

The Communicator

April – June
2022

Hello Dear Colleagues!
Well, having the first conference under my belt as President was a learning experience for sure. I so wished that we could have been in person but was glad to see all of you in attendance. I want to take this opportunity to thank all of you for your support during this transition from the outgoing Executive Board to the incoming Executive board. Our transition retreat was held in January, during which I was sworn into office. Training and information was shared to make the transition easier for everyone. Some things that I would like to work on as your new President are:

Continue working with the education Committee to bring you training topics that can assist you in doing this great work

for our Veterans. I have also established a Women's and Minority Veterans Committee which will be chaired by Celestina Traver, Re-establish the Mentorship Committee, which I have asked David West to chair.

Committees are the backbone of our organization. Without the continued efforts by our Executive Board and our committees, projects and goals would not be accomplished. If you are interested in joining a Committee please contact our Secretary, who will be happy to assist you find an area to contribute in.

Our first Strategic planning meeting with our new Executive Board will be on

March 23, 2022 and am excited to bring back any information that is shared. Also looking forward to the National Conference in San Antonio Texas, where I will be joined by Marvin King, our newly elected 1st Vice President to represent the Association.

Our June Training Conference in San Luis Obispo is already far in its preparation and I know it will be a great event. As part of our committee engagement, we are hoping to host our first committee chair retreat, more information on that will follow soon.

Overall, I know it will be a busy, but nonetheless great year for the CACVSO. Thank you all for the important work you do for our Veterans and their Families.



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Rhonda Murphy
1st Woman President,
CACVSO



Happy Spring to CACVSO Members!

One of the most frequently asked questions we get is what to do when the VA awards service connection for one of your clients, but then assigns the wrong effective date? For example, when you have filed an increased-rating claim or filed for individual unemployability (IU) and VA uses the date of the VA exam report or the date of the VA Form 21-8940 as the effective date, but you know the effective date should be much earlier. This article will provide some suggestions as to how to address the problem when VA has assigned an incorrect effective date.

With respect to the correct effective date for claims for rating increases, so long as VA receives medical records that show that the service-connected condition has worsened during the prior 12-month period such that the condition now warrants the next higher rating, the effective date could be up to one year prior to the filing of the increased-rating claim. The VA regulation to rely on and cite to is 38 C.F.R. § 3.400(o)(2), which states that, “when medical records indicate an increase in a disability, receipt of such medical records may be used to establish effective date(s) for retroactive benefits based on facts found of an increase in a disability only if a complete claim or intent to file a claim for a rating increase is received within 1 year of the date of the report of examination, hospitalization, or medical treatment.” Keep in mind, it is not an automatic one-year retro-assignment of the effective date, but rather up to one year prior to filing the VA Form 21-526EZ for the rating increase. It all depends on what the medical evidence shows for that 12-month period preceding the increased-rating claim. In other words, if the Veteran’s medical records prior to when the VA exam is conducted reflect the same severity of symptoms as noted in the VA exam report, then the effective date should be earlier than the date of the VA exam report.

What should you do if you think VA assigned the wrong effective date? If medical records that mirror the worsening severity as reported in the VA exam report are already in the Veteran’s file, then file a Higher-Level Review Request (VA Form 20-0996) and submit a short, written argument (do not submit any evidence!) listing those treatment records and citing the VA regulation as the basis for VA to assign an earlier effective date. If the HLR decision denies an earlier effective date, then consider appealing the denial to the Board of Veterans’ Appeals using VA Form 10182 (request the Direct Review docket) – and be sure to use the newly revised NOD form issued by VA in March 2022. But, if VA does not yet have the medical records, then submit a Supplemental Claim (VA Form 20-0995) as the new and relevant evidence that establishes your client’s entitlement to an earlier effective date.

With respect to the correct effective date when entitlement to a 100% rating based upon individual unemployability (known as TDIU or IU) is established, it is *never* the date on the Veteran’s TDIU application, i.e., VA Form 21-8940! If VA uses the date from the IU application, then you will need to review the evidence in the Veteran’s case to determine what the correct effective date should be. This is because, as noted in VA’s training letter from September 2010, “the determination of an effective date for the establishment of a TDIU evaluation is no longer primarily based upon the date of receipt of the VA Form 21-8940, but upon consideration of other factors such as the date of the original claim or claim for increase and the date that the evidence establishes inability to maintain substantially gainful employment due to service-connected disability(ies).” In other words, determine when the claim was filed that ultimately resulted in the award for IU, and then review all the evidence (both medical records and lay statements) for references to the Veteran’s inability to work due to his/her service-connected disabilities. If there is any evidence that discusses unemployability, then the Veteran is entitled to an earlier effective date for the award of individual unemployability.

CONTINUED:

And the same appeal options as discussed above apply in this situation too. Those being, file an HLR Request with a short, written argument listing the evidence in the record that discusses unemployability and cite to VA Training Letter 10-07 (dated 9/14/2010). If the HLR decision denies an earlier effective date for IU, then consider appealing the denial to the Board using VA Form 10182 and request the Direct Review docket. But, if VA does not yet have the medical records, then submit a Supplemental Claim (VA Form 20-0995) as the new and relevant evidence that establishes your client's entitlement to an earlier effective date.

Is it frustrating that VA seems to get effective dates wrong way too often? Yes. Does fighting for an earlier effective date require more work on your part? Yes. But this is your clients' earned compensation and we owe it to them to do everything we can to make sure they receive all the benefits and compensation to which they are entitled. Don't give up!

Happy Spring to everyone; we look forward to seeing everyone at the June 2022 Conference in San Luis Obispo!

Katrina Eagle and Jim Radogna



Representing *Only* Veterans
& Their Families Since 1996

SUMMER CONFERENCE, SAN LUIS OBISPO

JUNE 19-24, 2022 EMBASSY SUITES



Future Tentative Conference Locations

Fall October 16-22, 2022
Nevada

Winter February 19-24, 2023
Sacramento

Summer June, 2023
Yuba Sutter

Fall October TBD 2023
ZOOM



How to Avoid Prescription Refill Mistakes

Best steps to use when refilling your VA prescription

Millions of Veterans manage their VA prescription refills with My HealtheVet. In fact, over 16 million prescription refills were already completed this year. If yours is one of them, it's okay if you've gotten confused a time or two. Better navigate the pharmacy section of your account by avoiding these common hiccups.

What is the fill date?

When you visit the [Refill VA Prescriptions](#) section under **Pharmacy**, you will find a table of your refillable prescription medications. This table's column titles can leave you wondering, "what's that?" The most common section Veterans ask about is the **Fill Date**. It refers to the date after which the VA Pharmacy processes the refill request. This means your prescriptions will not be filled until the **Fill Date**. Your refill requests should be made at least 15 days before running out of your prescription.

How far back can I track?

Once you submit a request to refill a VA prescription, tracking information is available after it's shipped from the VA Mail Order Pharmacy. Refills shipped from a local VA medical center cannot be tracked at this time. Once your refill has been sent, and carrier tracking information is available, a blue "Track Delivery" button will appear in the **VA Prescription Tracking** column. Click this button to view your delivery status. Your shipment information will be available for 30 days. Generally, you can expect to receive your prescriptions 3 to 5 days after being shipped.

You can also receive email notifications of when your prescription refills are shipped. Go to the **Personal Information** section in the navigation bar and select [My Profile](#). There you can opt-in to receive **Rx Refill Shipment Notifications**.


Are these all my prescriptions?

Most of your refillable prescriptions are available in the **Refill VA Prescriptions** section of [Pharmacy](#). However, not all of your medications may be listed.

If you have refillable prescriptions that are not shown, contact the pharmacy staff at the VA facility that prescribed your medication. You can find the phone number on the label of your prescription bottle.

Renewal or refill?

The number of refills you have for each VA prescription can be found in the **Refill Remaining** column of your

medications table. If your prescription is not available for a refill, you will see an "i"  image in that column. If you have questions about this prescription, don't hesitate to contact your local VA pharmacy. If you have no refills left but are still expected to continue taking the medication, then you should contact your health care team to request a medication 'renewal.' This also applies to prescriptions that are expired or discontinued. You can ask for a prescription renewal by phone, during your virtual VA health care appointment, or with [Secure Messaging](#) (*sign in required*).



College Fee Waiver- 22/23 Enrollment

The College Fee Waiver for Veteran Dependents benefit waives mandatory system-wide tuition and fees at any State of California Community College, California State University, or University of California campus. This program does not cover the expense of books, parking or room and board. There are four plans under which dependents of Veterans may be eligible.

For eligibility information, please review the information for each Plan. In accordance with California Education Code 66025.3(c), the income limit for otherwise eligible students under Plan B for the school academic year 2021-22 is \$13,465.

UPDATE: Income limit for the upcoming academic year 2022-23 is \$14,097

Introducing

The newly appointed CACVSO Women & Minority



Veterans Committee Chair, Celestina Traver

ATTENTION CARE GIVERS.....



Veterans Affairs officials announced Tuesday that all expulsions from the department's caregiver support program will be halted while officials re-evaluate new eligibility criteria that threatened monthly support stipends for thousands of families



Veteran's Housing Assistance Grants

There are **2 types** of grants for disabled Veterans- SAH & SHA

Specially Adapted Housing grant

You may be able to get an SAH grant if you're using the grant money to buy, build, or change your permanent home (a home you plan to live in for a long time) and you meet both of these requirements.

Both of these must be true:

- You own or will own the home, **and**
- You have a qualifying service-connected disability

Qualifying service-connected disabilities include:

- The loss or loss of use of more than one limb
- The loss or loss of use of a lower leg along with the residuals (lasting effects) of an organic (natural) disease or injury
- Blindness in both eyes (with 20/200 visual acuity or less)
- Certain severe burns
- The loss, or loss of use, of one lower extremity (foot or leg) after September 11, 2001, which makes it so you can't balance or walk without the help of braces, crutches, canes, or a wheelchair

Note: Only 120 Veterans and service members each fiscal year (FY) can qualify for a grant based on the loss of one extremity after September 11, 2001, as set by Congress. A fiscal year runs from October 1 through September 30. If you qualify for, but don't receive, a grant in the current fiscal year because the cap has already been reached, you may be able to use this benefit in future years.

Special Home Adaptation (SHA) grant

You may be able to get an SHA grant if you're using the grant money to buy, build, or change your permanent home (a home you plan to live in for a long time) and you meet both of these requirements.

Both of these must be true:

- You or a family member own or will own the home, **and**
- You have a qualifying service-connected disability

Qualifying service-connected disabilities include:

- The loss or loss of use of both hands
- Certain severe burns
- Certain respiratory or breathing injuries

How much funding does an SHA offer?

If you qualify for an SHA grant, you can get up to **\$20,387** for FY 2022. This is the current total maximum amount allowed for SHA grants.

Reeb Government Relations, LLC

CACVSO

Newsletter May. 2019

Legislative Advocate Article

By: Seth Reeb, Reeb Government Relations

Since March of 2020, we have seen a dramatic change in how we participate in the legislative process. We went from walking the capitol halls to calling in for a zoom call. This year, we are now seeing a path forward to resuming regular business.

The legislative year started on January 3, 2022. Our team has been working with the authors and their office staff to improve the quality of life for veterans and their families. We are also monitoring the budget process to ensure that the local assistance funding remains in place.

The Senate Veterans Affairs Committee has a full committee of seven veterans. The Assembly Veterans Affairs Committee has two members that are veterans.

February 18, was the deadline to introduce bills for the 2022 legislative year. So far, our office has identified over 90 bills that may pertain to military issues, veterans and their families. We have begun analyzing these bills and are working with the legislative staff to obtain background sheets to forward to the legislative teams with a recommendation to support, oppose, or watch the bills.

Bills must be in print for 30 days before any action can be taken. Most of the bills relating to veterans were not introduced until the last day. Therefore, most of them will begin to move through the committee hearings starting on March 18.

This year most of the legislation revolves around Revenue and Tax, Higher Education, Public Safety, Transportation, and the Military and Veterans Affairs Committees.

SPONSORED BILL:

Senator Umberg is authoring SB 837; Driver's licenses veteran designation fee removal. Senator Umberg reached out to our office during the legislative break, asking if he could do anything for the veterans this year. We have always worked well with him and his team. We worked with the author and the CVSO legislative team to introduce the bill to help continue driving veterans to your office. As you all know, the "VETERAN" designation has had a significant impact on some veterans. In many cases, this has changed lives.

SUPPORTED LEGISLATION

AB 411 (Irwin D) Veterans Housing and Homeless Prevention Bond Act of 2022.

Status: 2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Summary: This bill would enact the Veterans Housing and Homeless Prevention Bond Act of 2022 to authorize the issuance of bonds in an amount not to exceed \$600,000,000 to provide additional funding for the VHPA. The bill would provide for the handling and disposition of the funds in the same manner as the 2014 bond act. This bill contains other related provisions.

AB 1623 (Ramos D) Personal income taxes: exclusion: uniformed services retirement pay: survivor benefit plan payments.

Status: 1/20/2022-Referred to Com. on REV. & TAX.

Summary: This bill would exclude from gross income retirement pay received by a taxpayer from the federal government for service performed in the uniformed services during the taxable year. The

bill would also exclude from gross income annuity payments received by a qualified taxpayer pursuant to a United States Department of Defense Survivor Benefit Plan during the taxable year. The bill would make related findings and declarations.

AB 1828 (Chen R) CalFresh: income eligibility: basic allowance for housing.

Status: 2/18/2022-Referred to Com. on HUM. S.

Summary: The bill would require the department to implement the requested waiver within six months from the approval of the waiver. To the extent the bill would expand the duties of counties, the bill would impose a state-mandated local program.

AB 2105 (Smith R) Contractors: initial license fee reduction: veterans.

Status: 2/24/2022-Referred to Com. on B. & P.

Summary: This bill would require the board to grant a 50% fee reduction for an initial license to an applicant who provides satisfactory evidence that the applicant is a veteran who has served as an active duty member of the United States Armed Forces or the California National Guard and was honorably discharged.

ACR 121 (Seyarto R) Purple Heart Day.

Status: 1/14/2022-Referred to Com. on RLS.

Summary: Would declare August 7, 2022, as Purple Heart Day in California.

SB 837 (Umberg D) Driver's licenses: veteran designation.

Status: 3/2/2022-Set for hearing March 22.

Summary: This bill would repeal the requirement that an applicant pay the above-described fee.

SB 1311 (Eggman D) Veterans: protections.

Status: 3/2/2022-Referred to Coms. on JUD. and M. & V.A.

Summary: This bill would make a person who violates those provisions, if the violation is perpetrated against one or more service members or veterans, liable for an additional civil penalty not to exceed \$2,500 for each violation, as specified. This bill contains other related provisions and other existing laws.

To access the legislature's bill information website which contains bill language, amendments, analyses, votes, and history, go to:

<https://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>

- To access California Codes, go to: <https://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>
- All information on the California State Senate: <https://www.senate.ca.gov/>
- All information on the California State assembly: <https://www.assembly.ca.gov/>

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT

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SETH REEB

LEGISLATIVE ADVOCATE

FEATURED COUNTY-

SAN LUIS OBISPO



San Luis Obispo County is home to approximately 17,400 Veterans. The San Luis Obispo County Veteran Services Office assists Veterans with navigating their VA and State benefits at one of three locations throughout the County. In 2020, the SLO VSO was able to secure approximately \$9.4 million dollars in new monetary benefits to Veterans in the County.

The SLO VSO is comprised of a team of 8, the VSO, one Administrative Services Officer, four Veteran Services Representatives and two Administrative Assistants. The SLO VSO is preparing to hire a Veteran Outreach Coordinator to ensure that the offices strives to meet the Veterans where they are at. Furthermore, the VSO has leveraged State funding for one VSR who is dedicated to justice involved and homeless veterans.

San Luis Obispo County host a wide variety of program focused on supporting our Community's Veterans. The following pages highlight these great programs.

Community Support Programs:

San Luis Obispo (SLO) County Veteran's Outreach Program:

The Veteran's Outreach Program provides increased outreach and access to mental health services for veterans, by providing rehabilitative activities and counseling services. The County hosts various physical, rehabilitative activities for veterans and their families throughout the year in various locations. Events are open to all veterans or active military members in San Luis Obispo County. Family members or guests of veterans or active military members may accompany when appropriate.

<https://www.slocounty.ca.gov/Departments/Health-Agency/Behavioral-Health/Prevention-Outreach/Services/Veterans-Outreach.aspx>

SLO County Veteran Services Collaborative:

The San Luis Obispo Veterans Services Collaborative (SLOVSC), is a non-profit California corporation that organizes, coordinates, communicates and connects more than 150 government and non-government organizations that support the many Veterans living in San Luis Obispo County and surrounding communities.

This San Luis Obispo Veteran's Collaborative was formed in 2016 and meets on the second Tuesday of the month at the San Luis Obispo Veteran's Hall, from 10am to 12pm. Regularly, 30-50 representatives of local Veteran's service organizations attend these meetings, some driving up to 5 hours from Los Angeles.

<https://slovsc.org/>

AmpSurf:

Is a 501(c)(3) non-profit organization established to Promote, Inspire, Educate, and Rehabilitate (PIER) all people with disabilities and their families through Adaptive Surf Therapy and other outdoor activities.

<https://ampsurf.org/>

Anglers Anonymous Central Coast:

Offers quarterly ocean fishing excursions for Veterans. AACC typically take out 25 Veterans each trip for an all inclusive ½ Day deep sea fishing trip. The SLO VSO is working on funding to provide monthly trips for Veterans.

<https://www.anglersanonymouscentralcoast.com/>

New Life K9:

Provides trained services and support dogs to disabled Veterans. They have a unique training model where the dogs are raised and trained at our local prison, California Men's Colony, and trained by inmates. Of note, there has been zero recidivism amongst inmates who have participated as trainers.

https://www.newlifek9s.org/welcome.html?gclid=CjwKCAjw8sCRBhA6EiwA6_IF4S-E6ku-loIF1Ygfk73vOeS3Eo3Xu3ICPEvPKoICnSwAqQ_6wIQUAhoC9LoQAvD_BwE

Honor Flight Central Coast:

Our Mission is to honor all of America's veterans by taking them to Washington D.C. on their "Tour of Honor" as our guest. Once there, they can visit and reflect at their memorials which have been built to honor their service.

<https://www.honorflightccc.org/>

Welcome Home Military Heroes:

Organizes Welcome Homes for all our Military Heroes past and present, Memorial Services and other 'missions' for our Military Heroes across San Luis Obispo and Santa Barbara Counties. We work hand and hand with the Patriot Guard Riders, all local American Legion Posts, local Air Force and National Guard/ Reserve bases and other Military organizations.

<https://www.welcomemilitaryheroes.org/>

Partners in Equine Therapy:

Founded in 1994, Partners in Equestrian Therapy (P.E.T.) has operated for over twenty years to serve the San Luis Obispo County area. Our unique program is located in Atascadero, CA, and provides students with the opportunity to not only increase physical skills and cognition, but also confidence and independence.

<https://www.petslo.com/>

SLO County Museums and Memorials:**Central Coast Veterans Museum:**

Is located at the historic San Luis Obispo Vets Hall and hosts a significant number of military artifacts to include a very rare firearms collection.

<https://vetmuseum.org/>

Estrella Warbirds Museum:

Located in Paso Robles, the museum hosts dozens of military aircraft, many military exhibits and a beautiful private museum with a great collection of historic midget series race cars.

<http://ewarbirds.org/>

Faces of Freedom Memorial:

Located in Atascadero, the memorial honors the men and women of the County who have lost their lives in defense of our County.

<http://facesoffreedommemorial.org/>

Supportive Services:**CAPSLO SSVF:**

The Supportive Services for Veteran Families (SSVF) Program is designed to provide a range of supportive services to address barriers to stable housing for low-income Veterans and those at risk of becoming homeless, and to assist Veterans who are homeless make a successful transition to permanent housing. Supportive services are available to eligible Veterans and other members of the household based on an assessment of their needs and individualized housing stability plan. Participation in case management is required to ensure the success of households assisted.

<https://capslo.org/ssvf/>

Good Samaritan SSVF:

The SSVF program serves veterans who are currently homeless or at risk of losing housing. The program provides temporary assistance and services to help homeless veterans and their families gain housing stability. The United States Department of Veterans Affairs, Supportive Services for Veterans Families Program, provides funding for this program. This is a joint program of 5Cities Homeless Coalition and Good Samaritan Shelter. Good Sam is also in the process of building a Veteran housing project that will provide transitional housing for unhoused Veterans.

<https://goodsamaritanshelter.org/shelter-programs-2/veterans-services/>

SLO Legal Assistance Fund Veterans Assistance Program:

In collaboration with Community Action Partnership of San Luis Obispo and other community partners, SLOLAF provides free legal assistance to eligible veterans who are homeless or at risk of becoming homeless in an effort to help the veteran make a successful transition to permanent housing.

<https://slolaf.org/>



SC Veterans Service Representative I/II

Salary

\$37,608 - \$54,216 Annually

Location

Redding, CA

Job Type

Full Time

SHASTA COUNTY Veteran Population

15,267

If your county has a position you would like added please feel free to submit for the next newsletter.



My Perfect Tart Crust:

- 1 and 1/2 cups (190g) plain/all-purpose flour
- 1/2 cup (62g) icing/powdered sugar
- 1/4 teaspoon salt
- 1/2 cup (115g) unsalted butter, cold and cubed
- 1 large egg

1. Add the flour, sugar, and salt to a food processor, and pulse a few times to combine. Add the butter and pulse until the mixture resembles fine breadcrumbs with pea-sized pieces.
2. Add the egg, and pulse until the dough starts to come together.
3. Do not process to the point that a large ball of dough is formed. The dough should be quite crumbly with large clumps and should stick together when you press a piece between your fingers.
4. Transfer the dough to a lightly floured surface and gather into a ball. Shape the dough into a 1-inch-thick disc. Wrap tightly in clingfilm and refrigerate for at least 1 hour before use.

Spring Recipe: Easy Lemon Tart

INGREDIENTS

- [My Perfect Tart Crust](#)
- 12 oz (340g) sweetened condensed milk
- 5 large egg yolks
- 1/2 cup (120ml) fresh lemon juice, about 3 - 4 lemons

Once the tart dough is chilled, roll it out into a 12-inch circle on a lightly floured surface. Gently place it into a 9-inch fluted tart tin with a loose base, and press lightly into the tin, making sure not to stretch the dough.

Grab the rolling pin, and roll it over the top of the tin, trimming the excess dough off. Prick the base all over with a fork, then place in the freezer for 30 minutes.

Once frozen, line the dough loosely with crinkled parchment paper, and fill almost to the top with uncooked rice. Place the tin on a baking tray and bake for 20 minutes.

Remove the paper and rice and brush the base and sides of the crust with beaten egg. Bake for a further 5 minutes without the paper and rice.

Remove from the oven and allow to cool on a wire rack whilst preparing the filling.

Whisk together the sweetened condensed milk and egg yolks. Add the lemon juice and mix until combined. Pour the filling into the crust and bake for 35 - 40 minutes or until no longer jiggle in the middle - just set.

TIP: When baking the filling, loosely cover the crust edges with foil to prevent them browning too much.

Allow the tart to cool completely at room temperature, then refrigerate for at least 1 hour before serving.