



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.

For article submissions, email:
jallmon@inycounty.us

Fair use notice: This document contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. Such material is made available in an effort to advance understanding of environmental, political, human rights, economic, democracy, scientific, social justice issues, etc. It is believed that this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, this material is distributed without profit to those who have expressed a prior interest in receiving similar information for research and educational purposes. For more information go to: <http://www.law.cornell.edu/uscode/17/107.shtml>. If you wish to use copyrighted material for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.

CREATING A LIFE WORTH LIVING

How can we recognize emotional pain within ourselves or our community, and what can we do in response? In recognition of Suicide Prevention Awareness Month, please join us as we empower ourselves with skills and resources to reduce risk, improve wellbeing, and work toward building a life worth living.

FRIDAY, THE 27TH OF SEPTEMBER 2019
5:30 - 8:00 PM

OnePiece Work
631 Wilshire Blvd, 3rd Floor
Santa Monica, CA 90401

To RSVP, contact Heather Smith at
HSmith@la-sparks.com or 626.314.9642

Logos for Los Angeles County Department of Mental Health, Military Veterans Affairs, and Sparks are included at the bottom.

This Month's Featured County

Napa County is a county north of San Pablo Bay in the northern portion of the U.S. state of California. As of the 2010 census, the population was 136,484. The county seat is the City of Napa. Napa County was one of the original counties of California, created in 1850 at the time of statehood. Parts of the county's territory were given to Lake County in 1861. Napa is the largest of Napa Valley's five towns, and is conveniently located just an hour north of San Francisco and an hour south of Sacramento. This town offers an impressive diversity of food and activities. Check out the interactive street art, food trucks, and vibrant night life, river walk and lively farmers' market.



NOT THE NORM

Q. While in the service in the late 80s-early 90s a female soldier was accused and convicted of homosexuality, sodomy and indecent acts with another under UCMJ Article 125. She was a lesbian at the time and in a consensual relationship with another woman, who testified to that fact when interviewed. I filed a claim for PTSD due to MST and it was denied. The narrative stated there were no markers of sexual harassment. I will be contending that the investigation and discharge were Military Sexual Trauma and is proof of sexual trauma.

Let's look at the most basic and important regulation regarding service connection 38 C.F.R. §3.303, Principles relating to service connection. Paragraph (a) states: *"Service connection connotes many factors but basically it means that the facts, shown by evidence, establish that a particular injury or disease resulting in disability was incurred coincident with service in the Armed Forces... This may be accomplished by affirmatively showing inception or aggravation during service... Determinations as to service connection will be based on review of the entire evidence of record, with due consideration to the policy of the Department of Veterans Affairs to administer the law under a broad and liberal interpretation consistent with the facts in each individual case.* Paragraph (d) adds: *"Service connection may be granted for any disease diagnosed after discharge, when all the evidence, including that pertinent to service, establishes that the disease was incurred in service"* So, if the evidence establishes that events in the military are the basis for a currently diagnosed condition, it's a simple matter of direct service connection.

As I see it, the issue at this point is whether this is a *sexual* trauma case. It is all going to come down to the evidence. In this case if the veteran has PTSD (or any other disorder) as a result of military service, trying to specifically make it a military sexual trauma case may just be complicating the issue and giving VA grounds ("no markers of sexual harassment") to deny the claim. If you have (or can get) sufficient supporting evidence of a currently diagnosed condition related to military service, whether or not it meets the criteria for MST is irrelevant. Keeping it simple and sticking with the facts of the

disability, and its nexus to military service, may be a more productive approach. The focus on sexual trauma may be a distraction from a more basic, less complicated case of service connection.

Once I filed a claim for a veteran for combat related PTSD. The claim was denied because his VA exam produced a diagnosis of "an anxiety disorder related to combat," not PTSD. The NOD that we filed pointed out that the claimant was not considered, under VA regulations, competent to diagnose his own condition and, therefore, VA was obligated to rate the diagnosed service connected condition, regardless of what the veteran claimed it was on the 21-526. As I recall, VA didn't even bother with a SOC, they just went ahead and rated him.

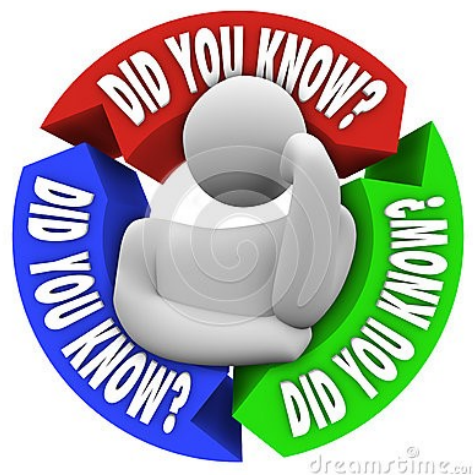
Even more relevant may be the woman who had multiple MST claims denied due to the lack of evidence of sexual trauma. She claimed that she had been raped, by a senior NCO in her unit, in her room. She immediately reported to the orderly room, where she told that she had to take a shower before they would take her to the local MP station. While (no surprise), the resultant exam produced no medical evidence of sexual assault, there was medical evidence that indicated that there had been some kind of physical assault. Witness statements failed to identify the perpetrator, but did substantiate that someone had entered her room immediately prior to her report of the incident. Rather than go down the MST trail, it was simply pointed out that the evidence of some kind of assault was irrefutable and that the lack of evidence or rape was irrelevant. Citing 38 C.F.R. §3.303(d), the contention was that VA was ignoring the mandate to administer the law under a broad and liberal interpretation consistent with the facts by focusing on the issue of rape rather than addressing undisputed evidence of physical assault. That one didn't make it to BVA either.

In some respects this is an extension of my last column. As advocates, we all may become so focused on the specifics of a claim that we, and our clients lose the bigger picture. Sometimes a step back may provide us with a perspective that reveals a different path to the end we are attempting to assist a claimant to achieve.

A sailor was pulled off his ship, in the Tonkin Gulf, to

escort to coffins of KIAs to the Philippines. It was a turbulent flight and, at some point, the coffins, which had not been properly secured, fell and opened and he spent the rest of the flight with dead bodies bouncing around the inside of the plane. Although deck logs showed that he had been airlifted off the ship for a TDY, it did not specify what the duty was, so that, his claimed stressor was not verifiable. However, the same deck log also showed the same sailor being pulled from the Gulf after being pushed overboard. In a conversation with his therapist, I asked if that would be a valid stressor. He agreed that it was and added the incident as part of the basis for his PTSD diagnosis. The rating decision cited that as the basis for the grant of his PTSD claim. The veteran was not happy because, although service connection had been awarded, it was not based on the event he found most traumatic.

While it may be validating, to a claimant, to establish specific facts regarding a traumatic event, a successfully prosecuted claim, based upon a different approach to the facts, may be of the most benefit, in the long run.



Humorous Perspective

By Jessica Allmon



The pumpkin spice season has begun!! Look out, everything from lattes to butter will be tainted with the ever associated with fall, Pumpkin Spice!! What is it about the combination of cinnamon, cloves and nutmeg that drives people to such fervor? For some it is the quintessential start of fall, for others it is the reminder of something comfy and cozy. Whatever the reason, young and old go crazy for it.

I took to the trusty Google machine to find some unique pumpkin spiced consumables that you may not know existed, I was not disappointed!!

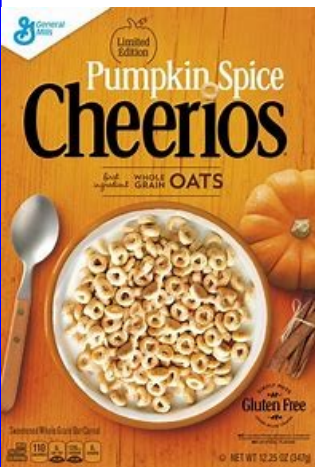
Did you know that there is Pumpkin Spice Moonshine?! Wow is all I can say. Can you even taste the flavor over the burning of your taste buds?

What about starting your kids out early with the ever popular heart health breakfast cereal, Cheerios. That's right Cheerios now has pumpkin spice flavor for the fall. Some of ya'lls hearts are beating excitedly just thinking about it!! Do you get pumpkin spice milk left over in the bowl? Someone try it and let me know.

For those of you health conscious folks that still want to indulge in the fall favorite of pumpkin spice, you can now find pumpkin spice protein powder to make your fall workouts festive! It can be found on Amazon if you don't believe me.

And so our furry four legged friends don't feel left out you can get pumpkin spice Greenies for your pet!! I don't know about your dogs but mine like peanut butter, bacon, and anchovies!!

So the question is to Pumpkin Spice or to not Pumpkin Spice? This is a topic that can lead to some serious debate in the work place, so beware approaching this taboo topic. I have found that folks are fervently passionate one way or the other, with little middle ground. I will not hold anyone's preference against them either way!!



I can't wait to see you all in Napa!!

STOP
THE PUMPKIN SPICE
MADNESS



VAU.S. Department
of Veterans Affairs

News Release

Office of Public Affairs
Media RelationsWashington, DC 20420
(202) 461-7600
www.va.gov

September 25, 2019

VA strengthens Caregiver Support Program and expands timeline of the Program of Comprehensive Assistance for Family Caregivers

WASHINGTON – Today the Department of Veterans Affairs (VA) announced actions to strengthen the Caregiver Support Program and establish a timeline for expanding the Program of Comprehensive Assistance for Family Caregivers (PCAFC) in accordance with section 161 of the VA MISSION Act of 2018 ([MISSION Act](#)).

Under the MISSION Act, VA will expand the PCAFC to eligible Veterans from all eras using a phased approach. Currently, the program is only available to eligible Veterans seriously injured in the line of duty on or after September 11, 2001. Prior to expanding, VA must upgrade its information technology (IT) system and implement other improvements to strengthen the program.

“Caregivers play a critical role in the health and well-being of some of our most vulnerable Veterans,” said VA Secretary Robert Wilkie.

“Under the MISSION Act, we are strengthening and expanding our program to positively impact the lives of Veterans and deliver the best customer experience to them and their caregivers.”

In December 2018, VA suspended certain discharges from the program due to ongoing concerns about inconsistent application of eligibility requirements at VA medical centers. Since then, VA has held listening sessions with caregivers and other stakeholders, developed or amended 14 standard operating procedures to clarify program requirements for VA staff, increased oversight in each Veterans Integrated Service Network, provided training and education to staff and caregivers and is boosting operational capacity with the hiring of more than 680 staff.

To modernize its caregiver IT system, VA is adopting a three-phased approach and will deploy a new system based on a commercial off the shelf product called Caregiver Record Management Application (CARMA) beginning in October 2019. VA will deploy phase two in January 2020 to centralize and automate stipend payment calculations and expects to deploy phase three in the summer of 2020, which will enable caregivers to apply for benefits online. VA will then perform testing and verify that the system

has full functionality before expanding the program as required under the MISSION Act.

The expansion will occur in two phases, beginning in the summer of 2020 or once the Secretary has certified that the new IT system is fully implemented. In the first phase, PCAFC will be expanded to eligible Veterans who incurred or aggravated a serious injury in the line of duty on or before May 7, 1975. The final phase of the expansion will begin two years later. It will expand PCAFC to eligible Veterans who incurred or aggravated a serious injury in the line of duty after May 7, 1975 through September 10, 2001.

Additionally, VA has gathered input and is developing regulatory changes to streamline the program and provide more clarity for Veterans and their family caregivers. VA will publish a proposed rule for public comment prior to issuing final regulations.

VA is also working across the department to ensure caregivers have a positive experience through program improvements and initiatives to include:

- Providing home and community-based care alternatives through the Choose Home Initiative at 21 VA medical centers.
- Establishing the Center for Excellence for Veteran and Caregiver Research named after Senator Elizabeth Dole.
- Expanding telehealth services to enable Veterans and their caregivers to get care in the comfort of their homes.
- Delivering valuable programs for caregivers such as peer support mentoring, a Caregiver Support Line, self-care courses and educational programs to help caregivers succeed.

Caregivers play a critical role in enabling Veterans to maintain their highest level of independence and remain in their homes and communities for as long as possible. VA leads the nation in providing unprecedented benefits and services to caregivers. The MISSION Act strengthens VA’s ability to serve as a trusted partner in the care of our nation’s most vulnerable Veterans.

To learn more about the many support services available for caregivers of Veterans, visit www.caregiver.va.gov.

LA County MVA Partners with the LA Sparks and Mental Health with Spark the True You Campaign

Los Angeles County Military and Veterans Affairs and the Los Angeles Sparks have developed a first-of-its-kind campaign that casts a greater spotlight on military women, veterans, and their families in an effort to highlight and underscore the invaluable community asset that they are.

Spark the True You: Turning Adversity Into Advantage, presented in partnership with the Los Angeles County Departments of Military and Veterans Affairs and Mental Health, seeks to educate, assist, and activate a growing community of support across Southern California for military women, veterans, and their families who are looking for ways to be successful and achieve their ultimate physical, spiritual, emotional, and mental health goals.



Additionally, the campaign works to inspire a movement to normalize the experience of mental illness and other related health issues and begin to break through the numerous barriers that continue to hold many military women and veterans back from reaching out for assistance and taking advantage of available resources.

Each month, the campaign hosts events to help veterans learn about resources help them move forward, from nutrition and cooking to housing and education.

All home games for the WNBA champions are free for veterans and their families, and vets who attend receive VIP treatment prior to the game, including free food and beverage, promotional items and are offered the opportunity to experience in-arena games and a high-five tunnel.

During the month of September, the Sparks used social media to promote tips on suicide prevention for women in the military and veterans, using the handle #MindfulMonday. On September 28th, the campaign hosted “Creating a Life Worth Living,” an event at OnePiece Work for veterans to help recognize emotional pain within themselves and the community in recognition of Suicide Prevention Awareness Month. In October, we are planning an event around homelessness at L.A.’s iconic Union Station.

Other features include an innovative influencer campaign, partnerships with organizations providing promotional support and content development, and opportunities for individuals to take personal actions to *spark their truth* in their own communities as a benefit to themselves and to their fellow sisters.

The Los Angeles Sparks will also work to bridge the gaps within the academic, political, business, healthcare, nonprofit, social service, and alternative therapy spaces by leveraging their close relationships within each sector throughout the duration of the campaign.



Upcoming Events

2019 Fall Conference

Napa, CA

Monday, October 28, 2019– Friday, November 1, 2019

The direct registration link is here:

<https://cacvsoregistration.regfox.com/cacvso-fall-training-conference>

2020 Winter Conference

Sacramento

Monday, February 24—Friday February 28, 2020

2020 Summer Conference

Crescent City, CA

Monday, June 22, 2020—Friday, June 26, 2020

<https://thelighthouseinn Crescent City.com/>

<https://www.fly Crescent City.com/>

DATES OF INTEREST

October 2019

- 2 Coffee With a Cop Day
- 4 National Diversity Day
- 13 Father Daughter Day
- 14 Native American Day
- 26 National day of the Deployed
- 31 Halloween

Awareness Weeks

- 6-12 Fire Prevention Week
- 13-19 National Food Bank Week
- 20-26 Rodent Awareness Week

Monthly Observances

- Adopt a Dog Month
- Breast Cancer Awareness Month
- National Stop Bullying Month
- National Domestic Violence Awareness Month

