

Fully developed claims expedite service through beset VA

The Veterans Administration has taken heat for some time now as they struggle with the expeditious and timely processing of claims for disability and pension for the veterans that it serves. There are numerous reasons for this delay and seemingly endless processing time.

In 2008 Congress and the administration decided to improve the GI Bill benefits that provide funding for veterans' education. Congress mandated an August 2008 start, even though the programs to administer this process had not yet been fully developed. The VA was not prepared to handle this very generous, but complex payment system.

For the first year, the VA was practically relying on a pen-and-pencil-type processing of claims through this complicated system. This caused a shift of resources inside the VA to accommodate paying the veterans and their schools as promised in the law.

The old Montgomery GI Bill was usually paying the veterans one similar payment nationwide. The new 9/11 GI Bill created a different pay structure for every veteran eligible for this benefit and added a tuition payment and book stipend. This took a monumental effort on the part of the VA to get these payments flowing. While there are still delays, the overall situation is much improved and the 9/11 GI Bill is a wonderful and very generous benefit compared to the older Montgomery GI Bill.

Just as the VA was coming out of this crisis, the rules were changed for presumptive conditions for all veterans who have ALS. Any veteran who has served 90 days or more of active duty and is diagnosed with ALS is automatically service-connected for this condition, usually at the 100 percent rate. In 2010 the VA added leukemia type B, Parkinson's disease and ischemic heart disease to the list of presumptive conditions for veterans who served with boots on the ground in Vietnam, and some very limited parts of Thailand and Korea.

The flood gates were then opened to all agent orange exposed veterans who had these conditions. There were many hundreds of thousands of claims filed almost immediately. The VA also had to go back and re-adjudicate the claims for these conditions that had been denied in the past, including settling claims for the widows and widowers of veterans who had died of these conditions since the 1970s.

On top of that, the VA liberalized the proof requirements for Post Traumatic Stress Disorder (PTSD) claims. The burden of proof went from having to prove explicit stressful combat incidents to just serving in a combat theater and having the VA diagnose the veteran with PTSD that was connected to the service in that combat theater. Again, all the claims that had been denied in the past were filed again and had to be worked and re-adjudicated. The VA is starting to dig out of the hole that they were in, and we are seeing progress in the time it takes to settle a claim.

One of the ways that the VA is making this happen is using a technique called "Fully Developed Claim." This new and innovative program is designed to provide swift and expeditious settlement of eligible "fully developed" compensation or pension claims. The FDC Program is the fastest means of getting a claim processed. A participating veteran with an eligible claim will have his/her claim expeditiously routed through the claims process for a swift decision. Participation will not affect the quality of care a veteran receives or the benefits to which a veteran is entitled.

To participate, the FDC Program requires that a veteran complete and submit a Fully Developed Claim Certification and either a VA Form 21-526EZ, Fully Developed Claim (Compensation) for a compensation claim, or a VA Form 21-527EZ, Fully Developed Claim (Pension) for a pension claim. The veteran must also submit, with the application and certification, all relevant and pertinent evidence to "fully develop"

the claim. VA Form 21-526EZ and VA Form 21-527EZ provide, in detail, claims eligible for the FDC program as well as notification of all information and evidence necessary to “fully develop” and substantiate these claims.

Filing these claims takes a little extra work on the part of the veteran and the veteran representative, but it is well worth it in time savings. Some claims are being settled in 30 to 60 days from the date of filing. This is rare, but it is starting to happen more often. When you file your claim listen to the veteran representative and get them the necessary information they need to file a fully developed claim. It will save everyone a lot of stress and worry.

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