Foundation

501c3 & VSO

November 2021





# What We Do

- Our Mission is to serve veterans and their families
  - Using or collective knowledge
- The largest aspect of our program is helping veterans submit claims to The Department of Veterans Affairs for:
  - Compensation
  - Health Care
- Help thousands of veterans a year-Can't help them all
  - 330,000+ in OK
  - 2,000 in our system today
- VA Benefits are an Entitlement, granted through legislation, outlined by Code of Federal Regulation (CFR)
  - Not guaranteed
  - Incredibly challenging claims process
  - We help remove barriers to benefits

## Our Veterans

- \$90 Million in Benefits for Veterans a year
- Access to vital health care





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# Our Veterans





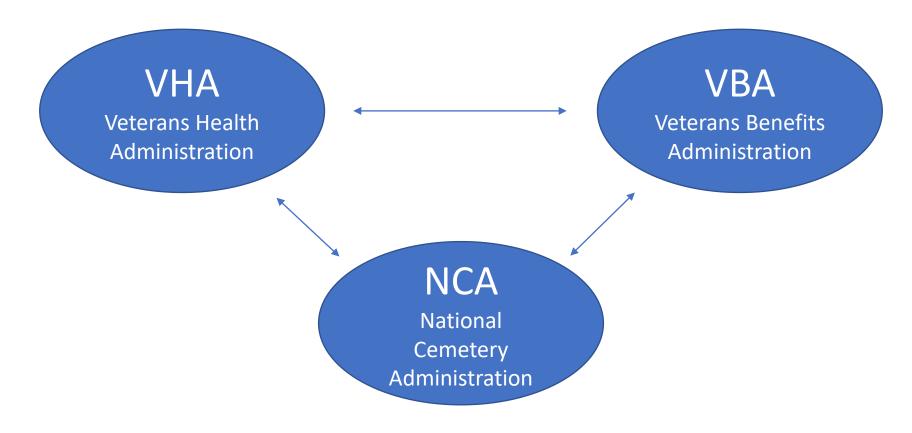






# The VA System

\$250 Billion





# The Importance of VA Benefits

- Access to life saving Healthcare
- Cash Compensation
  - 10%- \$150 Monthly
  - 100%- \$3,300 Monthly
  - Special Monthly Compensations & Aid and Attendance
- Common VA benefits programs
  - Veterans Disability claims and Benefits (initial claims & appeals)
  - Surviving spouse benefits (\$1,357 Monthly)
  - Post 9/11 GI Bill benefits
  - Vocational Rehab
  - VA Pension



# **VA Pension**

## Am I eligible for Veterans Pension benefits?

You may be eligible for the Veterans Pension program if you meet the requirements listed below.

### Both of these must be true:

- You didn't receive a dishonorable discharge, and
- Your yearly family income and net worth meet certain limits set by Congress. Your net worth includes all personal property you own (except your house, your car, and most home furnishings), minus any debt you owe. Your net worth includes the net worth of your spouse. Find out about Veterans Pension rates

### And at least one of these must be true about your service:

- You started on active duty before September 8, 1980, and you served at least 90 days on active duty with at least 1 day during wartime, or
- You started on active duty as an enlisted person after September 7, 1980, and served at least 24 months or the full period for which you were called or ordered to active duty (with some exceptions) with at least 1 day during wartime, or
- You were an officer and started on active duty after October 16, 1981, and you hadn't previously served on active duty for at least 24 months

## And at least one of these must be true:

- You're at least 65 years old, or
- You have a permanent and total disability, or
- You're a patient in a nursing home for long-term care because of a disability, or
- You're getting Social Security Disability Insurance or Supplemental Security Income



## **DIC Benefits**

## Dependency and Indemnity Compensation

# Am I eligible for VA DIC as a surviving spouse or dependent?

As a surviving spouse

## Eligibility

You may be eligible for VA benefits or compensation if you meet these requirements.

#### One of these must be true:

- You lived with the Veteran or service member without a break until their death, or
- If you're separated, you weren't at fault for the separation

#### And one of these must be true:

- You married the Veteran or service member within 15 years of their discharge from the period of military service during which the qualifying illness or injury started or got worse, or
- You were married to the Veteran or service member for at least 1 year, or
- You had a child with the Veteran or service member.

**Note:** If you remarried, you can receive or continue to receive compensation if one of these describes you:

- You remarried on or after December 16, 2003, and you were 57 years of age or older at the time you remarried, or
- You remarried on or after January 5, 2021, and you were 55 years of age or older at the time you remarried

### **Evidence**

You'll need to provide evidence with your claim showing that one of these descriptions is true for the Veteran or service member. Evidence may include documents like military service records, doctor's reports, and medical test results.

### Provide evidence showing that one of these is true:

- The service member died while on active duty, active duty for training, or inactive-duty training,
  or
- The Veteran died from a service-connected illness or injury, or
- The Veteran didn't die from a service-connected illness or injury, but was eligible to receive VA compensation for a service-connected disability rated as totally disabling for a certain period of time

## If the Veteran's eligibility was due to a rating of totally disabling, they must have had this rating:

- For at least 10 years before their death, or
- Since their release from active duty and for at least 5 years immediately before their death, or
- For at least 1 year before their death if they were a former prisoner of war who died after September 30, 1999

Note: "Totally disabling" means the Veteran's injuries made it impossible for them to work.



# "As Likely as Not" 50/50

# **Burden of Proof**

- Criminal Law
  - Beyond all Reasonable Doubt
- Civil Law
  - Preponderance of Evidence
- VA Law
  - As likely as not
  - Drives need for an "evidence based claims system"



# What you need to Service Connect a Disability

1. Event or injury in service

2. Nexus (link between the two)

3. Current diagnosed condition that is recorded with documented chronic conditions





## How We Do It

Claims Coordination oversees the whole process: Steps 1-7

