



April 2010

THE FAIRFIELD VETERAN'S MESSENGER







FAIRFIELD COUNTY VETERANS' SERVICE
COMMISSION
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America is #1 Thanks to our Veterans

New Agent Orange Rule to Allow Retro Claims by 86,000

2010 VETERANS' SERVICE COMMISSION

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About 86,000 Vietnam Veterans, their surviving spouses or estates will be eligible for retroactive disability compensation from the Department of Veterans Affairs—an average of 11.4 years for veterans and 9.6 years for survivors—under a draft VA rule to expand by three the number of diseases presumed caused by herbicide exposure in the war.

The 86,000 are beneficiaries who can reopen previously denied claims for these conditions: ischemic heart disease, Parkinson's disease and chronic B-cell blood cancers including hairy cell leukemia. But another 29,000 claims are expected to be approved this year for Vietnam Veterans suffering from these diseases but applying for benefits for the first time.

In the **proposed** rule published March 25 in the Federal Register, VA officials explained that Secretary Eric Shinewski has cut the usual 60-day public comment period by half "to promote rapid action" on these claims.

When a final rule is published, soon after April 26, VA claim offices across the country can begin making payments. Veterans with these diseases will need to show they set foot in Vietnam during the war. Those who served aboard ship just off the coast remain ineligible.

The growing list of Agent Orange diseases stems of a court case, *Nehmer v Department of Veterans Affairs*, filed in 1986. The class action lawsuit won by veterans, and reinforced by legislation, requires VA to direct the National Academy of Sciences to report every two years on any positive association between new diseases and exposure to herbicides in Vietnam.

In 2007, the Bush administration went to court to challenge the legal need for NAS studies on presumptive AO disease to continue. It lost. The NAS reports are to continue through October 1, 2014, with the possibility that more diseases will be found to have an association with herbicide exposure.

VA maintains a directory of veterans' service organizations with trained staff to help in filing claims or you can contact our office at (740) 689-6202.

NEW LAW CONCERNING ELIGIBILITY FOR HEADSTONES & MARKERS

Public Law 110-157, signed on December 26, 2007, allows the Department of Veterans Affairs (VA) to furnish a Government headstone or marker for the graves of eligible Veterans who died on or after November 1, 1990, regardless of whether the grave is already marked with a privately purchased headstone or marker. Under the previous law, when the grave was already marked only Veterans who died on or after September 11, 2001 were eligible.

Public Law 110-157, also give VA authority to “furnish, upon request, a medallion or other device of a design determined by the Secretary to signify the deceased’s status as a Veteran, to be attached to a headstone or marker furnished at private expense.” This benefit will be available in lieu of a Government furnished headstone or marker, for Veterans in privately marked graves who died on or after November 1, 1990.

We currently estimate the medallion will be available by April 30, 2010. Please continue to monitor the new medallion web page for updated information regarding this new benefit.

Important: Eligible Veterans are entitled to either a Government-furnished headstone or marker, or the new device, but not both. If you think you may be interested in submitting a claim for a the new medallion, we will begin accepting claims once a contract has been awarded for the manufacture of this new product. If after seeing the final new medallion design, you change your mind, you still have the option to apply for a traditional Government-furnished headstone or marker. There is no change in eligibility for Veterans in unmarked graves: Regardless of the date of death, VA will furnish, at no charge to the applicant, a Government headstone or marker for the unmarked grave of any eligible Veteran in any cemetery around the world.

Note: There is no charge for the headstone or marker itself, however arrangements for placing it in a private cemetery are the applicant’s responsibility and all setting fees are at private expense.



GOVERNOR ANNOUNCES ELIMINATION OF PASSPORT & OTHER HOME AND COMMUNITY-BASED SERVICE WAITLISTS

Ohio Governor Ted Strickland today announced that the waitlists for home and community-based services funded through the Department of Aging, including PASSPORT, Assisted Living, Choices, and Pace, have been eliminated.

Older Ohioans should have access to a spectrum of choices when deciding where they would like to receive medical and personal care services, Strickland said, I appreciate the collaboration and hard work of the Ohio Department of Job & Family Services Director Doug Limpkin and Ohio Department of Aging Director Barbara Riley. Because of their efforts, Ohio senior citizens who prefer to remain in home or community care settings are not longer relegated to waitlists.

On February 22, Strickland has called for the transfer of resources from ODJFS to the Department of Aging to pay for the elimination of the PASSPORT, Assisted Living and PACE program waitlists.

LOWE'S MILITARY DISCOUNT

LOWE'S Expands Support of the Military with Year-Round Discount. Lowe's Companies, Inc. announced this week that it is expanding its support of the military by offering an all day, every day 10 percent discount to all military personnel who are **active, reserve, retired or disabled veterans and their family members, with a valid, government-issued military ID card**. All other military veterans will receive the discount on the Memorial Day, Fourth of July and Veterans Day weekends.

"Lowe's was founded on the heels of World War II by veterans Jim Lowe and Carl Buchan and has always been a supporter of the military," said Larry D. Stone, Lowe's president and chief operating officer. "The year-round discount program is one way we are reaffirming our commitment to the thousands of men and women who are serving throughout the world, as well as their family members at home."

The discount is available on in-stock and Special Order purchases up to \$5,000. Excluded from the discount are sales via Lowes.com, previous sales, and purchases of services or gift cards. While Lowe's has had a military discount program in the past during select times of year, the new policy will allow those who are serving to benefit from the discount whenever they need it the most.

In addition to offering military discounts at specific times during the year, Lowe's has extended benefits for its employees serving in the military and offers employment opportunities to military personnel after their military service has ended. Currently, more than 12,000 Lowe's employees are military veterans or reservists.



OHIO VET BONUS: Ohio State officials are moving forward with plans to distribute voter-approved bonus payments to veterans of recent and ongoing military conflicts in the Middle East. Families of veterans who were killed or missing in action could begin receiving checks in September, with others starting in NOV 2010. In NOV 09, voters passed a constitutional amendment allowing the state to pay cash bonuses of \$100 a month up to \$1,000 to Ohio military men and women who served in the Persian Gulf, Afghanistan and Iraq -- those serving in current conflicts in the area, plus those involved in Operation Desert Storm in the early 1990s. Veterans who served outside war zones during those conflicts will get \$50 a month up to \$500. Family members may also apply for a death benefit of \$5,000, which will be based on an application process. For more information, refer to the Ohio Department of Veterans Services at <http://dvs.ohio.gov> or call the Department at 1(888) 387-6446. [Source: Ohio.com 3 Nov 09 & Military.com Veterans Report 22 Mar 2010 ++]



For further information, please contact:

Fairfield County Veteran's Services

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(740)689-6202



HEALTH CARE REFORM Update 27: The Obama Administration's health-care reform, which passed 219-212 in the House of Representatives 21 MAR and has been signed into law by the President, will lead to significant changes in the way millions of people find and buy health insurance. Advocates for consumers and patients hailed the overhaul's passage. "While the new reforms won't solve all the problems in our nation's broken health-care system, they will go a long way toward achieving the goal of affordable, reliable health care for all Americans," Jim Guest, chief executive of Consumers Union, said in a statement after the vote. Immediately following President Barack Obama's signing of the bill 12 states filed a lawsuit challenging several provisions of the new law. The suit alleges, among other things, that unfunded state Medicaid mandates and forcing individuals to purchase health insurance are unconstitutional. The lawsuit was filed by the participating states' attorneys general and names the U.S. Departments of Health and Human Services, Treasury and Labor. States joining in the lawsuit include Alabama, South Carolina, Florida, Louisiana, Nebraska, Texas, Michigan, Utah, Pennsylvania, South Dakota, Washington and Colorado. In the interim here's an outline of what you can expect depending on your employment, income, health and lifestyle factors. The exact timing of several provisions has yet to be determined:

- If you have employer-sponsored coverage:** Any lifetime caps on how much your health plan will cover, often set between \$1 million and \$5 million, will be eliminated in both group and individual health plans starting later this year. Employers will have to disclose the cost of workers' health coverage on their W-2 tax forms starting in 2011.
- If you have a small business:** Small firms starting this year may be eligible for new tax credits that would cover up to 35% of health-insurance premiums for businesses that have fewer than 25 employees. Workers at small businesses eventually will be able to buy policies on new health-insurance exchanges, where health benefits will have to meet a new minimum standard.
- If you're uninsured:** Over the next 10 years, the bill will extend coverage to an estimated 32 million people who would otherwise lack coverage. It does this by expanding the government safety net and providing subsidies for low- and moderate-income people without employer health benefits to buy private plans on health-insurance exchanges, which are due to start in 2014. For the first time, all citizens and legal residents will have to buy health insurance -- with financial aid from the government if they can't afford it, on a sliding scale up to 400% of the poverty line -- or face a penalty starting in 2014, with some exceptions for low-income people. The amounts are set to rise annually, beginning with a fine of \$95 or 1% of income, whichever is greater, and growing to as much as \$695 or 2.5% of taxable income by 2016.
- If you're low-income:** The law significantly expands Medicaid, the federal-state health program for the poor, making it available to an estimated 16 million more people with incomes up to 133% of the federal poverty level. Adults without dependent children will qualify for the first time. In addition, community health centers, on which many of the working poor rely, will receive enhanced funding.
- If you're a young adult:** Starting six months after enactment, kids can stay on their parents' policies until age 26. Individuals younger than 30 who don't have insurance also will have the option of buying catastrophic coverage on the exchanges, according to the Kaiser Family Foundation.

Tax-related changes

- If you have a flexible-spending account for health expenses:** Nothing changes for three years. A \$2,500 cap on contributions to these accounts, which allow users to sock away money pretax to spend on qualified health expenses, appears likely to go into effect in 2013. The cap will receive annual cost-of-living adjustments.
- If you have a health savings account (HSA) or Archer medical savings account:** In 2011, the penalty for withdrawing funds for nonqualified medical expenses increases to 20% from 10% for HSAs and from 15% for Archer MSAs.
- If your earned or investment income exceeds \$200,000:** In about two years, the Medicare payroll tax will rise nearly 1 percentage point to 2.35% on wages of individuals with earnings greater than \$200,000 and married couples earning more than \$250,000. A new 3.8% Medicare tax will be levied on investment income including interest, dividends and capital gains that exceed those thresholds.
- If you itemize deductions for income tax:** Starting in 2013, medical expenses have to reach 10% of your adjusted gross income to qualify for a tax deduction, as opposed to today's 7.5% standard. But seniors age 65 and older would be able to claim an itemized deduction at 7.5% of income through 2016.
- If you have high-cost health insurance:** A so-called Cadillac tax of 40% on plan administrators offering the richest job-based health benefits will take effect in the next few years and apply to the amount of annual premiums exceeding \$10,200 for individuals or \$27,500 for families. The thresholds are higher for retirees and workers in certain high-risk jobs.

MONTHLY REPORT - FEBRUARY 2010

FAIRFIELD COUNTY VETERANS SERVICE COMMISSION

Office Activity			
	Telephone Calls	Office Visits	Total Yr to Date
Veterans Affairs	250	174	821
Financial Assistance	75	137	413
Monthly Totals	325	311	
Yr to Date	625	609	

Service Officer Claims Activity																		
TYPE OF CLAIM	POA	COM P/DIC	PEN- SION	MEDI CAL	APEALS	EVR	FIN VOU CHE RS	EDU- CATION	HOME LOAN	INSUR- ANCE	DIS- CHARGE	MAR KER	BUR- IAL	MISC/ LET- TERS	OHIO VET. HOM E	REF- FERS	H S DIPLO- MAS	INDIGENT BURIALS
Monthly Totals	6	4	2	21	1	5	200	3	1	0	37	2	1	184	0	10	0	0
Yr to Date	16	12	5	34	1	10	445	3	2	0	117	2	3	394	0	20	0	1

Financial Relief Assistance

MTG. DATE	Claims Ap- proved	Claims De- nied	Total Claims	TOTAL AWARDED
February 3, 2010	30	0	30	\$26,768.45
February 17, 2010	17	1	18	\$8,151.13
Monthly Totals	47	1	48	\$34,919.58
Yr to Date	108	6	111	\$73,110.55

Reasons for denials- 02-17-10 1. Excessive income

Transportation to VAMCs

DESTINATION	THIS MONTH	YEAR TO DATE
Chillicothe VAMC -	39	88
Columbus OPC -	38	90
Dayton VAMC -	2	5
Cincinnati VAMC -	16	25
Other-	15	31
Lancaster CBOC-	0	0
TOTAL TRANSPORTED -	110	239
Salaries -	\$3,490.00	\$8,225.00
Maintenance -	\$2,341.96	\$3,624.32
MONTHLY TOTAL	\$5,831.96	
TOTAL COST OF TRANSPORTATION YEAR to DATE		\$11,849.32

MONTHLY REPORT - MARCH 2010

FAIRFIELD COUNTY VETERANS SERVICE COMMISSION

Office Activity			
	Telephone Calls	Office Visits	Total Yr to Date
Veterans Affairs	288	233	1342
Financial Assistance	70	166	649
Monthly Totals	358	399	
Yr to Date	983	1008	

Service Officer Claims Activity																		
TYPE OF CLAIM	POA	COM P/DIC	PEN- SION	MEDI- CAL	APEALS	EVN	FIN VOUC HERS	EDUCA- TION	HOM E LOAN	IN- SURANCE	DIS- CHAR- GE	MAR- KER	BUR- IAL	MISC/ LET- TERS	OHIO VET. HOM E	REF- FERS	H S DI- PLOM AS	INDIGENT BURIALS
	Monthly Totals	9	9	3	14	2	1	241	0	1	0	113	1	0	195	0	12	1
Yr to Date	25	21	8	48	3	11	686	3	3	0	230	3	3	589	0	32	1	1

Financial Relief Assistance				
MTG. DATE	Claims Ap- proved	Claims De- nied	Total Claims	TOTAL AWARDED
March 3, 2010	20	1	21	\$13,773.75
March 17, 2010	34	3	37	\$31,477.61
Monthly Totals	54	4	58	\$45,251.36
Yr to Date	162	10	169	\$118,361.91

Reasons for denial:

- 03-03-10 1. Exceeded guidelines
- 03-17-10 1. Excessive income
- 2. Excessive income
- 3. Didn't show a need

Transportation to VAMCs		
DESTINATION	THIS MONTH	YEAR TO DATE
Chillicothe VAMC -	25	113
Columbus OPC -	46	136
Dayton VAMC -	0	5
Cincinnati VAMC -	7	32
Other-	7	38
Lancaster CBOC-	0	0
TOTAL TRANSPORTED -	85	324
Salaries -	\$2,872.50	\$11,097.50
Maintenance -	\$983.99	\$4,608.31
MONTHLY TO- TAL	\$3,856.49	
TOTAL COST OF TRANSPORTATION YEAR to DATE		\$15,705.81