

The Communicator

October – December
2021

Hello CACVSO Members!
It is finally going to happen. As of today, we are scheduled to have our first in-person conference in over 18 months. Shasta County has planned a wonderful conference in Redding for October 17th – 22nd.

I hope that by now you have registered and made your room reservations.

In July, Rhonda Murphy, Al Sims, and I attended the NACVSO conference in Washington D.C. The Secretary of VA spoke to us about burn pit presumptive conditions and other important updates. He also commended Ted Puntillo for his hard & skilled work in helping a Veteran with a MST claim.

Overall, our state was well represented, and it was good to hear about the work being done on behalf of Veterans throughout the nation. I wish to highlight our training consultant. As many of you know, we have contracted with the best of the best to provide ongoing continuing education. Katrina Eagle and Jim Radogna are experts on VA law, regulations, and most importantly case law. They are available for case consultation through email daily. If you need them, please reach out to either Katrina or Jim at cacvso@eagleveteranslaw.com

I look forward to seeing everyone next month. It will be great to catch up with many of you. Thank you!



Nathan D. Johnson
President

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Featured County *Nevada County VSO*

Nevada County - Created in 1851, from portions of Yuba County, Nevada County was named after the mining town of Nevada City, a name derived from the Sierra Nevada

Mountains. The word *nevada* is Spanish for "snowy" or "snow-covered."

1851 the newly formed Nevada County used the same name as the county seat. The bordering state

of Nevada used the same name in 1864. The region came to life in the Gold Rush of 1849. Many historical sites remain to mark the birth of this important region in California's

formative years. Among them are the Nevada Theatre in Nevada City, the oldest theater built in California in 1865. It operates to this day and once hosted Mark Twain among other historical figures.

Nevada County Continued:

The Old 5 Mile House stagecoach stop built in 1890, also operates to this day as a provider of hospitality spanning three centuries. This historical site still features "The stagecoach safe" that is on display outside the present-day restaurant and is the source of many legends of stagecoach robbers and notorious highwaymen in the California gold rush era. The gold industry in Nevada County thrived into the post-WWII days. The county had many firsts and historic technological moments. The first

long-distance telephone in the world, built in 1877 by the Ridge Telephone Company, connected French Corral with French Lake, 58 miles (93 km) away.^[7] It was operated by the Milton Mining Company from a building on this site that had been erected about 1853. The Pelton wheel, designed to power gold mines, still drives hydro-electric generators today. Nevada City and Grass Valley were among the first California towns with electric lights. The Olympics, NASA, and

virtually every television station around the country utilizes video/broadcasting equipment designed and manufactured by Grass Valley Group, founded in Grass Valley .

RECENTLY announced- **Nevada County** aims to end veteran homelessness by Veteran's Day 2021. **Nevada County** is proud to announce participation in Built for Zero, a national initiative of more than 80 communities working to measurably end homelessness, one population at a time.



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Nevada County Makes Progress Toward Ending Veteran Homelessness

Community leaders collaborate on shared goal.

Nevada County was recently recognized by a national initiative known as Built for Zero for making tremendous progress in reducing the number of veterans experiencing homelessness, and designated Nevada County as a "last-mile community," or community on the cusp of ending veteran homelessness. Now, the community is working to reach a goal called functional zero by November 11, 2021, Veterans Day. Local leaders are collaborating to achieve this milestone, which will reflect that the community has functionally ended veteran homelessness.

This recognition is the latest chapter in the "Better Together" strategy. Better Together is a county initiative that supports innovative and meaningful

"This is not about a single moment but establishing a new reality where veteran homelessness remains rare and brief when it occurs," said David West, Nevada County Veterans Services Officer. "We can get there, but we will need community support too." (see sidebar).

Coordination and Teamwork

Solving homelessness, like so many complex problems, requires community-wide collaboration.

"Many people aren't aware of how closely we work together to address this complex problem," said Nancy Baglietto, Executive Director of Hospitality House shelter and Board President of the Nevada County Continuum of Care (CoC). "Just as there is no one reason

its progress toward functional zero. Thanks to the strong coordination among members of the CoC and broader community partners, new and existing funding has been targeted to help address housing supply gaps.

"Thanks to new resources, expanded collaboration among service providers, and good quality real time data, we have the ability to work together and build a strong support system to house people faster and keep them housed. All we need are the units and willing landlords who can fuel this effort to end veteran homelessness", said Brendan Phillips, Nevada County Housing Resource Manager. Volunteers of America also has funding that can be used to subsidize the rent of veterans experiencing homelessness, while Hospitality House's

Nevada City, scheduled for completion in December 2022.

"Nobody should have to experience homelessness, particularly the brave people who put their lives on the line to protect this country. Working together as a community, we can end veteran homelessness" says Jennifer Price, CEO of AMI Housing.

Homeless Veterans Housing Program at Hospitality House

- Services to homeless veterans include: emergency shelter; food; clothing; VA benefits assistance; case management; job training, mental health

COVID-19 Vaccine

Attention Veterans, spouses, caregivers and CHAMPVA recipients in the Redding and McClellan area! Interested in receiving a flu shot or a first, second, third or booster dose of the Pfizer-BioNTech COVID-19 vaccine? We'll be offering the Pfizer and flu vaccines at the Redding and McClellan VA Clinics on Saturday, Oct. 2.

Please see below for times and locations. Flu shots will be available for Veterans enrolled in VA health care only.

- [McClellan VA Clinic](#)
8 a.m. – 3 p.m.
- [Redding VA Clinic](#)
9 a.m. – 12 p.m.

To ensure you can receive a vaccine as quickly as possible and sufficient supply is available, we highly recommend scheduling an appointment. Walk-in visits are welcome while supplies last. To make an appointment, please call [800-382-8387](tel:800-382-8387), option 8.

Congratulation Are in Order *for this* EXCEPTIONAL Woman



Exert from CALVET Connect article

August 27th, 2021

Virginia Wimmer spent 26 years in the United States Air Force, holding a wide variety of duties that “made me a better airman,” she said.

Virginia Wimmer, new deputy secretary for CalVet Women Veterans Affairs.

Upon retiring from the military out of Travis Air Force Base in 2012, she began her career working with longtime Solano County Veterans Service Officer Ted Puntillo as a veteran benefits counselor in Fairfield. Two years later, when San Joaquin needed a new County Veterans Service Officer (CVSO), Puntillo endorsed her for the job.

“He said, ‘Fly, my little butterfly. Go to San Joaquin County and do a great job there!’” said Wimmer, who resides in Vacaville.

Now, after seven years as CVSO, Wimmer is ready to spread her wings again – this time as the Deputy Secretary of Women Veterans Affairs, for CalVet in Sacramento.

Governor Gavin Newsom announced her appointment to the position earlier this week. Wimmer has a wealth of experience, not only in understanding the needs of veterans but also knowing CalVet’s role in meeting those needs.

“We’re very excited to welcome Virginia to the CalVet family,” Undersecretary Russell Atterberry said.

“We have full confidence that her talents will serve California women veterans very well.”

She already knows many CalVet staff members, having worked closely with them as a CVSO.

“I know the players and the stakeholders in Northern California,” she said. “I want to bridge that, instead of reinventing the wheel. They’ve created wonderful programs. It’s not always about starting from scratch.” And she would know. She began her career starting from scratch in the Air Force in 1986 after two years of college. Over the next 26 years, her duties included serving in security forces, in health care, recruiting, and as a career advisor.

Wimmer’s credentials made her a natural as a CVSO. After taking over in the San Joaquin County office, she began working with Superior Court Judge Barbara A. Kronlund, CalVet, and other veteran support groups to establish the county’s first Veterans Treatment Court, which debuted in 2015. It identifies veterans in the criminal justice system who are eligible for treatment and court supervision instead of jail or prison. The program, which began with fewer than 20 veterans receiving treatment and mentorship, now includes nearly 80 veterans.

Congratulations are also extended to Virginia as one of only 27 recipient of the Department of Veterans Affairs (VA) Center for Women Veteran’s (CWV) 2021 Trailblazers: Women Veterans Leading the Way campaign.



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Hello and Happy Autumn 2021 to Everyone!

With all that has been going on recently with VA adding the three new presumptive medical conditions related to particulate matter exposure (i.e., asthma, rhinitis, and sinusitis) for Veterans who served in the Persian Gulf (since 9/19/2001) and, or Southwest Asia (since 8/2/1990), and VA extending the presumptive period for Gulf War Veterans to December 31, 2026, it is possible you missed an important ruling from the U.S. Court of Appeals for the Federal Circuit (CAFC).

On July 30, 2021, the CAFC ruled on a petition filed by multiple veterans' groups that had asked the Court to review specific regulations published by VA when it implemented the Appeals Modernization Act (AMA) in February 2019. One of the key rulings pertains to the Intent to File form (ITF; VA Form 21-0966) that was introduced in September 2014 to replace VA's prior "informal claims" framework. As CACVSO members know, VA was only allowing Veterans and claimants to use ITFs to file new claims, i.e., service-connection claims for medical conditions that had never been filed previously. And, VA specifically barred the use of the ITF form for the purpose of establishing an effective date when later submitting a supplemental claim within the allotted one-year timeframe. But now, as a result of the CAFC's ruling on July 30th, Veterans, claimants, and their advocates can and should use VA's ITF form (VA form 21-0966). In particular, the CAFC found that the VA had acted "arbitrarily and capriciously in excluding supplemental claims from the intent-to-file framework" and therefore invalidated it.

So, as of July 30th, VA must consider an ITF once service-connected benefits are granted as a result of a supplemental claim when assigning the effective date for the award. But what about ITFs that had been filed in the past and the benefits had been granted using the date of the VA Form 20-0995 (supplemental claim form) and not a previously-filed ITF? Truthfully, we don't know! As we see it, Veterans and claimants can certainly file a new supplemental claim and cite to the CAFC ruling as the new and relevant evidence for an earlier effective date. Or, given that it's only been three months since the CAFC ruling, we can wait to see what guidance VA is going to issue about this issue, as well as the others the Court ruled on.

Here is a link to the CAFC ruling:

<https://documentcloud.adobe.com/link/review?uri=urn%3Aaaid%3Aascds%3AUS%3A3d884d72-f5a1-4bb8-a59c-8036b8797044&fbclid=IwAR2aIxDhoB8R-crbcIx2VHRfxL8Kr0P777haLYwLaOYK7un7z7f6vbD5JA#pageNum=62>

One final note: these ITFs pertain to supplemental claims filed more than one year after a final VA or Board decision. Otherwise, when a supplemental claim is filed before the one-year appeal period of a Rating Decision or a Board denial from an AMA-docketed appeal (not a legacy appeal), an ITF is not needed because the appeal is still open and pending.

On a separate note, looking forward to seeing all of you in Redding in a few weeks! Safe travels,

Katrina Eagle and Jim Radogna

CACVSO Education Consultants

*Up Coming Conference
October 18th -22nd in
Redding California
Mardi Gras Theme Dinner
Banquet*

*Winter Conference
February 20th -25th in
Sacramento
Formal Attire
75th Anniversary*



REMINDER

Due to the Holiday season fast approaching, please submit all newsletter submission information by December 9th, 2021.

Feel free to send information regarding new hires, success stories, and of course events you would like to share.

REMEMBER- this newsletter is for all CVSOs- and designed to spread information and help us learn from one another.

Our next newsletter will feature Modoc County- should they like a special feature added to the write up- please contact vso@shasta.ca.us

We wish you well and safe travels!

Key Legislation- 2021

- **Federal - HR 148**
A bill to provide a work opportunity tax credit for military spouses and to provide for flexible spending arrangements for childcare services for military families.
- **Federal - HR 239**
A bill to amend title 38, United States Code, to provide for limitations on copayments for contraception furnished by the Department of Veterans Affairs, and for other purposes.
- **Federal - HR 344**
A bill to direct the Secretary of Veterans Affairs to conduct an analysis of the need for women-specific programs that treat and rehabilitate women veterans with drug and alcohol dependency and to carry out a pilot program regarding such programs.
- **Federal - HR 475**
A bill to amend title 10, United States Code, to improve dependent coverage under the TRICARE Young Adult Program, and for other purposes.
- **Federal - HR 910**
A bill to direct the Comptroller General of the United States to conduct reviews of certain budget requests of the President for the medical care accounts of the Department of Veterans Affairs.
- **Federal - HR 912**
A bill to direct the Secretary of Veterans Affairs to make certain improvements relating to mental health and suicide prevention outreach to minority veterans and American Indian and Alaska Native veterans, and for other purposes.
- **Federal - HR 914**
A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to furnish dental care in the same manner as any other medical service, and for other purposes.
- **Federal - HR 1012**
A bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight."
- **Federal - HR 1276**
A bill to authorize the Secretary of Veterans Affairs to furnish COVID-19 vaccines to certain individuals, and for other purposes.
- **Federal - HR 1282**
A bill to amend title 10, United States Code, to expand eligibility to certain military retirees for concurrent receipt of veterans' disability compensation and retired pay or combat-related special compensation, and for other purposes.
- **Federal - HR 1801**
A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.
- **Federal - HR 1812**
A bill to amend title 38, United States Code, to expand the list of diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam to include hypertension, and for other purposes.
- **Federal - HR 2214**
A bill to amend title 10, United States Code, to direct the forgiveness or offset of an overpayment of retired pay paid to a joint account for a period after the death of the retired member of the Armed Forces.

- **Federal - HR 1997**
A bill to amend title 10, United States Code, to improve the TRICARE program for certain members of the Retired Reserve of the reserve components.
- **Federal - HR 2127**
A bill to improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, and for other purposes.
- **Federal - HR 2339**
A bill to amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Armed Forces.
- **Federal - S 321**
A bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight."
- **Federal - S 344**
A bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retirement pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.
- **Federal - S 437**
A bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.
- **Federal - S 625**
A bill to amend title 10, United States Code, to eliminate the enrollment fee requirement for TRICARE Select for members of the Armed Forces who retired before January 1, 2018.
- **Federal - S 727**
A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

Dear Friends,

At CalVet, we remain ready to serve our veterans, their families, and the military community.

In September, we celebrated the 10th anniversary of the *Don't Ask, Don't Tell (DADT) repeal* policy. We had amazing speakers who shared their roles in helping to repeal DADT and honored four veterans with the CalVet Certificate of Achievement Award for their outstanding service in the military and their communities. Awardees included Joe Engle (US Navy), Jackson Redmond (US Army), Sean Redmond (US Air Force), and Stephanie Wade (US Marines).

On October 11, I will join veterans in the central valley at the 7th Annual Central Valley Women's Stand Up in Fresno. The free event will include transportation, breakfast, lunch, and spa services. The event is in response to the unique needs and concerns of women veterans. Learn more and register at www.centralvalleyveterans.org/central-valley-women-s-stand-up.html.

October is National Domestic Violence Awareness Month. With the global pandemic forcing families to stay in their homes, it's more important than ever to make sure we're connecting with each other and with our communities. Educate and train yourself about recognizing abusive relationships at www.socialwork.va.gov/IPV/VETERANS_PARTNERS/WhatCanIDo/RiskUsingIPV_SelfAssessment.aspx. If you see something, say something. To learn more about domestic violence among veterans, visit www.socialwork.va.gov/IPV/Natl_Domestic_Violence_Awareness.asp

Please stay in touch and share your feedback with us as we continue to develop innovative ways to connect with veterans. Visit our website at www.calvet.ca.gov/minorityvets. Find us on Facebook at www.facebook.com/CalVetMinorityVets or reach out to us at minorityveterans@calvet.ca.gov.

As always, we are happy to be of service and welcome you to contact us anytime.

Sincerely,

Xochitl Rodriguez Murillo