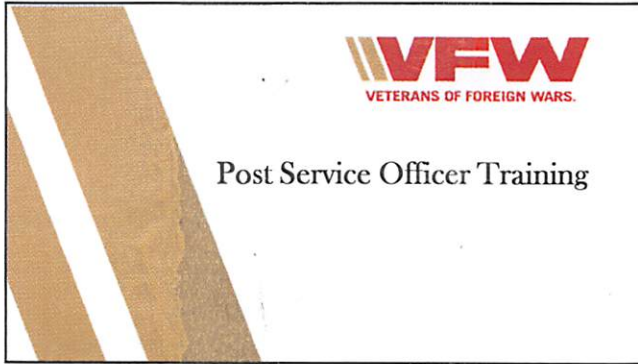


# VFW Post Service Officer Training July 2021



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**What is a Post Service Officer?** 

- PSO's are local ambassadors of the Veterans of Foreign Wars; each VFW Post is required to appoint a PSO (Sec 216).
- Many PSO's deliver information about veterans benefits to those who cannot come to them, whether in community centers, nursing homes, places of worship, Vet Centers, or just around town.
- PSO's must be well versed on state and local benefits.
- The knowledge PSO's carry with them can help veterans and their survivors obtain the help they often desperately need.

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**VFW By-Laws** 

- VFW Podium Edition (By-Laws)
- **Sec 216 (b)- "Elected and Appointed Officers; Chairmen and Committees"**
- "The appointed officers of each Post shall consist of at least an Adjutant, Officer of the Day, *Service Officer*, and Guard to be appointed as prescribed in Section 216 in the Manual of Procedure"

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# VFW Post Service Officer Training July 2021

## Guide for Post Service Officers



- National Veterans Service publishes electronically the "VFW GUIDE FOR POST SERVICE OFFICERS" which provides a quick reference concerning the duties and responsibilities of the position and VA benefits to Post Service Officers.
- The *VFW Manual of Procedure*, Sec. 218, mandates that each Post Service Officer have the latest edition of the *Guide for Post Service Officers* (download from the website).
- Each Department Service Officer (DSO) shall ensure that all VFW Post, District, and County Council Service Officers in their Department are aware of how to find the current edition of the VFW Guide.
- The current edition of the VFW Guide can be found on the VFW website under VA Claims & Separation Benefits  
<https://www.vfw.org/assistance/va-claims-separation-benefits>

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## Representation



- Post Service Officers (PSOs) are local advocates who assist veterans and their loved ones in navigating a complicated benefits landscape. Post Service Officers serve as a conduit to critical programs and services in the community, but are not accredited by the Department of Veterans Affairs for the purposes of representing claimants in their benefit claims before VA.
- Therefore, PSOs **DO NOT** hold legal standing to represent claimants in any fashion before the Department of Veterans Affairs. This distinction is reserved for individuals accredited by VA through the Veterans of Foreign Wars of the U.S. in accordance with Title 38 U.S.C. § 5902 - Recognition of representatives of organizations and the VFW National Veterans Service Policy & Procedure.

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## Representation - Why is Accreditation Important?



- Accredited individuals are professionally trained advocates that have completed extensive training and coursework in veteran's benefits and have access to resources that non-accredited individuals do not
- VA accreditation allows organizations and/or individuals the authority to represent veterans before the Department of Veterans Affairs - if you are not accredited, VA will not disclose any information to you about other veterans
- All Department Service Officers, Assistant Department Service Officers, & Claims Consultants who work for the VFW are accredited

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# VFW Post Service Officer Training July 2021

## Representation - Why is Accreditation Important?



- A **"Claims Shark"** is an individual or company that "assists" or "consults" veterans with VA claims even though they are not accredited with VA
- Many of these companies charge fees for their services, sometimes totaling in the tens of thousands of dollars for services that veterans can receive from an accredited representative **FOR FREE**
- These companies have used the pandemic to their advantage, offering fully remote "assistance" and easy to access "one click away buttons" in order to capitalize on the reduced resources available due to VA closures
- The terms "veteran" and/or "military" does not inherently mean the organization represents the best interests of veterans and their families

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## Representation - Attorney Fees



Accredited attorneys or agents may legally charge fees for appeals if a valid fee agreement is filed with VA.

An accredited attorney or agent may **only** charge claimants a fee after:

- VA has made a decision regarding the claim,
- An appeal of that decision has been initiated
- The attorney or agent has filed a power of attorney and a fee agreement with VA.

Note: The VFW is not allowed to charge fees for service

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## Representation - How to Know if Someone is Accredited



A searchable list of accredited VSO representatives, agents, and attorneys is available at the VA Office of General Counsel's website:

<http://www.va.gov/ogc/apps/accreditation/index.asp>

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# VFW Post Service Officer Training July 2021

## Representation - General



- VA Form 21-22 (Appointment of Veterans Service Organizations as Claimants Representatives) that designates the Veterans of Foreign Wars as the individual's representative is required to authorize the VFW to represent a claimant for benefits from the Department of Veterans Affairs.
- Under no circumstances is a fee or compensation of any nature to be charged to anyone for services rendered in connection with any claim for which the VFW provides representation.
- Membership in the VFW is **not required** for representation.

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## Representation - Who We Represent



- The VFW may represent any veteran other than those with a Dishonorable Discharge.
- If a veteran has both a dishonorable discharge and a qualifying honorable period of service, we may still be able to represent them - refer these veterans to your DSO
- Once representation is accepted by the VFW, the veteran may not be represented by any other accredited organization or attorney.
- **IMPORTANT:** VA form 21-22 must be completed and signed by an **accredited** VFW representative to be valid for VA benefit purposes. As a non-accredited individual, a Post Service Officer can assist a veteran in filling out the form, but it is not valid until signed by an accredited VFW representative and submitted to VA.

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## Confidentiality of Records



- Public Law 93-579, The Privacy Act of 1974, requires written authorization for release of any information from records maintained by Federal agencies. The Department of Veterans Affairs, Department of Defense, Social Security Administration, and other Federal agencies restrict the release of confidential information, such as address of the claimant, etc. to parties other than the claimant.
- An accredited representative of a Veterans Service Organization may release information necessary for development of a specific claim to a local service officer, but only if authorized by the claimant in writing on VA Form 21-0845, Authorization to Disclose Personal Information to a Third Party. This authorization must include the PSO's full name and does not transfer to other individuals.

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# VFW Post Service Officer Training July 2021

## Procedures for submitting claims to the DSO



- PSOs must return claims and supporting evidence to the claimant for the claimant to forward to the Department Service Officer (DSO).
- Since VA awards benefits based on the date of claim, it is **VITAL** that claimants immediately send the documents to the DSO or proper VFW-accredited representative.
- Claims must never be retained by the Post Service Officer, as there may be a loss of a monetary benefit to the claimant. If a claimant cannot submit a claim immediately, they should submit an Intent to File form (VA Form 21-0966) to the DSO instead.
- **Please note:** Whenever the term Post Service Officer (PSO) is used, it applies to District Service Officers and any other non-accredited VFW personnel or volunteers as well.

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## Role of the Post Service Officer



- Know the VA eligibility rules established by law.
- Provide veterans and survivors basic knowledge about VA benefits.
- Advise veterans to submit all forms to the **DSO or a VFW accredited representative** for completion.
- Keep Post/Members and survivors aware of events, news, and information relevant to local, state, and federal veterans services and benefits.

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## Code of Conduct for PSOs




1. Will perform their duties under the supervision of the Department Service Officer.
2. Shall assist members of the Post, their widows and orphans and other veterans in obtaining rightful benefits from the federal and state governments.
3. Will not take possession of or release confidential information (Personally Identifiable Information, or PII), such as what conditions were claimed or the address of the claimant, to anyone other than the DSO without the express written consent of the claimant.
4. Should keep members informed of veterans' entitlements and benefits offered and administered by federal, state and local governments.

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# VFW Post Service Officer Training July 2021

**Code of Conduct for PSOs** 

- Will provide guidance and assistance to veterans and survivors free of charge; under no circumstances, shall they request, demand or accept cash or any other form of payment for such assistance or use their knowledge of a veteran's claim status or compensation to solicit funds.
- May serve as a "scribe" to assist veterans in filling out prescribed forms and other paperwork for the veteran to immediately transmit directly to the proper accredited VFW representative.
- Shall **not** fill out forms on behalf of a claimant or act as the representative of the claimant before VA, to include seeking to secure status updates on VA claims or signing/submitted forms on the claimant's behalf. These are representative functions reserved for VFW accredited representatives in accordance with VA laws and regulations.
- Shall not under any circumstances present themselves as accredited representatives for the purposes of claims representation before the Department of Veterans Affairs on behalf of the VFW.

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**Code of Conduct for PSOs** 

- Shall return all claims forms, documents, and protected health and personal information to claimants so that the claimant may transmit the claim and documents to an accredited VFW representative. Since VA awards benefits based on the date of claim, it is vital to advise claimants that claims should be sent to the VFW accredited representative immediately.
- Will not keep any forms, documents, evidence, records, or materials of any kind pertaining to the veteran's claims and containing PII of the claimant.
- Will refer claimants to the most recent version of all VA forms to include, 21-22 Appointment of Veteran Service Organization as Claimant's Representative, 21-526ez Application for Compensation, 21-0966 Intent to File a Claim for Compensation or Pension, 21-527ez Application for Pension, & 21-534ez Application for Survivor Benefits. Contact your DSO for these forms; Post Service Officers may download them from VA: [www.va.gov/vaforms/](http://www.va.gov/vaforms/)

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**Code of Conduct for PSOs** 

- Will attend all Post Service Officer training conducted by the VFW Department Service Officer. While the Department Service Officer is responsible for providing training to Post Service Officers, the District Service Officer is responsible for ensuring that their Post Service Officers attend training.
- Shall not under any circumstances represent themselves as "certified VFW Service Officers" or any variation thereof that implies they are legally qualified to assist and represent claimants in their VA benefit claims. This distinction is reserved for VFW representatives accredited by the Department of Veterans Affairs for prosecution of benefits claims before VA and can only be approved by the Director, VFW National Veterans Service in accordance with the VFW National Veterans Service Policy & Procedure.

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# VFW Post Service Officer Training July 2021

**Code of Conduct for PSOs** 

14. Shall not refuse to assist any veteran or survivor unless it is clear that the claim is fraudulent.
15. Shall not refuse to assist any veteran or survivor because they do not feel the veteran or survivor is eligible for the benefit sought. The accredited Department Service Officer will make the final decision as to whether the VFW will provide representation in all cases.
16. Will refrain from the use of racial, religious, age-related, sexual, or ethnic epithets, innuendoes, slurs or jokes in the workplace.
17. Must conduct themselves in a totally professional manner and refrain from sexual advances, verbal or physical conduct of a sexual nature, or requests for sexual favors.
18. Further requirements are listed in the VFW National Veterans Service Policy & Procedure, which can be found on [www.vfw.org/NYS](http://www.vfw.org/NYS).

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**What does all that mean? Do's** 

DO:

- Provide guidance to claimants and assist them in obtaining state and local benefits
- Provide guidance and refer claimants to the DSO for assistance with obtaining VA benefits
- Conduct yourself in a professional manner
- Attend PSO training

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**What does all that mean? Don'ts** 

DON'T:

- Request or accept payment or any other form of compensation for the advice/assistance provided
- Take possession of or release a claimant's personal information to anyone other than the DSO or the claimant
- Identify yourself as an accredited representative
- Initiate or participate in unprofessional conduct in the workplace or in public view
- Attempt to represent claimants before the VA in any capacity such as signing forms on behalf of or representing claimants during VA hearings etc.
- Refuse service to claimants unless the claim is clearly fraudulent or there is unprofessional conduct by the claimant

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# VFW Post Service Officer Training July 2021

Department Service Officer

What does the Department Service Officer do?

Help You Identify Issues  
and Develop Evidence

Answer Your Requests  
For Assistance

File Your Claims With VA In  
A Timely Manner

Review Your Rating  
Decision For Accuracy

**DSO**

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Authorized Capabilities Breakdown

Action	PSO	DSO
Help the veteran/claimant complete forms	X	X
Provide advice/guidance concerning VA benefits	X	X
Provide advice/guidance and assist with obtaining state or local benefits	X	X
Sign VA Form 21-22		X
Represent Claimants at VA hearings		X
Accept/Submit PII and VA Forms		X
Sign forms on behalf of claimant.		X

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VFW Benefits and Resources

- VFW National Home for Children- The National Home's community is open to the families of active-duty military personnel, veterans and relatives of VFW and VFW Auxiliary members. The family can be one or both parents with one or more children...
- Families may accomplish significant life goals by participating in the program
- The National Home offers:
  - Case management services
  - Educational, recreational, and enrichment opportunities
  - Community resources and counseling
  - Free housing and daycare

<https://www.vfwnationalhome.org>

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# VFW Post Service Officer Training July 2021

## VFW Benefits and Resources



- **Unmet Needs Program**-provides grants (not loans) and referrals to other organizations to active-duty service members, veterans and their immediate families to assist with basic life needs. <https://www.vfw.org/assistance/financial-grants>
- **Sport Clips Help a Hero Scholarship**-Provides service members and veterans with the financial assistance they need to complete their educational goals without incurring excessive student loan debt.
  - Scholarships of up to \$5,000 will be awarded to qualified applicants.
  - Awarded scholarships are limited to one per family per semester.
- **Youth Scholarships – The Voice of Democracy** audio-essay program provides high school students with the opportunity to win their share of more than \$2 million in educational scholarships and incentives awarded through the program. Students in grades 6-8 may enter the VFW's Patriot's Pen youth essay contest for a chance to win their share of more than \$1.4 million in state and national awards.

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## VA Benefits and Services



- The Department of Veterans Affairs offers a wide variety of benefits and services to veterans and their families including:
- Compensation
  - Pension
  - Healthcare
  - Education
  - Home Loan Guarantee
  - Life Insurance
  - Survivors benefits
  - Burial benefits

Fact Sheets for many VA benefits can be found at:  
<https://benefits.va.gov/BENEFITS/factsheets.asp>

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## VA Benefits and Services



- Remember, the role of the PSO is to explain available benefits, then refer the veteran to the DSO for assistance in obtaining benefits
- Prepare the veteran for the process, **DO NOT** promise anything
- Eligibility doesn't always equal payment
- VA will review the file and applicable examinations and documentation in order to determine entitlement and potential payment

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# VFW Post Service Officer Training July 2021

**Eligibility References** 

- Guide for Post Service Officers <https://www.vfw.org/assistance/va-claims-separation-benefits>
- <https://www.va.gov/disability/eligibility/>
- <https://www.va.gov/health-care/eligibility/>
- <https://www.va.gov/pension/eligibility/>
- <https://www.va.gov/housing-assistance/home-loans/eligibility/>

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## Common VA Benefits

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**Service Connection** 

- Service connection for a disability or death can be established in many ways. The four most common are:
  - **Direct** - evidence is in the service records and the three elements below are met
  - **Secondary** - service-connected condition causes another disability
  - **Aggravation** - preexisting condition is worsened, beyond natural progression, by a service-connected condition
  - **Presumptive** - based on exposure, length of time after discharge, or date and location of service

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# VFW Post Service Officer Training July 2021

## Service Connection

• There are three elements of service connection:

- C**urrent diagnosis of a chronic condition
- A**n in-service event, injury, or exposure
- N**exus or link between the diagnosis and in-service event, injury, or exposure

• Why is service-connection important?

- Free VA healthcare is available for service-connected disabilities.
- Required for payment of disability compensation

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## Compensation

- Service connection must be established for VA to pay compensation.
- VA can provide monthly compensation if the veteran is at least 10% disabled as a result of active military service.
- Percentages range from 0% to 100%, and are rounded to the nearest 10
- A veteran can be granted service connection for his or her disability and be rated at 0%.
- A 0% rating does not provide monetary compensation but does qualify the veteran for additional benefits.

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## Compensation - VA Math Concept

**VA does not add disability ratings together, rather they combine the disabilities using the combined ratings table**

To help understand the concept of VA Math, think of a sale:

- A shirt costs \$100 regular price
- The store advertises 50% off - The new price is \$50
- The store offers a coupon for an additional 50% - New price is \$25 you save 75% total
- Why? Because you take the additional percentage from what's left of the original price
- The veteran is the original price, the disabilities are the sale, and the total saved is the combined rating

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# VFW Post Service Officer Training July 2021

## Non Service-Connected Pension



- Non Service-Connected Pension is a benefit paid to wartime veterans who have limited or no income, and who are age 65 or older, or if under 65, are permanently and totally disabled.
- Veterans who are seriously disabled may qualify for additional benefits. (Special monthly pension)

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## Healthcare



### VA provides a number of Health Care Services

- Hospital, outpatient medical, dental, pharmacy and prosthetic services
- Domiciliary, nursing home and community based residential care
- The Mission Act gives Veterans greater access to health care in VA facilities and the community, expands benefits for caregivers, and improves VA's ability to recruit and retain the best medical providers.
- Community Care - Based on access standards for average
  - 30 minute drive/20 day wait time for primary care, mental health and non-institutional care services
  - 60 minute drive/28 day wait time for specialty care

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## Education Benefits



- VA administers education benefits for active-duty troops, veterans, reservists, and qualifying dependents
- Forever GI Bill, Post 9/11 GI Bill, Montgomery GI Bill
- MGIB Selected Reserve (Section 1606) for Reservists
- Dependents Educational Assistance (Chapter 35) for dependents
- Veteran Readiness and Employment (VRE) provides assistance to veterans with service-connected disabilities to prepare for, obtain, and maintain suitable employment.

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# VFW Post Service Officer Training July 2021

**Home Loan Guarantee** 

- VA offers home loan services to eligible veterans, some military personnel, and certain surviving spouses.
- VA is not a lender, rather VA will guarantee part of the loan against loss, which allows the lender to give the veteran better loan terms and the possibility of no down payment.
- If a veteran has trouble paying their mortgage, they should contact a VA loan technician at 877-827-3702.
- Types of VA loan programs:
  - Guaranteed Loans
  - Refinancing Loans
  - Special Grants

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**Life Insurance** 

- Service-members Group Life Insurance (SGLI) is low-cost term life insurance for service members and Reservists
- Traumatic SGLI is automatically included in SGLI and provides for payment up to \$100,000 for service members who lose limbs or incur other serious injuries
- Veterans Group Life Insurance (VGLI) is a renewable term life insurance for veterans who want to convert their SGLI up to an amount not to exceed the coverage they had when separated from service.
- Service-Disabled Veterans Insurance provides low-cost coverage to eligible veterans

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**Dependency and Indemnity Compensation (DIC)** 

DIC is a flat rate monthly benefit that is paid to certain survivors.

- Two of the most common ways to establish eligibility would be if the:
  - Service-member died on active duty
  - Veteran died from service-related disabilities, including disabilities that can be proven to be service-related (did not have to be receiving disability compensation before death)
  - Eligibility could also be established if the veteran was deemed permanently and totally disabled by VA at the time of death

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**Burial Benefits** 

**Burial**

- VA offers certain benefits and services to honor deceased veterans to include burial flags, burial allowance, plot or interment allowance, and transportation allowance

**Headstones and Markers**

- VA can furnish a marker or headstone for the unmarked grave of an eligible veteran

**Presidential Memorial Certificate**

- A Presidential Memorial Certificate (PMC) is a paper certificate that bears the official signature of the current President of the United States. This certificate can be requested by any of the veteran's loved ones

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**Burial Benefits** 

**Pre-need eligibility for burial in a VA cemetery**

- Veterans can apply to find out in advance if they can be buried in a VA national cemetery. This is called a pre-need determination of eligibility—and it can help make the burial planning process easier for the veteran's family members in their time of need.

- This is not a reservation; receiving a pre-need determination of eligibility doesn't guarantee that the veteran will be buried in a specific VA national cemetery or a specific plot.

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**Intent to File** 

- If a veteran wants to file a claim but needs additional time to gather the information needed to file, an Intent to File form should be used
- Intent to File (VA Form 21-0966) should be filed with the DSO, or by having the veteran start a claim in eBenefits on your first interaction with the veteran.
- Intent to File protects the veteran's effective date for compensation, pension, or survivor's benefits for **one year** which allows time to gather supporting evidence.

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# VFW Post Service Officer Training July 2021

**Evidence** 

- What can you do to assist the veteran and DSO in submitting a substantially complete claim?
  - Inform the veteran of the evidence required for their claim(s)
- Depending on the benefit sought, ask the veteran to gather and submit:
  - Service Treatment Records/Service records/DD-214
  - Private medical records
  - Marriage certificates/divorce decrees
  - Birth Certificates and Social Security cards for dependent children
  - Financial statements


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**VA FORMS**  
Get all the VA Forms you want or need at:  
[www.va.gov/vaforms](http://www.va.gov/vaforms)

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**VA Forms** 

**COMMONLY USED VA FORMS OVERVIEW:**

VA FORM 21-22	- Appointment of Veterans Service Organization
VA FORM 21-0966	- Intent to File
VA FORM 21-4142	- Authorization & Consent to Release Information to the DVA
VA FORM 21-4142a	- General Release for Medical Provider Information to the DVA
VA FORM 21-526EZ	- Application for Disability Compensation
VA FORM 21-527EZ	- Application for Pension
VA FORM 21-534EZ	- Application for DIC, Death Pension, and/or Accrued Benefits
VA FORM 21-530	- Application for Burial Benefits
VA FORM 21-4138	- Statement in Support of Claim
VA FORM 21-2680	- Exam for Housebound or Permanent Need For Aid and Attendance
VA FORM 21-0781	- Statement in Support of Claim for PTSD
VA FORM 21-0781a	- Statement in Support of Claim for PTSD Secondary to Personal Assault

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VFW Post Service Officer Training July 2021

VA Forms 

**COMMONLY USED VA FORMS OVERVIEW:**

- VA FORM 21-686c - Declaration of Status of Dependents
- VA FORM 21-674 - Request for Approval of School Attendance
- VA FORM 10-182 - Decision Review Request: Board Appeal (Notice Of Disagreement)
- VA FORM 20-0995 - Decision Review Request: Supplemental Claim
- VA FORM 20-0996 - Decision Review Request: Higher-Level Review
- VA FORM 10-10ez - Application for Health Benefits
- VA FORM 40-10007 - Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery

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**QUESTIONS?**

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