

TEXAS VETERANS COMMISSION

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AMVETS

Debra Henderson, Department Commander Cecil Aultman, Executive Director

AMERICAN EX-POWS

Michael G. Gesino, Sr., Department Commander Jean Winn, Department Adjutant

VIETNAM VETERANS OF AMERICA

P.O. Box 1405 Fritch, Texas 79036

NON-COMMISSIONED OFFICERS ASSN.

International Headquarters 10635 IH 35 North San Antonio, Texas 78223

VETERANS OF WORLD WAR I

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VETERANS OF FOREIGN WARS

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6900 Almeda Road Houston, Texas 77030-4200

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MILITARY ORDER OF THE PURPLE HEART

Richard Hernandez, Department Commander 114 Daffodil Drive Killeen, Texas 76542-1819

PEARL HARBOR SURVIVORS ASSN.

Albert B. Block, State Chairman 12303 Blue Water Drive Austin, Texas 78758

AMERICAN GI FORUM OF THE U.S.

Antonio G. Morales, National Executive Director 2711 West Anderson Ln., Suite 205 Austin, Texas 78757

In addition to the organizations listed above, veterans' assistance is offered in most counties through the local Veterans County Service Office.

State Veterans Home Study Approved

The Texas Veterans Commission recently announced approval of the Needs Analysis/Feasibility Study for a State Veterans Home here in Texas.

The Study, conducted under a contract awarded to Tonn & Associates of Austin, in conjunction with Stichler Design Group, Inc., concluded that there is a definite need in Texas for a system of State Veterans Homes and provides several models for consideration. A significant finding is Tonn & Associates' estimate that the State of Texas would save \$30 million in

State Medicaid payments over a ten year if it operated only three veterans homes. Additionally, the majority of wartime veterans would benefit from admission under the program because they would experience a small reduction in take home income. Under current Medicaid provisions, single wartime veterans have to first draw down their assets and then give up all of their income except \$125. Commission will provide full results of the study to the 75th Texas Legislative Session which will convene in January 1997. The Legislature will consider the study and make final determinations of numbers, sizes and locations.

If approved, a State Veterans Home may be built and operated under a matching Federal grant from the Department of Veterans Affairs State Veterans Home Grant Program. Texas is one of few states which does not operate a State Veterans Home at this time and, consequently, its request for matching funds would be placed at the top of the priority listing for grants.*

TEXAS VETERANS COMMISSION JOURNAL

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Comments concerning veterans' programs or delivery of services may be addressed to:

Texas Veterans Commission P.O. Box 12277 Austin, Texas 78711

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ALEXANDER VERNON

Member



In 1921, an American soldier - his name "known but to God" - was buried on a Virginia hillside overlooking the Potomac River and the city of Washington. The Arlington National Cemetery burial site of this unknown World War I soldier became the personification of dignity and reverence for America's veterans.

Similar ceremonies occurred earlier in England and France, where an "unknown soldier" was buried in each nation's highest place of honor (in England, Westminster Abbey; in France, the Arc de Triomphe).

These memorial gestures all took place on November 11, giving universal recognition to the celebrated ending of World War I hostilities at 11 a.m., November 11, 1918 (the 11th hour of the 11th day of the 11th month). The day became known as "Armistice Day."

Armistice Day officially received its name in America in 1926 through a Congressional resolution. It became a national holiday 12 years later by similar Congressional action,

If the idealistic hope had been realized that World War I was "The War to end all wars," November 11 might still be called Armistice Day. But shortly after the holiday was proclaimed, World War II broke out in Europe and shattered the dream. Sixteen and one-half million Americans took part. Four hundred and six thousand died. The families and friends of these dead longed for a way to honor their memory.

An answer to the dilemma of how to pay tribute to those who had served in this latest, great war came in a proposal made by Representative Edwin K. Rees of Kansas: change Armistice Day to Veterans Day, and make it an occasion to honor those who have served America in all wars.

President Eisenhower, in 1954, signed the bill proclaiming November 11 as Veterans Day, and he called for Americans everywhere to rededicate themselves to the cause of peace.

On May 30,1958, two more unidentified American war dead were brought to Arlington Cemetery from overseas and interred in the plaza beside their Comrade of World War I. One was killed in World War II, the other in Korea. A law passed in 1973 provided for the interment of an unknown American who lost his life in Southeast Asia during the Vietnam era. For several years no qualifying remains were discovered, so a memorial plaque was placed in the Amphitheater's Memorial Display Room. On Memorial Day 1984, however, the Unknown Serviceman from that conflict was placed "In Honored Glory" alongside his fellow countrymen.

To honor these men, symbolic of all Americans. who gave their lives in all wars, an Army honor guard, The 3d United States Infantry (The Old-Guard) keeps day and night vigil.

A law passed in 1968 changed the national commemoration of Veterans Day to the fourth Monday in October. It soon became apparent, however, that November 11 was a matter of historic and patriotic significance to a great number of our citizens. Congress, therefore, enacted legislation (Public Law 94-97) which returned the observance of this special day to its traditional date beginning in 1978.

Veterans' Employment and Training Service (VETS)

Veterans reentering the civilian labor force will continue to receive job search, counseling, training, and placement services with programs and services funded through the U.S. Department of Labor's Veterans' Employment and Training Service (VETS).

Congress appropriated \$182 million for VETS in fiscal year 1997, an increase of almost \$12 million over last fiscal year, to carry out its programs of helping veterans into good jobs in the civilian economy.

Funding for two programs that pay for veterans' service representatives in the state employment service systems — the Disabled Veterans Outreach Program (DVOP) and the Local Veterans Employment Representative (LVER) program — totaled just over \$157 million. This will provide job search, counseling, skill assessment, placement, and follow-

up services for 340,000 veterans.

Funding under the Jobs Training Partnership Act (JTPA) equals last year's appropriation of \$7.3 million. This money, primarily awarded to states and non-profit organizations on the basis of competitive grants, will provide training to targeted groups of veterans and help more than 2,300 of them into unsubsidized jobs in the private sector.

VETS, the only government agency dedicated to training and placing veterans in jobs in the civilian economy, will be able to fund all of its authorized staff positions and continue to support the Transition Assistance Program (TAP). TAP provides three-day workshops which will help separating service members and their spouses quickly reintegrate into

the civilian economy with a minimum of time lost to unemployment. More than 165,000 separating service members are expected to go through the TAP program in fiscal year 1997.

In addition, the National Veterans' Training Institute is funded for \$2 million which will enable it to continue to provide skills training for DVOPs and LVERs and other front-line staff directly providing services to veterans.

For further information, contact your local state employment office. You may also access the U.S. Department of Labor via the Internet at: http://www.dol.gov

Information in this article will be made available to sensory impaired individuals upon request. TDD Message Referral Phone: \$\mathbb{\alpha}\$1-800-326-2577, Voice phone: \$\mathbb{\alpha}\$(202) 219-7316.★

Insurance Hoax Reappears

The veterans insurance dividend hoax has reappeared in publications and on the Internet.

Recently several publications in the state printed an article stating that Congress had recently passed a bill which entitles veterans and service persons to a dividend based upon their prior years of service. A similar message has been circulating on the Internet.

Congress has not passed any recent legislation regarding veterans insurance dividends.

This is part of a recurring problem of misinformation that dates back to 1965.

The "dividend hoax" had its origins in a special dividend that the Department of Veterans Affairs, then known as the Veterans Administration, paid to World War II veterans who had National Service Life Insurance policies.

Approximately \$2.7 billion was in 1950 to over 16 million of these veterans under the "1948 special dividend."

Some time in 1965, the special dividend news announcements of

15 years earlier resurfaced and were mistakenly published by several newspapers.

VA attempted to educate the news media, but some individuals and organizations published the announcements in smaller publications, newsletters, and flyers.

Some publications declared the dividend available to all veterans and even to those who never carried government life insurance while in the service.

The latest rumor is that active service persons, reservists and personnel separated within the last few years are eligible.

Dividends are not and have never been payable to current service members insured under Serviceman's Group Life Insurance (SGLI) or Veterans' Group Life Insurance (VGLI).

VA does continue to pay routine dividends on several policy series, but only to veterans who have kept their policies in force. These veterans receive their dividends automatically on the anniversary date of their individual policy. They do not have to apply *

Public Law 104-262

"Veterans' Health Care Eligibility Reform Act of 1996"

On October 9, 1996, the President signed Public Law 104-262, "The Veterans' Health Care Eligibility Reform Act of 1996." The following is a summary of this legislation as it pertains to health care:

- Reforms VA health care eligibility to provide the same rules for inpatient and outpatient care and eliminates the complex restrictions on outpatient care.
- Provides that VA "shall" within available appropriations, furnish hospital care and outpatient services, and "may" furnish nursing home care, to any veteran for a service-connected disability and to veterans:
 - Who have a service-connected disability rated 50% or more;
 - Have a compensable service-connected disability rated less than 50%;
 - Whose discharge from active military service was for a compensable disability that was incurred or aggravated in the line of duty;
 - Who are eligible for VA compensation based on a disability incurred as a VA patient or vocational rehabilitation participant;
 - Who are former prisoners of war;
 - Who are veterans of the Mexican border period or World War I; and
 - Who have incomes below the means test threshold (currently \$21,001 or less for a veteran with no dependents and \$25,204 or less for a
 veteran with a spouse and one dependent).
- Provides that VA "may" furnish hospital care, outpatient services, and nursing home care to all other veterans to the extent resources and facilities are available.
- Provides that, through December 31, 2002, VA "shall" within available appropriations, furnish hospital care, outpatient services, and nursing home care to Vietnam veterans for any disability that may be associated with exposure to Agent Orange or other herbicides.
- Permanently provides that VA "shall" within available appropriations, furnish hospital care, outpatient services, and nursing home care to veterans who were exposed to radiation from a nuclear detonation for a disability that is:
 - Presumed by statute to be service connected; or
 - For which VA determines there is credible evidence of a positive association between occurrence of the disease and radiation
 exposure.
- Provides that, through December 31, 1998, VA "shall", within available appropriations, furnish hospital care, outpatient services, and nursing home care to Persian Gulf War veterans for any disability that may be the result of exposure to a toxic substance or environmental hazard in the Persian Gulf
- Clarifies VA's authority to furnish preventive services to veterans not otherwise receiving care.
- Eliminates certain restrictions on the furnishing of prosthetics for nonservice-connected disabilities to veterans receiving outpatient care, but requires VA to establish guidelines for providing hearing aids and eyeglasses.
- Requires VA to establish and operate a system of annual patient enrollment in accordance with the following priorities:
 - Veterans with service-connected disabilities rated 50% or greater;
 - Veterans with service-connected disabilities rated 30% or 40%;
 - Veterans who are former POWs, veterans with service-connected disabilities rated 10% or 20%, veterans discharged from active
 military service for a disability incurred in the line of duty, and veterans who are eligible for VA compensation based on a disability
 incurred as a patient or vocational rehabilitation participant;
 - Veterans who are receiving increased pension based on need of regular aid and attendance or by reason of being permanently housebound and other veterans who are catastrophically disabled;
 - Veterans with incomes below the means test threshold;
 - World War I, and Mexican border period veterans; and veterans with special eligibilities based on exposure to certain hazards (e.g., Agent Orange, radiation exposed, and Persian Gulf veterans; and
 - All other veterans.
- Authorizes VA to establish additional priorities within each priority group and to provide for exceptions to the specified priorities for compelling medical reasons.
- Directs the VA to ensure that the enrollment system is managed to provide a cost-effective delivery of health care in a timely manner, with an acceptable level of quality, and in the most clinically-appropriate setting.
- Prohibits VA, effective October 1, 1998, from providing hospital care or outpatient services to a veteran who does not enroll in the patient enrollment system, except that VA is required to furnish a non-enrolled veteran with care for the following reasons:
 - For a service-connected disability at any time;
 - For any disability of a veteran who has a service-connected disability of 50% or more; and
 - During the veteran's first year after separation from service, for a compensable disability for which the veteran was discharged.
- Requires VA to maintain its capacity to provide for specialized treatment and rehabilitative needs of disabled veterans (including those with spinal cord injury, blindness, amputations, and mental illness) in a manner that:
- ♦ Affords those veterans reasonable access to care and services for their specialized needs; and
- Ensures that overall capacity to provide such services is not reduced below capacity of VA nationwide as of the date of the enactment of thislaw.
- ♦ Authorizes VA medical care appropriations in the amount of \$17.25 billion for FY 1997 and \$17.9 billion for FY 1998.
- ◆ Authorizes the Secretary to pay per diem at a rate to be determined by the Secretary for eligible veterans receiving adult day care in a state veterans home.★

 **Article from VFW Technical Information Bulletin, October 18, 1996*



The "Outstanding VA Employee of the Month" chosen for November 1996 is Dr. Thomas Brock, Medical Director of Geriatrics and Extended Care at the VA Medical Center, Kerrville, Texas.

Dr. Brock has worked for this facility since 1985. Prior to his employment with the VA

he worked for Physicians Placement Group, Inc., St. Louis, Missouri; Roberts Clinic, Watseka, Illinois; Office of George Race, M.D. Tocoma, Washington; and Northwestern Memorial Hospital, Northwestern University Medical School, Chicago, Illinois.

Dr. Brock received a Bachelor of Arts degree at the University of Illinois with honors. He also attended Illinois Medical College and Rush Medical College. He did his internship and residency at Presbyterian St. Lukes Hospital, Chicago, Illinois.

Dr. Brock and his wife, Beatrice, have four children ranging in ages from six to fourteen years old. They enjoy traveling when time allows. Dr. Brock also enjoys a variety of leisure activities such as painting, gardening and soccer.

Dr. Brock is a caring provider to our veterans. He is involved with the Respite Program, Expanded Hospice Program, Enhanced Dementia Program, Outpatient Geriatrics Clinic and Inpatient Geriatrics Evaluation and Management Program. His guidance, teaching and accomplishments in his areas of expertise reflect the model role physician we highly respect and admire.

Although Dr. Brock has an extremely busy schedule, he compassionately takes the time in assisting the veterans and their dependents to seek their benefits and has often referred them to our office.

It is with great pride and pleasure to name Dr. Thomas Brock as the "Outstanding VA Employee" for November 1996.

Forgotten Widows

The forgotten widows will stay forgotten at least one more year, but divorcees have been given a new tool to seek a share of their exspouses' retirement pay.

Negotiators left out of the final 1997 defense authorization bill a provision for a \$165-a-month annuity to about 25,000 widows who have not remarried and who were left out of previous military survivors benefits plans.

In June the Senate approved a bill authored by Senator Strom Thurmond, R-S.C., chairman of the Senate Armed Services Committee that would have created benefits for widows whose military husbands died before March 21, 1974, if the husband was entitled to retirement pay at the time of death, and for widows of reservists who died between Sept. 21, 1972, and October 1978, if the reservist was under age 60 at the time of death and had completed the military service needed to earn retirement pay.

But the chairman of the House Budget Committee, Representative John Kasich, R-Ohio, ruled there was no extra money available within the defense budget for a new benefit expected to cost \$12 million in 1997 and double that in 1998. The only way to fund the measure, he said, would be to reduce military retirement pay.

That was not an acceptable trade-off to Thurmond, congressional sources said. Since the two sides were unable to come to an agreement, negotiators hammering out differences between the

House and Senate versions of the defense bill omitted it from the final bill.

But while Thurmond plans for next year's fight, aides to Senator Carol Mosely Braun, D-Ill., say she is pleased that the bill included a provision of hers that closes a loophole some service members had allegedly been using to avoid having to split military retired pay with a former spouse.

These servicemembers would leave the military short of retirement, then go to work for the federal government. Under current pension law, they could take credit for their military service as well as the time they were employed by the federal government when determining their civil service pensions. But unlike military pension, civil service pensioners do not have to share their retirement pay with their former spouses.

Under the new law, which takes effect January 1, 1997, former spouses will be able to get a portion of the federal civilian pension, based on the period of military service during which the couple was married.

Military retiree groups opposed the Mosely-Braun measure, but to no avail. For many years, military retiree lobbyists have tried to get the Former Spouse Protection Act dropped altogether.

> Contributed by Dan Garcia Taylor County Service Officer

Ladd Pattillo Appointed to Texas Veterans Land Board

Ladd Pattillo, a long-time Austin businessman and civic leader, has been appointed to the Texas Veterans Land Board by Governor George W. Bush.

The Veterans Land Board (VLB) administers low-interest land, home and home improvement loans to the state's 1.7 million veterans. Since its creation in 1949, the VLB has made more than \$2.5 billion in loans to veterans in Texas.

Pattillo, 49, is president of D. Ladd Pattillo & Associates, a financial advisory service which specializes in structuring municipal bond issues for local governments.

A Colonel in the United States Army Reserve, he is assigned to the Office of Legislative Liaison to the Secretary of the Army in Washington, D.C., and also serves as Commander of the 420th IA Detachment (R&D) in Austin. He holds many awards and decorations earned during his military service and has an

extensive military education, including study at the Air Force and Army War Colleges.

Pattillo, who is president-elect of the Texas Department Reserve Officers Association for '97-98, is also chairman of the Military Affairs Council of the Greater Austin Chamber of Commerce. An executive committee member of the Military Service Coalition and Bergstrom-Austin Community Council, Pattillo is a member of the Board of Trustees of the Eanes ISD and the Board of Advisors to Southwest School of Government Finance at Texas Tech University.

An Austin native, Pattillo attended McCallum High School. He received a B.B.A. in finance from the University of Texas at Austin in 1972, and a law degree in 1978 from the South Texas College of Law in Houston.

Pattillo will be completing the term of retiring board member Mike McKool of Dallas who has served the VLB since 1992.

North Texas Veterans Cemetery

Congressman Martin Frost was recently joined by Deputy Veterans Secretary Hershel Gober in commemorating the \$16.2 million passed by Congress for construction of the North Texas Veterans Cemetery. The bill was signed by the President in September of this year.

This announcement culminates work that has stretched over a 10-year period. In

1987, the VA cited the North Texas region as one of the top ten areas in the nation most in need of additional burial space. In addition, the Dallas/Fort Worth area is home to one of the most concentrated veterans population in the country, nearly 1.2 million and their dependents.

The Department of Veterans Affairs (VA) selected the Mountain Creek site in

Southwest Dallas County as the site for the new veterans national cemetery, and estimates that the cemetery will open in 1999.

Congressman Frost was accompanied at the announcement by Cloyde Pinson of the Texas National Cemetery Commission and veterans from across the Dallas-Fort Worth area

Education Claims Processing

The Education Program Manager at the Muskogee Western Region Office has advised that processing of normal educational claims may take 30 to 45 days. In an effort to decrease this processing time, a complete package should include as a minimum:

- 1. Power of Attorney for student;
- Copy (if possible) of the coded Rating Board Worksheet or official DVA letter that granted eligibility for education benefits; and
- 3. Appropriate DVA Form for the education program saught.

The completed package for Chapter 30, 32, 35, and 1606 claims may be sent directly to:

Department of Veterans Affairs P.O. Box 8888 Muskogee, OK 74402-8888

Additionally, if a student is going to school in a region not covered by the Western Region processing center, the completed education package should be processed by the appropriate Eastern, Central, or Southern Region.

Credibility of Testimony

Webster defines testimony as firsthand authentication of a fact or a solemn declaration usually made orally by witness under oath in response to interrogation by a lawyer or authorized public official. In the VA claims process, testimony can be either oral or written.

The various sources of testimony identified by Court of Veterans Appeals (COVA) include: lay statements by the veteran or spouse, medical findings and statements by physicians, sworn testimony during personal hearings, written statements from family members, written statements on VA Form 9, or written statements from a fiduciary.

The court has held that a veteran's testimony cannot be ignored simply

because he or she is the interested party stating: "At common law, a party was generally not considered a competent witness: this is no longer true. Interest in the outcome of a proceeding has long since ceased to be a basis upon which to disqualify witnesses. Although interest may affect the credibility of testimony, it does not affect competency to testify."

The court has also assessed the differences in the credibility of lay statements. All witnesses are not capable of offering evidence that requires medical knowledge. The court relies on Rule 702 of the Federal Rules of Evidence which requires that "specific, technical, or other specialized knowledge" can only be provided by a "witness qualified as an

expert by knowledge, skill, expertise, training or education."

A veteran can and should be encouraged to provide testimony on his or her behalf; however, if the determination to be made requires medical knowledge, a statement by a physician should be provided. There is an enormous difference between a veteran testifying how his service-connected arthritis affects his ability to function and that his stiff fingers are caused by arthritis.

When testimony in any form is submitted, the VA cannot ignore the testimony, but must assist credibility. The VA should include in decisions an analysis of the credibility of the testimony and the reasons for accepting or rejecting the testimony. *\psi\$

Contributed by Harry Strawser, TVC Staff

Women Veterans' Health Care Legislation

On October 9, 1996, the President signed Public Law 104-262, "The Veterans' Health Care Eligibility Reform Act of 1996." Part of this legislation accomplishes some of what the Veterans of Foreign Wars, AMVETS, DAV and PVA had been advocating for years in the Independent Budget that VA must be particularly sensitive to women veterans' needs and expand gender specific preventive services. It must ensure that all veterans, but especially this often neglected group, receive timely, comprehensive health care services.

The following is an overview of how this new legislation affects the health care received by women veterans:

- Allows VA to perform mammograms only at facilities accredited by a private, nonprofit organization as meeting standards at least as stringent as those of the Public Health Service for quality assurance and control for the performance and interpretation of mammograms and the use of equipment and facilities.
- Requires annual inspection of equipment and facilities used in and by VA for mammograms.
- Requires the Secretary to conduct a survey at each VA medical center to identify deficiencies in privacy afforded to women patients in clinical areas which may interfere with appropriate treatment.
- Requires the Secretary to ensure high priority to correcting those deficiencies either through the construction planning process or other means.
- Requires the Secretary to submit an annual inventory,

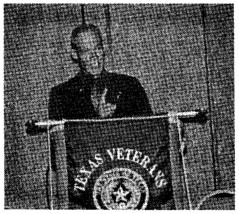
- by medical center, of patient privacy deficiencies which affect women patients and of plans to correct them.
- Requires the Center for Women Veterans, in consultation with the Advisory Committee on Women Veterans, to assess the use of VA health services by women veterans, including counseling for sexual trauma and mental health services.
- Requires the Center to submit to the Under Secretary for Health, not later than April 1, 1997 and the following two years, a report on:
 - The extent to which women veterans fail to seek or face barriers when seeking health services in VA and reasons why, and
 - Recommendations of appropriate solutions to any problems, such as public service announcements and other outreach efforts.
- Extends through 1998 the requirement in Section 107(a) of the Veterans Health Care Act of 1992 for VA reports on the furnishing of care to women veterans, the conduct of research relating to women veterans, and requires that the reports contain:
 - Information on the number of VA inpatient stays and outpatient visits of women veterans, and
 - A description of VA actions taken to foster and encourage the expansion of such research.★

49th Annual Statewide Conference Held in San Antonio

The 49th Annual Statewide Conference for Veterans Service Officers was held from September 17 - September 20, 1996, at the Omni Hotel, San Antonio, Texas. Of the 250 participants, 125 were Veterans County Service Officers and Assistants. We wish to thank all those in attendance for assisting in making this such a successful conference. A special "Thank you" is extended to The American Legion, AMVETS and the Veterans of Foreign Wars for hosting the reception at Pedrotti's North Wind Ranch.



Douglas K. Brown, TVC Executive Director, presents Certificates of Appreciation to John Hanson (I), Deputy Assistant Secretary, Intergovernmental Affairs, DVA and Charles Cragin (r), Chairman, Board of Veterans Appeals, DVA, for their participation in the Conference.



Keynote Speaker Robert Howard, CMOH, Houston VA Regional Office, (above) addresses the participants on "Patriotism in America."



TVC Employees Receive Commissioners' Appreciation Award

The Commissioners' Appreciation Award was presented during the 49th Annual Statewide Conference held in September in San Antonio to Texas Veterans Commission staff members who have made an exceptional contribution to the maintenance

of veterans' advocacy. The Award reads,



Brenda Branch, Clerical Supervisor IV TVC Regional Office, Waco, Texas

"For continued dedication and support to the Texas Veterans Commission and the Veterans of the Great State of Texas."

To date, the Commissioners have presented eight staff members this prestigious award.★



Richard Krampe, Veterans Counselor TVC Lackland AFB, Texas

Veterans County Service Officers Association of Texas

1996-97 Officers

During their annual meeting, conducted in conjunction with the 49th Annual Statewide Conference for Veterans Service Officers held in the fall of 1996 in San Antonio, Texas, the Veterans County Service Officers Association of Texas elected new officials for the following year. The new officers are as follows:

President

William McLemore

Judge Advocate

Abel Chapa

Travis County

Nueces County

Vice President

Stonell B. Greene

Chaplain

Willie Dougherty

Travis County Asst.

Secretary/Treasurer

Dan Garcia

Dallas County

Sergeant-At-Arms

Olie Pope

Taylor County

Travis County Asst.

Also elected were the five Regional Directors for the upcoming year:

Dallas Region

Richard Ambrose

Johnson County

Lubbock Region

Gary Rommelfanger Coke/Irion/Tom Green Counties

Waco Region

Bob Ray

Houston Region Al Myers

Harris County

Limestone County

San Antonio Region Eddie Chapa

Willacy County

The Outstanding Veterans County Service Officers chosen for 1996-97 are:

Dallas Region

Mary L. "Cille" Boyd

Wise County

Lubbock Region

Edward S. "Buddy" McKie

Dallam/Hartley County

Waco Region

W.H. "Bill" Thompson

Brazos County

San Antonio Region

Abel Chapa

Nucces County

Houston Region Leland Bradshaw

Nacogdoches County

The VCSOA also awarded a Special Achievement Award to Gary Offineer, Asst. Travis County Service Officer, which reads:

"For Significant Contribution to the Association and the Veterans of the Great State of Texas."

TRICARE/CHAMPUS News

All Providers Must File Claims on Behalf of TRICARE Standard Patients

Effective October 1, 1996, all institutional or individual professional providers of care in the U.S. and Puerto Rico will be required by federal law to file claims on behalf of TRICARE/CHAMPUS patients—whether or not the providers decide to participate (accept assignment) in the TRICARE/CHAMPUS program.

Only pharmacies will be exempt from the claim filing requirement. TRICARE/CHAMPUS-eligible persons may still submit pharmacy claims to regional TRICARE contractors.

Patients will not be permitted to file other claims themselves, unless they request and receive a waiver from their regional TRICARE/CHAMPUS contractor. This waiver must be sent in with each claim submission. Contractors will only grant waivers to the legal requirement for providers to file all claims if they decide that, by not seeking care from the provider who refuses to file claims, the patient would have reduced access to needed medical care.

If a patient does submit a claim, this will alert the contractor that a potential problem may exist, since the provider did not file the claim. Unless a waiver is granted, the provider who has not filed the claim is risking his or her status as a TRICARE/CHAMPUS-authorized provider.

Providers of care who live outside the U.S. and Puerto Rico are not required to file claims for their patients.

The legal requirement is contained in the National Defense Authorization Act for Fiscal Year 1992. It applies to services or supplies provided on or after October 1, 1996. For services or supplies provided *before* October 1, 1996, TRICARE/CHAMPUS-eligible patients and families may still file claims as they have in the past.

Persons who have other health insurance that provides primary coverage (in other words, insurance that pays before TRICARE/CHAMPUS) for the services received may file the TRICARE/CHAMPUS claims themselves, and won't need a waiver.

Providers who refuse to file the claims for their TRICARE/CHAMPUS patients (or who charge an administrative fee for filing the claims) will have the allowable charges for the services provided reduced by 10 percent. Patients may not be billed for this 10-percent reduction. The 10-percent reduction will not go into effect until six months after the effective date of October 1, 1996.

Repeated failures or refusals by providers to comply with the claims submission requirement will also be considered abuse of the program, and will be grounds for termination of the provider's authorization to provide care to TRICARE/CHAMPUS patients, and be paid by the government.

Patients who have to file claims because their providers decline to do so, must use the DD Form 2642, (CHAMPUS Claim: Patient's Request for Medical Payment). Individual professional providers who file claims will use the HCFA 1500 form. Institutional providers will use the UB-92 form for institutional charges; for professional charges, they'll use the HCFA 1500—or, they can still use the UB-92 if adequate CPT coding information is submitted.

In areas of the country where TRICARE is in operation, regional contractors can help families locate providers who participate in TRICARE, and who will handle the paperwork for their patients. Where TRICARE hasn't yet arrived, providers who participate in standard CHAMPUS are accustomed to filing claims for their CHAMPUS patients.

TRICARE Standard/CHAMPUS Information Now on the World Wide Web

TRICARE Standard/CHAMPUS information is now available on the home page of the Assistant Secretary of Defense for Health Affairs: www.ha.osd.mil. This feature of the home page was made available on May 24, 1996.

Users can find information easily by looking under the heading called TRICARE,

and then finding the TRICARE Support Office. By clicking on this item, users will have access to a variety of TRICARE Standard/CHAMPUS information including manuals, news releases, beneficiary and provider handbooks, program statistics, Health Benefit Management Course schedules, contracting schedules, CHAMPUS Maximum Allowable Charge

(CMAC) rates, and more. Additional links to TRICARE Lead Agents, uniformed services' home pages, Health Care Financing Administration (Medicare), Commerce Business-Daily, and other DOD addresses are accessible through the home page.★

New TRICARE Claims Addresses & Toll-Free Numbers for Region 6

The TRICARE contractor for Department of Defense Health Service Region 6 has announced new mailing addresses for claims from the states in that region, which includes Arkansas, Oklahoma, most of Texas (except the southwestern corner of the state that includes El Paso), and the western two-thirds of Louisiana, generally west of Baton Rouge. The Region 6 addresses, effective May 1, 1996, are as follows:

Foundation Health Federal Services, c/o WPS/TRICARE P.O. Box 8999 (claims)

P.O. Box 8972 (hospice claims)

P.O. Box 8996 (adjustment claims)

P.O. Box 8958 (appeals)

P.O. Box 8997 (correspondence)

P.O. Box 8987 (for additional information)

Madison, WI 53708

Foundation's toll-free telephone numbers for this region are as follows: 1-800-406-2832 (families & sponsors); 1-800-406-2833 (providers)★

Medical Malpractice Tort Claims

County Service Officers and the Texas Veterans Commission are authorized to file claims for VA benefits through the adjudication process at the VA Regional Office, including claims under 38 U.S. code 1151 for injuries related to medical care at VA facilities. Administrative tort claims alleging medical malpractice involve different legal issues and should only be filed by the veteran, his or her survivors, or an attorney representing the veteran or family. Texas law prohibits the unauthorized practice of law by non-attorneys (Sec. 81.101, Texas Government Code). A County Service Officer's assistance to a veteran in completing a Standard Form 95 for an administrative tort claim could be perceived as unauthorized practice of law. To avoid this appearance, it is recommended that Service Officers refrain from advising or assisting veterans in the completion of Standard Forms 95, and that veterans are encouraged to mail the forms directly to the VA Regional Counsel when such claims are to be filed. If a veteran does not have a Standard Form 95, the VA Regional Counsel will promptly provide those forms in response to a letter from the veteran.

This procedure will help alleviate some confusion and will help retain the necessary distinction between 1151 claims and medical malpractice claims.

Contributed by D. Keith Rollins, Regional Counsel
U.S. Department of Veterans Affairs Regional Office
Waco. Texas

rs. Eva M. Politte has been selected as the "Outstanding VA Employee of the Month" for December 1996. Eva, a Health Benefits Advisor, is stationed at the VA Outpatient Clinic in Corpus Christi, Texas.

Eva began her career with the Department of Veterans Affairs in October 1993 as a Medical Clerk in the Medical Administration Service at the Corpus Christi facility. Since 1993 she has been recognized for her exemplary work performance and has progressively been promoted from a Medical Clerk to her present position.

At the present time, Eva is an active reservist in U.S. Army Reserves and holds the rank of Sergeant First Class (E-7). Prior to becoming a reservist, Eva was on active duty in the U.S. Army from 1974 to 1983. She and her husband, Ernest, are also raising one child, Toccara. Eva's hobbies are reading, sewing and working on her home computer as much as possible.



Mrs. Politte's genuine care and compassion for the veterans she serves is highly visible and is reflective of the Secretary of Veterans Affairs' motto, "Putting Veterans First." She continues to work diligently as a veterans' advocate and her positive attitude towards veterans and their families has earned her the respect of those around her. She has also been beneficial to the Texas Veterans Commission with referrals to us as well as receiving clients we refer to her.

The Texas Veterans Commission is thankful for Eva's contributions not only to the Texas Veterans Commission, but also to the veterans of Texas she serves. We are grateful for Eva and are proud to name her the "Outstanding VA Employee of the Month" for December 1996.*

VA Expands Outreach to Former Prisoners of War

The Department of Veterans Affairs (VA) is conducting a new between VA officials and the Heart of America Chapter of the

outreach campaign to educate former prisoners of war about VA benefits to which they may be entitled. Buoyed by the success of an initiative based at the St. Louis VA Regional Office, VA Under Secretary of Benefits John Vogel has directed that all regional benefits offices renew outreach to former prisoners of war (POWs) to ensure they are familiar with benefits and services available.

The St. Louis program was not initially aimed to be a pilot project for the VA system, but when Vogel learned of the work there during a visit, he moved to export the initiative VA-wide. In a project that sprang from the convention of a midwest ex-POW organization, the St. Louis office derived a list of former POWs through several veterans groups, its own benefits records, and state motor vehicle registrations of special POW license plates, and invited the former POWs to seminars to explain benefit provisions.

With a total of about 240 former POWs attending one of three seminars held earlier this year in different Missouri locations, VA subsequently received 135 claims. Among the first 105 rated, the disability rating and corresponding monthly compensation payment was raised in 84 cases. Eighteen former POWs were found to be entitled to a 100 percent evaluation due to unemployability as a result of their ser-

VFW POW/MIA INITIATIVE

WHAT IS IT? The VFW POW/MIA Initiative is an effort to influence the

Vietnamese and obtain their good will and help in accounting

for our POW/MIAs

HOW DOES IT WORK? By providing the Vietnamese with information about their

MIAs, we show them how important are our POW/MIAs. We generate good will and cooperation from the Vietnamese in helping to recover our

mising men.

WHAT DO WE NEED? INFORMATION on battle sites, dates and possible grave sites.

Also, reports, maps, sketches, diary entries, photos or documents that identify the location

of possible grave sites.

DO NOT SEND MATERIAL such as battlefield

souveniers or the

CAPTURED WEAPONS. information from the material that could help

AMMUNITION, OR identify a Vietnamese casualty.

Also captured

EXPLOSIVES diaries, letters, documents and

> photos (legible copies are acceptable).

VFW POW/MIA Initiative

WHERE DO SENT IT?

PLEASE

VFW Memorial Building YOUR ANONYMITY WILL 200 Maryland Avenue, NE

BE PROTECTED Washington, DC 20002

ANY QUESTIONS? WRITE TO THE VFW: WE ARE READY TO HELP.

REMEMBER: YOUR BATTLEFIED EXPERI-**ENCES AND SOUVENIRS**

CAN HELP US REACH THE FULLEST POSSIBLE AC-COUNTING OF OUR POW/

MIAs.

vice-connected disabilities and eight approved claims were altogether new.

The Missouri program was initiated after a Kansas City meeting

of each VA regional office. Vogel did direct the benefits offices to improve communications with former POWs, starting with contacting all known POW advocacy groups in their regions to explore ways in which to conduct outreach.

American Ex-Prisoners of War veterans group. The veteran leaders and VA officials decided that the face-to-face meetings would promote trust and alleviate fears that benefits might be reduced upon reevaluation. The St. Louis VA office mailed invitations to the roster of former POWs while the American Ex-Prisoners of War chapter worked with local news media to promote the meetings, which familiarized the veterans with VA programs.

Benefits available to former prisoners of war include special VA medical care access as well as compensation for service-related injuries and diseases. A former POW also is eligible for disability compensation on a presumptive basis if any of the following disabilities are found at any time after service at a compensable level (at least 10 percent disabling): vitamin deficiency diseases such as beriberi and pellagra, dysentery. chronic helminthiasis. malnutrition. miscellaneous nutritional deficiencies, organic residuals of frostbite, post-traumatic osteoarthritis, psychosis, any of the anxiety states, dysthymic disorder, peripheral neuropathy, irritable bowelsyndrome, pepticulær disease, or ischemic heart disease (if there was localized edema during captivity).

The format for future outreach to ensure former POWs around the country know of their benefits was left to the design



Communiqué, official bulletin of the Grande Voiture du District of Columbia, points out some known and maybe some not so well known facts about Christmas.

rts ne

We think of Christmas time as SNOW and SLEIGH BELLS, but in some parts of the world it's warm now, and below the equator it's summertime. Everyone knows that Christmas comes on December 25 and that this joyous holiday celebrates the birth of Christ. But some Christmas traditions may not be so familiar to us.

In some countries Christmas begins about a month earlier, with a period known as "ADVENT" (from the Latin word "coming") and ends on January 6, which is called Epiphany or Twelfth Night. That was the day on which the three wise men, or Magi, came out of the East bearing their gifts to the Infant Jesus. Santa Lucia Day, December 13, marks the beginning of Christmastime in Sweden. Lucia means "LIGHT" and long ago when Christianity came to Sweden, December 13 was thought to be the shortest, darkest day of the year. Christmas wasn't always celebrated on December 25, because no one knows the exact date of Christ's birth. But the date was set once and for all in the 4th century AD.

In Denmark, birch twigs are decorated with small red apples and tiny figures of elf-like creatures called NISSER. In Norway and Sweden, small straw objects, mostly animals are tied with red ribbon. Straw is used because Jesus lay in a Manger filled with straw.

Christmas dinner is also different in various places around the world: "We might have a big Roast Turkey, or a large Roast Beef." "European favorites are Crisp Roast Goose or Crunch Baked Ham." "Desserts include: Mince Pie, English Plum Pudding, German STOLLEN, and hundreds of different kinds of cakes and cookies."

The tradition of decorating the Christmas Tree began it is believed in Northern Europe, where the people believed that spirits lived in nature. Those in evergreen trees were especially important. Sometimes these trees would be decorated to please their spirits. After the spread of Christianity, this custom was taken over as a way of honoring Christ. The Christmas Tree as we know it, bright with ornaments, tinsel and lights, caught on in many countries after the 18th century.

The Yule Log is still popular too. It is a large log that's lit before Christmas and kept burning during the festivities. It is supposed to bring good luck. However, the French Yule Log is nice - a rich, log-shaped chocolate cake called BUCHE DE NOEL.

In Great Britain and many other countries, children receive their gifts from Father Christmas. He's a close relative of our Santa Claus, really a first cousin. Can you imagine how he must feel in countries such as Australia and New Zealand where December 25 falls in the middle of the hot summer. In France, presents are brought by PERE NOEL, whose name means Father Christmas.

In Sweden and Norway, presents are brought by the JULTOMTEN or the JULE-NISSE. These busy Christmas Elves like to make sure that children have been good all year, so they always check with their parents before giving out gifts. In some Latin American and Mediterranean countries, it's the Infant Jesus who brings the Christmas gifts. But Santa Claus is pretty well-known in these countries too.

In Latin America, and especially Mexico, children enjoy the Christmas PIÑATA. All-in-all, it looks like everywhere in the world, Christmas is celebrated in one way or another. It's nice to know that all the peoples of the world have set aside a time when they celebrate, and bring joy and happiness to others.









VA, Social Security Will Assist In Locating Individuals

There are many instances which veterans desire to get in touch with individuals they served with in the military. The U.S. Department of Veterans Affairs and the Social Security Administration are two agencies that will assist in this effort.

Both agencies are limited, by law, to the extent that they can help locate an individual. The VA and Social Security will try to forward a letter to an individual. However, it is up to the receiver of the letter to contact the sender.

VA has established the following procedure. The requester must write a letter to the veteran and place it in an unsealed envelope showing no return address, but bearing the veteran's name, with sufficient postage to cover mailing costs.

A cover letter to VA should be included, giving complete identifying information about the veteran, such as his full name, date of birth, last known address, service social number, "C" number if known, social security number, last military address, rank and date of discharge.

If the address is located, VA will put it on the envelope and forward the letter to the veteran. Should no information be available or the letter be returned to VA, the writer's original letter, but not the envelope, will be sent back to the requester by VA.

In cases of multiple requests, VA is authorized to charge a search fee of \$2 per request. Requests should be sent the U.S. Department of Veterans Affairs, Records Processing Center, P.O. Box 5020. St. Louis, Missouri 63115, or to Veterans Services Division at the local VA Regional Office.

Letters will not be forwarded to aid in the collection of debts or for the purpose of canvassing, harassing or propaganda. Nor will a letter be forwarded if the contents might be considered harmful to the physical or mental health of the intended recipient.

Persons desiring to locate a veteran whose address is unknown may get assistance in following these procedures by contacting any office of the Texas Veterans Commission or the Veterans County Service Office nearest you.

Social Security records are kept confidential, but under certain circumstances, Social Security will help get needed information to a missing person by forwarding a letter to that person.

Social Security forwards about 1,000 letters each year, all of them in situations where the missing person would want to have the information contained in the letter.

Missing persons usually respond to a letter for a compelling humanitarian or financial reason.

Among the humanitarian reasons could be that a close relative of the missing person is seriously ill, a child is left without parental care or, a child wishes to locate a parent who has been missing for many years. A financial reason could be that the missing person is an heir named in a will or has been awarded benefits by the court.

Social Security does not charge to forward a letter for humanitarian purposes, but does charge to forward a letter \$3 to forward a letter involving finances.

The person wishing to have a letter forwarded must be able to give Social Security enough information about the missing person to conduct the search.

Individuals having access to a computer might be able to locate an individual through a search of a telephone directory.

Various city telephone directories are now available on computer CDs. If you know where the person you want to contact lives, you might be able to locate him/her through one of these CD directories.

Other locator services for veterans include:

- military reunion organizations
- military associations
- advertisements in military publications :
- the world wide web, the Center for Military History has an alumni page for individuals to locate service members.★

The Wall

The Vietnam Veterans Memorial Fund receives numerous requests each year from individuals who desire to have particular names placed on the Memorial. The Department of Defense makes these difficult and often very technical decisions. There is no authority to overrule those who adjudicate these matters at DOD. The policy is that only those person who died of an injury suffered in Vietnam be listed upon the Memorial. Remember, the Memorial stands to honor all those who served in Vietnam, not just those whose names it bears. The following addresses can be contacted for the information you request:

MARINE CORPS:

Headquarters U.S. Marine Corps Casualty Section Code MPH-10-3 Washington, DC 20380-0001 (703) 696-1177 Fax (703) 696-2072

NAVY:

Bureau of Naval
Personnel (PERS-663)
Navy Department
Washington, DC 20370-5663
(703) 697-3979
Fax (703) 614-3345

AIR FORCE:

Executive Office for Inquiries Headquarters Air Force Manpower & Personnel Center Randolph Air Force Base, TX 71850 1-800-531-5501 Fax (512) 652-3805

ARMY:

Commander, TAPC-PED-A U.S. Total Army Personnel Commander Alexandria, VA 22331-0482 Tom Ellis (703) 325-5309 Fax (703) 325-5315

Services for Bosnia Operation Participants

The Department of Veterans Affairs will ensure that American military personnel who serve in Bosnia or take part in operations supporting our forces in Bosnia and their family members receive all necessary and appropriate services and assistance in a responsive and timely manner. The Veterans Benefits Administration (VBA), Veterans Health Administration (VHA), and National Cemetery Service (NCS) staff offices have designated staff members to serve as action officers for the accompaniment of Bosnia-related activities. These organizations have developed action plans which highlight activities that will support any increased workload specific to these veterans and their families. Guidance has been furnished to RO's to ensure the timely and proper delivery of transition services to Bosnia veterans and their families. These services include:

- Making all loan servicing personnel aware of the provisions of the Soldiers and Sailors Civil Relief Act,
- Notifying the VA Debt Management Center to suspend routine collection actions,
- Coordinating with VA medical centers to ensure immediate notification of Bosnia service personnel admissions,
- Preparing to provide vocational rehabilitation counseling at the designated DOD medical centers, as warranted, and,
- Assuring that provisions for mitigating circumstances and restoration of entitlement for education benefits are fully applied.★

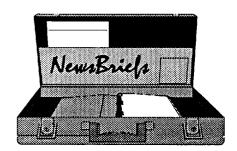
CSO Directory Revisions

Once again our Service Officers Correspondence Directory will be revised in January 1997. Please check your appropriate page and submit any changes and/or additions to the Texas Veterans Commission, P.O. Box 12277, Austin, Texas 78711; Attn: Richard M. Prete. If you prefer, you may fax the changes to us at (512) 475-2395. All changes and/or additions must be received by this Headquarters no later than January 3, 1997.★

Mailing Addresses for Overseas Military Personnel

These addresses are good for holiday cards/packages from Nov. 15, 1996 - Jan. 15, 1997. This information is provided by the U.S. Military postal authorities at \$\mathbb{\mathbb{T}}1-800-810-6098\$. Each address should begin with: America Remembers; Operation Dear Abby XII

Europe & SW Asia APO AE 09135
Mediterranean Basin FPO AE 09646
South & Central America APO AA 34085
Far East APO AP 96285
Pacific Basin FPO AP 96385



TENTATIVE SPRING CONFERENCE DATES

HOUSTON	Adams Mark Hotel
	March 31 - April 3, 1997
LUBBOCK	Barcelona Court
	April 8 - 11, 1997
KERRVILLE	Inn of the Hills
	April 14 - 17, 1997
DALLAS	Harvey - Addison
	April 21 - 24, 1997

CHILD SUPPORT

President Clinton's executive order designed to collect money from parents who refuse to pay child support:

- Tells federal agencies to deny government lending, such as loans for small businesses, farms and homes to deadbeat parents. Loans by Housing and Urban Development, the Bureau of Indian Affairs, the Department of Veterans Affairs, as well as certain education and agriculture loans, are subject to the directive.
- Orders the federal government to improve its fee-paying computer system so states can more readily ask the Treasury Department to withhold payments to deadbeat parents. Deductions could come from fees paid to government consultants, vendors and federal retirees.

In recent months, Clinton has moved against deadbeat parents by:

- Requiring states to work harder to establish paternity in newborns.
- Ordering the Internal Revenue Service to withhold tax refunds.
- Proposed legislation making it a felony to cross state lines to avoid child support.
- Telling the Postal Service to put up "wanted lists" of the worst deadbeats.★

Training for Newly Appointed Service Officers

As a matter of interest, the next training session for newly appointed Veterans County Service Officers is scheduled for January 14-17, 1997, at the Hilton Hotel, 113 S. University Parks, Waco, Texas. Monday, January 13, 1997, will be the travel day, with training beginning at 9:00 a.m. on Tuesday, January 14, 1997, and ending by noon Friday, January 17, 1997. By law, the Texas Veterans Commission is authorized to reimburse travel expenses; i.e., lodging, per diem and travel, for CSO's and Assistants. Others involved in veterans benefits programs are welcome to attend.

For further information, please contact Richard M. Prete, TVC Headquarters, Austin; or call \$\mathbb{\alpha}\$512/ 463-5538 or on the CSO Headquarters WATS line.★



VA Expands Outreach to Sexual Trauma Victims

According to	, Veterans County Service Officer for	County,
the Department of Vet	terans Affairs (VA) is expanding efforts to reach out to women	veterans who
experienced sexual tra	uma while serving in the military.	

VA recently publicized its national toll-free number, reminding women veterans who need information on sexual trauma counseling and treatment, and filing claims for disability compensation to call VA's toll-free number -1-800-827-1000.

The department activated the number after normal business hours in connection with the November 15 airing of *ABCs* 20/20 which featured two segments on rape in the military. More than 2,000 calls were received. Although not all were related to sexual trauma, VA staff were able to assist a number of women veterans who needed counseling and referrals to the nearest VA facility or community resource.

Women veterans who call the toll-free number seeking assistance are routed to the regional office women veteran coordinators who can provide information and assist in referrals to VA medical centers or Readjustment Counseling Service Veterans Outreach Centers (Vet Centers). Male veterans are referred to the nearest VA facility with a post-traumatic stress disorder program or to the nearest Vet Center.

Legislation signed in 1992 authorized VA to provide priority counseling and treatment to eligible women veterans to overcome trauma resulting from sexual assault, battery or harassment while on active military duty. More recent legislation extended that authority and made it genderneutral so that VA can provide these services to male and female veterans.





OFFICIAL MEMORANDUM STATE OF TEXAS OFFICE OF THE GOVERNOR

At crucial times in the history of our nation, Americans have been called upon to serve our country in the military. Their task has been to protect the freedom and liberty that each of us is guaranteed by the United States Constitution.

Texans are grateful for the more than 77,000 Texas women veterans who have answered their nation's call. We know they made great sacrifices for our freedom, and they risked their safety to ensure ours. We need to remember and honor their important contributions, unshakable courage, and honorable service.

Therefore, I, George W. Bush, Governor of Texas, do hereby proclaim November 10 - 16, 1996, as:

Women Veterans Recognition Week



in Texas and urge the appropriate recognition whereof

In official recognition whereof, I hereby affix my signature this 5th day of November, 1996.

George W. Bush/s/
Governor of Texas

Texas Veterans Commission P.O. Box 12277 Austin, Texas 78711 (512) 463-5538 (FAX) 512-475-2395

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