

Arizona Department of Veterans' Service Advisory Commission
4141 North S. Herrera Way, (formerly North 3rd Street), Phoenix, AZ 85012

April 10, 2014

MINUTES

Advisory Commissioners

Jeff Olson, Chair
Ron Perkins, Vice Chair
George Cushing
Philip Hanson
David Toliver, Sr.

Excused:

Kara Caldwell
Wayne Krula
Brett Rustand

AZ Department of Veterans' Services (ADVS)

Ted Vogt, Director
Dave Hampton, Public Information Officer
Yasmin Ramos, Executive Assistant

Guests

Sandra Flint, Director, VA Regional Office (VARO)
Jesus Rodriguez, Change Manager, VARO
Scott Orrahood, ADOT Traffic Engineering
Maysa Hanna, ADOT Traffic Department
Don Cassano, Ombudsman, ADOT
Corey Harris, Unified Arizona Veterans
Justin Smothers, AmeriCorps VISTA

Call to Order – Chairman Jeff Olson called the meeting to order at 10:01 a.m.

There were no corrections to the March minutes. Commissioner Cushing moved to approve the minutes as presented. Commissioner Perkins seconded the motion. Motion carried unanimously.

Introduction and Welcome of Invited guests – Chairman Olson welcomed Sandra Flint, Director of the VA Regional Office (VARO), and her assistant Jesus Rodriguez.

Director Flint gave a general overview of the Phoenix VARO; the only regional benefits office in Arizona with about 500 employees who administer compensation and vocational rehabilitation programs, and provide home loans to Arizona, California, New Mexico, and Nevada Veterans. VARO answers the VA's general benefits national call center line, one of seven call centers, handling approximately 2,200 calls a day.

Seventy-nine thousand Arizona Veterans receive VA compensation and Veteran benefits at approximately 88.9 million dollars per quarter.

Claims Backlog

VARO, under the Veterans Benefit Administration (VBA), was tasked two years ago by VA Secretary Eric Shinseki to complete all Veteran claims within 125 days at 98% quality.

In 2010, adjudication of the "Nehmer case" meant more than 100,000 claims that were previously denied had to be reviewed. Phoenix was one of 13 locations across the country chosen to review claims and was assigned 6,000 claims. For more than a year, that was all the Phoenix VARO worked on.

The VARO got behind; it was taking an average of 108 days to complete a claim. By the time the project was finished, the total inventory was nearly 23,000 claims and it was taking more than a year to complete a claim.

In November, 2012, the Phoenix VARO went to the new Veterans Benefits Management System (VBMS). Today, 90% of claims are entered electronically, making them easier to process.

Total claim inventory a couple years ago had been 23,000; it is currently at 12,200 cases.

The following questions from Commissioners were submitted ahead of the meeting to Director Flint:

1 — Is the Phoenix VARO doing work for VA VARO offices in other states or is Phoenix VARO work being sent to other RO's?

In December 2013, the VA received claims from Seattle and Oakland offices and Phoenix VARO sent claims out to other RO's when the claims count was at 22,000. We were able to send out 6,000 Phoenix claims to be worked at other VA offices, which enabled veterans to get their benefits sooner. VARO still has some Oakland and Seattle cases to be completed.

2 — How many veteran claims are being processed at the Phoenix VARO?

The current Inventory is 12,377 claims; 3,300 are Fully Developed Claims (FDC) and the remaining 9,000 are traditional claims.

3 — Can you provide a breakdown of the number of veterans being represented by a Veterans Service Organization, an individual or other representation?

Seventy-five percent of the claims in inventory have a Power of Attorney (POA) with Veterans' Service Organizations.

4 — Are Disability Benefit Questionnaires (DBQ's) being used in many cases and what are the effects of their use?

DBQ's are being used to provide medical information for the majority of current claims. A private physician can complete the DBQ and send it to the VA. DBQ's help private doctors do this much better and they are being used by VA offices to give specific information to rate a claim.

DBQs are accepted from all licensed medical professionals. If a doctor doesn't complete the DBQ correctly, the VA will not deny the claim, but ask for additional information.

5 — Implementation of the electronic application; is there an update on the number of claims being submitted electronically?

Since October 1, 2013, the VA has received 493 claims through online applications. Veterans are using that system to submit traditional or Fully Developed Claims (FDC's) electronically. A FDC takes 125 days to completion. Traditional claims are taking 6 to 7 months to complete.

Commissioner Cushing noted that the Department of Defense (DOD) and VA agencies are not talking to each other. At what point is the VA going to one area to get necessary records?

Director Flint said eBenefits is a DOD system and the system is getting better. There is now more communication between the two agencies and both are making it easier for the transition. DOD and VA are trying to get Veterans to submit claims early so that when they leave the military, the VA can pay them the following month.

Commissioner Cushing noted the claims backlog number is coming down; however is the appeals process number going up?

Director Flint said the VA is working about 2,200 cases a month and there are more appeals; about 3,000 in Phoenix. The VA is making decisions and Veterans are disagreeing and appealing decisions. The appeal process is slow and formal; they take two years and sometimes longer. Certain steps have to be taken before a claim is ready to go before the Veterans Board of Appeals.

Chairman Olson asked if there is a process to avoid appeal if human error is made during claims processing and proof was there, but missed?

Director Flint said, if they are working with a service officer, before making a decision and finalizing the claim, we ask the service officer to review the claim for errors. The service officer can go to the rater and ask them to change the rating; however, after a decision is finalized, the claim has to go through the appeal process.

Chairman Olson asked for clarification of how the 2,200 incoming calls per day to the call center are being handled.

Director Flint said it is hard to size the demand for the call center. Even though there are the online eBenefits system, co-browse, and chat systems, there is still a large volume of calls coming in.

Dependency Claims

Director Flint said there are challenges with dependency claims. The process should be easy but is not, partly because of what the law requires. Veterans are encouraged to submit dependency claims online through eBenefits and the system will process it automatically.

Veteran Service Organizations

Chairman Olson asked if Director Flint had a breakdown of how many Veterans are represented by the American Legion, VFW and other Veteran Service Organizations (VSO's).

Director Flint offered to send a breakdown by organization to the chairman after the meeting and noted that 75% of veterans are represented by a VSO.

Director Vogt said ADVS appreciates the great professional working relationship with Director Flint and VARO; he thanked Director Flint and her employees.

Commissioner Perkins read in a VSO magazine that some of the input the VSO's provide is incomplete and causes the VA to spend time and effort to correct or get more information. Is that a big problem?

Director Flint said ADVS has professional benefit counselors who have been trained and understand the VA process. Veterans can be represented by any number of people and if they are not affiliated with a professional or service organization it can create problems. The VA recommends that veterans use Veterans' Service Organizations if they need help.

Chairman Olson asked Director Flint to explain to the commission the four types of service connected disabilities.

- Suffering an injury while in military service that is well documented.
- A pre-existing condition the veteran had upon entering the military that was aggravated during military service and treated during their time of service.
- Vietnam Veterans who were exposed to Agent Orange and later developed lung cancer and other illnesses known as presumptive illnesses resulting from their time of service.
- Filing a 1151 claim for an injury that happened during treatment at a VA Medical Center. A veteran can file a 1151 claim and be granted service connected disability.

Chairman Olson thanked Director Flint for her participation and invited her to return at any time.

Veteran Clinic Signage

Chairman Olson noted that veterans complained about inadequate signage for clinic locations during the February meeting.

Chairman Olson recognized Don Cassano, Ombudsman for the Arizona Department of Transportation. Mr. Cassano said this is not a new issue; he has dealt with Senator Jeff Flake's office because of similar questions about better signage for Veteran clinics.

Cassano said ADOT has concerns about the Veteran clinic signage and because ADOT is required to follow Arizona Revised Statute guidelines, there are restrictions on ADOT roadway signage.

He introduced Maysa Hanna, State Traffic Engineer and Scott Orrahood, Phoenix Region Design Manager in Traffic Engineering, to talk about Manual Uniform Traffic Control Devices (MUTCD) and the statutes ADOT must follow that is standard nationwide to avoid confusion.

Maysa said the rules for clinic or hospital signage are that the clinic or hospital must be open 24 hours, have emergency facilities, an on call physician and accept people any time of day. VA clinics don't meet the standard.

Commissioner Hanson asked about a main veteran clinic located on Highway 60 near Grand Avenue. Does the clinic fall under the above category for signage?

Maysa said it is subject to the same rules.

Commissioner Cushing asked how far off the main road the ADOT right-of-way extends?

Cassano said right-of-way areas vary. In a wide open area, it might extend 100 ft. off each side of the roadway, however if it is in a fully developed area of businesses that have expanded over the years and taken up space in the right of way, it can be very close.

Commissioner Toliver asked if putting the days and times of operation on signs would be acceptable without cluttering the sign?

Orrahood said ADOT typically does not note hours of operation on signs.

Commissioner Hanson questioned if the commissioners were to ask a legislator to submit a bill requesting Veteran Clinic signage on state highways and to change the Arizona Revised Statute, would that be an option?

Orrahood said going through the legislature would be an option.

Chairman Olson said this is not only a local issue, but also a national issue; better signage for Veteran clinics is needed. If changes are made, they need to be uniform nationwide.

Cassano said the commission would need to make application for an easement permit through the Federal Highway Administration and it might carry some weight if Arizona congressional people or Veteran organizations throughout the country were seeking the signage.

Commissioner Cushing stated if the commission could get local legislators to take up the charge, the commission could contact national organizations and put the matter out for consideration by other states. If legislators would introduce a bill to address the matter in the state statute, it would set a precedence.

Chairman Olson said he and Mr. Cushing are American Legion representatives who could introduce a resolution to the department at their convention in June on the issue of signage for Veteran clinics.

Commissioner Perkins said going through the legislature and the American Legion could take a while. He believes a short term solution would be to work through the VA hospital and clinics to get the signage.

Chairman Olson asked if local signage is approved, who pays for it?

Cassano said the requesting entity pays.

Cassano thanked the commission for the opportunity to present and for the work they do for Veterans.

Corey Harris, Legislative Liaison, Unified Arizona Veterans - Harris was at the meeting to observe and had no questions.

Justin Smothers - Americorps VISTA - Chairman Olson recognized Justin Smothers of Americorps VISTA, a veteran's outreach organization. Justin is here to observe.

Communications – There were no communications since the March meeting.

Agency Announcements and Updates – Director Vogt noted the census for the Phoenix home is 165 and Tucson occupancy is 110. The potential new veteran home in Yuma is awaiting the governor's decision on the 9.2 million dollar budget that was passed by the legislature. Robert Barnes, Deputy Director and Victor Daniels, Facilities Project Manager, met with the mayor of Yuma to discuss possible locations for the Yuma Veteran Home.

Cemeteries

Operation of the cemetery in Sierra Vista is going well. Marana Cemetery documents were filed with the National Cemetery Administration and we are still awaiting the final transfer of the property deed for the Flagstaff property.

Yuma Veteran Home

Chairman Olson inquired if more than one property is being offered as a site for the Yuma Veteran Home. How large a Veteran home would the population of Yuma support?

Director Vogt said two sites have been offered and the City of Yuma may offer more than one parcel of land. A water district 30 miles outside of Yuma also offered some land.

We continue to evaluate the initial need for a 30-90 bed facility, and will refine that number to what is necessary. It is more prudent to build a smaller facility and if expansion is needed, build on to it later.

Veterans Services Division

Mike Klier, Assistant Deputy Director of Veterans Services Division, is bringing all Veteran Benefit Counselors to Phoenix for a 2-day training next week.

Commissioner Cushing asked if the VSD training is open to service officers from Veteran Service Organizations? New service officers could benefit from the training.

Director Vogt said he is certain American Legion service officers and other organizations are attending; all service organizations are welcome to attend.

Phoenix Veteran Home entryway renovation

Vice Chair Perkins said renovation of the Phoenix Veteran Home entryway has been talked about at previous meetings; what is the hold up in getting it done?

Director Vogt said it is a long range plan but he does not believe there is a hold up of any kind. He will check to see what the time frame of completion is and report details at the next meeting.

Commissioner Hanson discussed how the closing of the streets, Saturday, April 5th, near the VA Hospital and Veterans Home needed to be addressed, as it should be available for access at all times. The City must put forth a better alternate plan to allow people to get to and from the Veteran Home and VA Medical Center.

Legislative Report – Dave Hampton noted that the budget has gone to the governor for signature within the next 5 days. It contains the \$9.2 million designated for the Yuma Veteran Home.

The Legislative Report is dated a week ago but it is relatively current as not much has changed regarding the bills, which have a reasonable chance of getting through the process.

Commissioner Toliver noted that Dave's Legislative Report contains insightful information; for example, of six senate bills; four were sponsored by Senator Al Melvin. This lets the commission know who the Veteran advocates are and it is worth noting.

Outreach Activities for the Commission – Chairman Olson is looking for volunteers to attend an event Saturday, May 24th at the Heard Museum where 200-300 Native American Veterans are expected to attend.

Chairman Olson said sometimes the commission misses out on events, hearing about them during or after they've happened.

When ADVS hears of events or meetings, we will make it a point to distribute the information to the commission.

Director Vogt said Mayor Rothschild of Tucson called a meeting last Friday to gauge interest in an event scheduled for the weekend before Memorial Day. His vision is to showcase Veterans of all generations and turn the event into a festival.

The mayor would like VSO's to be notified; Commissioners might want to take this information back to their VSO's. The mayor is looking for input and volunteers to help make this a statewide event.

Open Discussion for the Good of the Order – Chairman Olson asked for open discussion. Corey Harris said the Arizona Coalition for Military Families is holding their annual symposium, a basic understanding of Veteran issues, April 23-24. Director Vogt will be there.

A gubernatorial debate focused on Veteran issues will be held June 7th at the Burton Barr Library.

After serving two terms, Commissioner Cushing is leaving the commission in June. He is concerned that the commission has not operated at full capacity for 2 years.

Commissioner Cushing said several people have made application to be on this commission who would be a great asset to the commission. The Commission represents a large portion of Arizona's 600,000 veterans.

Commissioner Cushing is concerned about the rural areas; we need to reach out to those communities to let them know there is a group of people who want to know their concerns and will help address them.

Commissioner Kara Caldwell is up for reappointment. Commissioner Wayne Krula will not reapply. Commissioner Ron Perkins will reapply.

Chairman Olson spoke with both Brett and Kara who have concerns about remaining on the commission. At the next meeting, the commission will block time to listen to Brett and Kara's concerns and discuss a plan to bring younger Veterans and Veteran minorities to the commission.

Chairman Olson adjourned the meeting at 11:58 a.m. The next Advisory Commission meeting will be held May 8, 2014, in Room A-107 of the Phoenix Veteran Home.