

Members of the Subcommittee on Benefits of the Veteran's Affairs Committee, United States House of Representatives

Mr. Chairman, Congressman Reyes, and members of the Subcommittee:

I wish to thank all of you for coming to our city to listen to what we Veteran's have to say. I have been involved in the Benefits Division of the Veteran's Administration since August 1998. Since then, I have kept up with training and the laws as it pertains to Benefits Delivery. My comments come from assisting claims directly, assisting veteran's that have been referred to me by the V.A. clinic; also, veteran's the Congressman sends, out-of-town veteran's, widows, and dependant's on a part-time basis.

I will begin with areas I have witnessed and discussed in talking to the personnel at the 800#. On several occasions I have called for information concerning a veteran and I receive different answers about the same question with each person I have talked to. I feel there is a lack of concern and professionalism among the Veteran Service Representative of the V.A. A regional office that helps the personnel helps all. Contact with the regional office is critical for it will leave a lasting impression; at this time, the impression is not good.

The Veteran's Administration has stated since 2001 that the claims backlog was the #1 problem to be addressed. Also, the Veteran's Administration was mandated to assist in the processing of claims, while the previous claims that the V.A. did not assist, had to be redone. Congress mandates new policies, seeks to help new veterans' needs, but does not follow up on accountability to see what the results are. The Veteran's Administration policy so states that if a veteran is in need of assistance, the V.A. should grant the claim or prove the denial of the claim otherwise. In some cases, the rating specialists overrule statements from the doctors. Too much time during remands causes the V.A. employees to be doing the same claim over and over which is not cost effective. The new duty to assist puts a vet's file in a cabinet for approximately four months, while letters are sent out to assist. Usually the V.A. asks us to get the information, which is a request by the government and has more persuasion than a personal appeal.

I think if a viable system was in place to aid those veterans with a legitimate emergency and a well trained Veteran Service Representative assisted in development of those claims with the V.A. Wide System of qualifications, it is possible that about one-third of the claims would be dealt with at a more rapid pace. The regional offices seem to use different standards.

For example, in California the regional office seems to deal only with serious health issues. Whereas, in Waco, you can use financial difficulties by submitting food stamp evidence or Texas work force evidence, etc. or medical to prove a hardship. These special teams could take a ready claim and expedite it to help the veterans and the V.A. backlog. Other rating systems could do the rest of the claims and help the new raters in training. Not everyone can understand the complexities of medical and legal rules. My concern is whether the training time is too short or is it the caliber of the people who are being trained? Management and union seem to protect the V.A. and worry less about their veterans.

Congress and the Court of Veterans' Appeals ask the V.A. to implement a program and the V.A. seems to get to it when they feel up to it. To get something from a vet is done now, yet to give something to a vet takes a lot longer. The V.A. and Veteran Service Representatives seem to be saying to the veteran community, "Don't try to speed up the system or criticize the V.A., just let the system go and we will be alright in a couple of years. How many families will suffer while we let those who have run the system for 20 years try to iron out the problems that have come up under their watch. I think we are all to blame. Veterans don't prepare or have someone prepare a valid claim and send in the proper paperwork with the claim. A lot of claims in the system should not be filed unless the veteran can substantiate the claim, which could lower the backlog. It is very hard for the average veteran who files a claim to know what is needed when those who made the

decisions, or the VSR who helps, won't or can't tell the vet what is needed, who has power of attorney or what is the disability or percentage.

A continuous mountain of files can certainly be a problem of stress as there is no end in sight. Maybe a change every couple of months or so could help with moral and make for a better partner with the veterans.

When the V.A. is aware of a larger workload, they should better allocate a workforce to cover the overflow. I would think that in the year 2002, there is a statistical model to anticipate the flow of VA claims and deaths. We should have the budget to do what ever is needed. Now that retirees who are 60% or more disabled will get some type of retirement money, those who are 30%, 40%, and 50% will try for an increase in disability. This will put more vets in the system, more registrants at the V.A., more clinic visits and more stress on the employees, which will allow for more bad decisions.

The Board of Veterans' Appeals sends a case back to the Regional Office for whatever reason and neither the V.A. nor the Veteran Service Representative contacts the veteran to get the needed information in which case the paperwork just goes back and forth. In a recent case, a veteran's claim was bounced from the Board of Veterans' Appeals to the Regional Office at least five times in two years due to lack of communication. Each time the records were submitted, they were sent back for redevelopment. All information needed should have been addressed promptly in the first transition instead of individually. At one point, they would ask for the doctor's opinion, another time it would be on consultations, etc. Some of the Doctor's who are employed by the Veterans' Administration are still refusing to commit to an opinion even though it is in violation of federal law.

It is my understanding that the Veterans' Administration is hiring new employees. Unfortunately, the results are not substantial. It seems that the training time takes longer, and the outcome of the training has not been beneficial in the final product. Some employees endure lack of supervision or a supervisor. Living in El Paso puts us 700 miles away from a supervisor, which makes it very difficult with correspondence. I can honestly say that there are some employees who will go out of their way to aid and assist those in need of answers. Similarly, there are those who could care less and tend to slow down the process of record verification, etc. Management doesn't seem to anticipate employee changes to keep up with the flow of work.

I see no end to this situation since employees are unable to be permanently dismissed. I feel there are those who should be fully rewarded, and there are those who should be dismissed. Training or re-training on procedures could be a remedy if a history warrants it.

Being that El Paso has a rather large veteran population, the workload and problems are at a high percentage. There is some down time during which time the claim goes back and forth to Waco, Texas and of course this hinders the process of the claim. There are also the conflicts of personality when in contact with someone in Waco. I feel this is due to lack of supervision, no conformity of process, and too many hands involved which lead to mistakes.

Although Waco, Texas is distant from El Paso, the people here have gone from a negative attitude to a more positive one in the past couple of years. In the beginning, since I became a member of the Disabled American Veterans, the process was difficult enough for the veteran himself. Service organizations were not supplying qualified service officers. The regional office, Congress, and some service organizations began working together as a team to assist the veterans in our community, and thus the morale heightened.

The Veterans' Administration Regional Office began working with Congressman Silvestre Reyes with a program to rate claims locally. There were some service organizations that were not willing to participate in the program and this, we thought, would create a hindrance and not be cost effective. Over time, we have learned to seek each other out and ask for help or advice. We now have National Service Officers, so a

shift in direction is yet to come. We believe in “give a little, take a little”, but at times it can be quite frustrating.

In Summary:

It would take the Veteran’s Administration to hold raters personally responsible for the results of a claim(s) and Congress to hold the Veteran’s Administration accountable to follow procedures and make them responsible for errors before the process becomes fair and efficient and the claims are done in a timely manner. A universal training program to assist veterans to prepare and submit claims could probably cut down on backlogs and decrease delays.

If a veteran contacts the Veteran’s Administration, they should get an accurate answer to their question upon request. The Veteran’s Administration usually contacts the veteran only once with a letter and states that the veteran did not reply. There have been times when the paperwork never reached the correct individual or the letter has been mishandled, lost, or placed in someone else’s letter.

I don’t feel that Death and Indemnity Compensation should take eight months to finalize. There should be a clear and accessible emergency claims process under these circumstances. We should focus on how to best help the veteran and less on the struggle between management and the employees.

From October 1999 to February 2001, I worked with a Rating Specialist in El Paso to assist veterans who had a complicated case or were terminal or facing financial or other hardship. We would discuss all aspects of the case and then the veteran could submit their claim for rating. After February 2001, the Director or the Senior Rater would work with me on cases that were 2 years or older or hardship, but it was less than could be offered before. The Congressman worked with the Regional Office to do claims here in El Paso. The Director stated some Veterans Service Organizations did not want to use this new system, so the program would not be fully utilized. Some veterans want to take advantage of this new program, and it is going to cause some problems.

A couple of people wanted to pull their Power of Attorney so they could use the new program and my DAV superior at Waco took offense and accused me and my partner of hurting vets. We were suspended from doing any claims (Detailed attachments are included). This left approximately 400 claims and veteran claimants with no assistance and no one to go to in El Paso for their claim because the organization has the Power of Attorney. This only adds to the backlog where it could have helped it. We help veterans from across the country who have heard of us or who saw our name on the Internet. Many VA employees send veterans to us to assist them. We will continue to try to help each and every Veteran, their Spouses and their Dependents. We will continue to train and stay current with the law. And we will continue to network to help veterans who cannot help themselves for whatever reason.

In closing, I want to again thank the committee for coming to El Paso and listening to me describe what I have observed. I hope this has been helpful to you, as you try to see to it our veterans receive what they deserve. This is part of the Great American Dream, and to inform those who make the laws about our opinions and what changes are needed.

Thank you and may God Bless You all.

Ronald D. Holmes

Chairman, Veterans Advisory Panel