

# The Communicator

January - February  
2023

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## CACVSO President Message

Dear Membership!

Want to wish everyone a Happy New Year and can't wait to see you all in February in Sacramento.

Hope everyone has weathered the storms that are coming through. Stay safe and stay dry.

Remember your semi-annual reports were due by January 31, 2023, if you need any assistance, please reach out to someone.

Please stay alert and remain safe!



Rhonda Murphy  
President, CACVSO

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# Deputy Secretary February Message

Dear California Veterans, Family Members, Partners, and Friends:

As we move into a new month, we are hopeful that you and your families remained safe during the devastating January Winter storms that Californians experienced. In response to the storms, CalVet, in partnership with the Governor's Office of Emergency Services, County Veteran Service Offices, and other federal, state, and local community partners quickly came together to bring resources to veterans and their families across the state. Disaster Recovery Centers have been activated across numerous regions and communities to support families and businesses impacted by the 2023 Winter storms. Each center is unique and locally driven with support from local, state, federal, and non-profit agencies. If you experienced hardship or would like to find the most up-to-date information on recovery events in your area, please visit [2023 Winter Storms Recovery](#).

As we continue to focus on building promise, hope, and inspiration into the new year and beyond, we have announced six grant recipients throughout California who will be awarded \$20 million for their Veterans Support to Self-Reliance (VSSR) Pilot Programs. The grantees are non-profit community-based service providers who will now be able to increase their level of supportive services for senior and high acuity veterans currently living in permanent supportive housing projects. The goal of the VSSR program is to demonstrate that enhanced supportive services for these veteran populations are vital to remaining stably housed. Additional services offered through the grant will allow veterans to age in place and enjoy the thriving quality of life that they deserve. For more information, refer to the [full list of grantees \(PDF\)](#) or the [VSSR Pilot](#) page.

Lastly, our February webinar series will showcase information centered around education assistance programs, such as the California Military Department GI Bill Award Program, and the California Department of Veterans Affairs (CalVet) Tuition Fee Waiver. Please join us this month to learn more about the educational benefits available to you. Also, check out the California Transition Assistance Program (CalTAP) webpage for other upcoming training opportunities, previously recorded webinars, and additional information highlighting how CalVet can assist your transition at every moment that matters.



Stay Well,

A handwritten signature in black ink that reads "Keith Boylan". The signature is written in a cursive, flowing style.

Keith Boylan  
Deputy Secretary  
Veterans Services

**VA**U.S. Department  
of Veterans Affairs

# News Release

Office of Public Affairs  
Media RelationsWashington, DC 20420  
(202) 461-7600  
[www.va.gov](http://www.va.gov)FOR IMMEDIATE RELEASE  
Jan. 13, 2023

## Office of Public and Intergovernmental Affairs

### Veterans in suicidal crisis can go to any VA or non-VA health care facility for free emergency health care

WASHINGTON – Starting Jan. 17, Veterans in acute suicidal crisis will be able to go to any VA or non-VA health care facility for emergency health care at no cost – including inpatient or crisis residential care for up to 30 days and outpatient care for up to 90 days. Veterans do not need to be enrolled in the VA system to use this benefit.

This expansion of care will help prevent Veteran suicide by guaranteeing no cost, world-class care to Veterans in times of crisis. It will also increase access to acute suicide care for up to 9 million Veterans who are not currently enrolled in VA.

Preventing Veteran suicide is VA's top clinical priority and a top priority of the Biden-Harris Administration. This effort is a key part of VA's 10-year National Strategy for Preventing Veteran Suicide and the Biden-Harris administration's plan for Reducing Military and Veteran Suicide. In September, VA released the 2022 National Veteran Suicide Prevention Annual Report, which showed that Veteran suicides decreased in 2020 for the second year in a row, and that fewer Veterans died by suicide in 2020 than in any year since 2006. "Veterans in suicidal crisis can now receive the free, world-class emergency health care they deserve – no matter where they need it, when they need it, or whether they're enrolled in VA care," said VA Secretary for Veterans Affairs Denis McDonough. "This expansion of care will save Veterans' lives, and there's nothing more important than that."

Eligible individuals, regardless of VA enrollment status, are:

Veterans who were discharged or released from active duty after more than 24 months of active service under conditions other than dishonorable.

Former members of the armed forces, including reserve service members, who served more than 100 days under a combat exclusion or in support of a contingency operation either directly or by operating an unmanned aerial vehicle from another location who were discharged under conditions other than dishonorable.

Former members of the armed forces who were the victim of a physical assault of a sexual nature, a battery of a sexual nature, or sexual harassment while serving in the armed forces.

For additional information please feel free to contact the closest VA Behavioral Health Provider near you.



*Katrina Eagle & Jim Radogna, CACVSO Education Consultants*

## PACT Act Implementation

Although the PACT Act was signed into law on August 10, 2022, VA did not formally begin adjudicating claims until January 1, 2023. On the plus side, we've already seen quite a number of PACT Act decisions, so it doesn't appear that VA is dragging its feet. On the other hand, we're also seeing concerning patterns of adjudicative errors on these claims. Following are three PACT Act issues that we feel CVSOs should pay close attention to:

- **Effective Dates.** We discussed the issue of erroneous PACT Act effective dates in BVA decisions back at the October 2022 CACVSO conference (in Grass Valley, CA). Not surprisingly, we're now seeing the same errors in RO decisions. As a quick review, Congress included earlier effective date provisions for DIC recipients in the PACT Act (similar to those of the Blue Water Navy Act) but did **not** do so for Veterans. As such, the earliest effective date a Veteran can generally expect for a claim granted pursuant to the PACT Act is August 10, 2022. However, if a Veteran has a claim or appeal that was pending (i.e., continuously pursued) prior to the signing of the PACT Act, he or she may be entitled to an earlier effective date based on **direct** service connection. While there is no guarantee that VA will grant a claim or appeal on a direct (rather than presumptive) basis, they **MUST** as a matter of law consider ALL theories of entitlement and assign the earliest possible effective date. We are seeing that VA is generally not doing this, especially as it pertains to Veterans who served in Thailand and Guam during the Vietnam and filed herbicide-exposure related claims.

If you have a PACT Act Veteran who you feel is assigned an improper effective date, please feel free to reach out to us. We are currently appealing a number of these cases at the RO, BVA, and Court level and will be happy to offer advice on the best way for you to proceed. As always, the best way to reach us is by email: [CACVSO@eagleveteranslaw.com](mailto:CACVSO@eagleveteranslaw.com)

- **TERA Memos.** The PACT Act calls for VA to identify potential toxic exposures such as location-based presumptive exposure or exposure via military occupation related activities. All such potential exposures must be documented in a Toxic Exposure Risk Activity Memorandum (TERA Memo). We have already found a number of errors in these memos in our clients' files. We suggest that CVSOs read these memos carefully and point out any errors to VA as early as possible. By doing so you may be able to prevent erroneous denials and unnecessary C&P medical opinions.

- **Non-Compensable Ratings.** We've been hearing from many Veterans and advocates who seem to think that VA is automatically assigning 0% ratings for granted PACT Act-related hypertension claims in order to save money. Since Non-Compensable ratings for hypertension have always been quite common, we're not sure if these 0% grants are actually spiking with PACT Act grants or if there is a misunderstanding of what the parameters are for VA to grant a compensable (10% or more) hypertension rating.

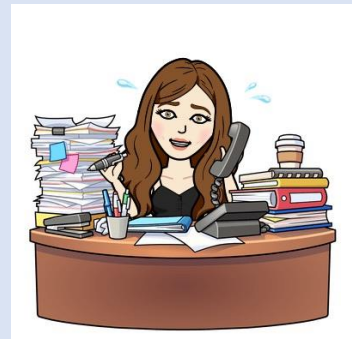
Most Veterans' hypertension is controlled by medication. VA regulations only allow for a rating higher than 0% if the medicated readings are higher than 160 systolic or 100 diastolic OR if there is a history of predominantly 100 or more diastolic before medication was prescribed. CVSOs should carefully review medical records in the file to ascertain if there is evidence to support a higher rating than that which was granted.

In sum, we remain thrilled with the number of benefits provided to Veterans since the passage of the PACT Act. As always however, we all need to be diligent and carefully review VA's work in each case since there are a lot of moving parts and it is very easy for a VA adjudicator to overlook key facts or evidence.

Look forward to seeing our CACVSO friends at the Winter Conference in Sacramento – travel safe!



Contact your secretary when you have office and/or staff changes



# VA offers \$30M in grant funding to assist formerly homeless Veterans



WASHINGTON — As a part of ongoing efforts to prevent and end Veteran homelessness, the Department of Veterans Affairs is announcing \$30 million in grant funding for organizations to help formerly homeless Veterans maintain their independence and housing stability. This funding opportunity will give organizations the funding they need to hire case managers, who will help Veterans search for, obtain, and successfully transition to permanent housing; troubleshoot challenges and barriers to maintaining permanent housing; connect with services to address issues such as poor credit history, rent arrears, and legal issues; and more.

VA anticipates awarding 100 Case Management Grants for up to \$300,000 each to support approximately 150 case manager positions nationwide. Awards will fund two years of operations, starting on Oct. 1, 2023, and ending Sept. 30, 2025. The funds are available through VA's Homeless Providers Grant and Per Diem Program. Ending Veteran homelessness is a top priority of VA and the entire Biden Administration. The number of Veterans experiencing homelessness has fallen by 11% since early 2020 and 55.3% since 2010. Additionally, during 2022, VA placed more than 40,000 homeless Veterans into permanent housing — exceeding VA's goal by more than 6%. In late 2022, the Biden Administration released All In: The Federal Strategic Plan to Prevent and End Homelessness, which lays out the goal of reducing homelessness for all Americans by 25% by 2025. "For many Veterans experiencing homelessness, moving into permanent housing is the first step toward the stability and independence they deserve," said VA Secretary Denis McDonough. "But our work doesn't stop there — these case managers help ensure that once Veterans become housed, they get the resources they need to stay housed."

VA's efforts to combat Veteran homelessness are grounded in reaching out to homeless Veterans, understanding their unique needs, and addressing them. These efforts are built upon the evidence-based "Housing First" approach, which prioritizes getting a Veteran into housing, then provides the Veteran with the wraparound support they need to stay housed — including health care, job training, legal and education assistance and more. Eligible entities, as described in the Notice of Funding Opportunity, may apply for these Case Management Grants. Grant applications must be received by the GPD Program Office by 4 p.m. ET on Thursday, May 4, 2023. View the NOFO and learn more about GPD or email [GPDGrants@va.gov](mailto:GPDGrants@va.gov).

If you are a Veteran or know a Veteran who is experiencing homelessness or at risk for homelessness, call the National Call Center for Homeless Veterans at 877-4AID-VET (877-424-3838). Visit the VA Homeless Programs website to learn about housing initiatives and other programs for Veterans exiting homelessness.

# Training / Conferences

## Cal Vet CVS0 Training

**Phase 1**                      **TBD**  
Sacramento

**Phase 2**                      **TBD**  
Sacramento

Please feel free to reach out to  
[Jennifer.Hubbard-Beath@calvet.ca.gov](mailto:Jennifer.Hubbard-Beath@calvet.ca.gov)

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## CACVSO Conferences 2023



**Winter**                      **Feb 26<sup>th</sup> – Mar 4<sup>th</sup>, 2023**  
Sacramento

**Summer**                      **June 2023**  
Yuba City

*THE COMMUNICATOR is the official publication of the California Association of County Veterans Service Officers (CACVSO). Opinions expressed are those of contributing writers and do not necessarily reflect opinions or policies of CACVSO officers, members, or the editorial staff. The newsletter reserves the right to edit, amend, or reject any contribution submitted for publication.*



## JANUARY

01 SUN	<a href="#">New Year's Day</a>
16 MON	Civil Rights Day
16 MON	Idaho Human Rights Day
16 MON	<a href="#">Martin Luther King Day</a>
19 THU	Confederate Heroes' Day
27 FRI	<a href="#">International Holocaust Remembrance Day</a>

## FEBRUARY

01 WED	<a href="#">Black History Month</a>
14 TUE	Arizona Statehood Day
14 TUE	<a href="#">Valentine's Day</a>
20 MON	<a href="#">Presidents' Day</a>

***For article submissions, email:  
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