

# VETERANS JOURNAL



PUBLISHED BY  
FRANKLIN COUNTY VETERANS SERVICE COMMISSION  
250 West Broad Street, Columbus Ohio 43215  
(614) 462-2500 FAX (614) 462-2505  
E-mail: [veteransservice@franklincountyohio.gov](mailto:veteransservice@franklincountyohio.gov)  
Website: [www.franklincountyohio.gov/vets](http://www.franklincountyohio.gov/vets)



## Commissioners

*Gary Pfaff, VFW*  
*Carl W. Swisher, American Legion*  
*Larry W. Roberts, VVA*  
*Wallace W. Sarto, AMVETS*  
*Arthur W. Sprankel, DAV*

*Winter 2007 Issue*

*Douglas E. Lay, Director*  
*John C. Warrix, Assistant Director*

The information in this journal is being provided to make the veteran community aware of some current events, activities and veterans issues that are of mutual concern. From time to time, we will include some relevant information important enough to be repeated to insure that veterans and their families are aware of the full range of benefits and entitlements available to them.



## Thinking of & thanking our troops

If you go to this web site, [www.letsaythanks.com](http://www.letsaythanks.com), you can pick out a thank you card and Xerox will print it and it will be sent to a soldier that is currently serving in Iraq. You can't pick out who gets it, but it will go to some member of the armed services.

Please send a card.

It is FREE and it only takes a second.

Wouldn't it be wonderful if the soldiers received a bunch of these? Whether you are for or against the war, our guys and gals over there need to know we are behind them.



## WREATHS ACROSS AMERICA

Green Lawn held a "Wreaths Across America" program on December 15, 2007. Approximately 150 volunteers placed 660 wreaths on veteran's headstones in section 104. With all that help it took

approximately 15 minutes to complete.



Special thank to all those volunteers!



**December**  
*Saturday 22nd Winter Begins*  
*Tuesday 25<sup>th</sup> Christmas*



**January**  
*Tuesday 1<sup>st</sup> New Year's Day*  
**Monday 21st**  
**Martin Luther King, Jr. Day**



**February**  
*Monday 18th President's Day*

## All VA Regional Offices and Centers Fast Letter 07-15

**Subject: Public Law 109-461**

This letter provides information concerning the new legislation governing the recognition of agents and attorneys representing claimants before VA. Enclosure One provides general answers to questions employees may receive during interviews or when answering telephones.

### Background

On December 22, 2006, the President signed Public Law 109-461. Section 101 of Public Law 109-461, the Veterans Benefits, Health Care, and Information Technology Act of 2006, amends chapter 59 of title 38, United States Code, governing the recognition of individuals for the preparation, presentation, and prosecution of claims for benefits before VA. The provisions shifting the entry point for paid representation are effective on June 20, 2007, and the provisions relating to fee assessments and review of fee agreements are effective upon publication of VA's final rule.

### Summary of New Legislation

Section 101 of Public Law 109-461 makes the following amendments to 38 U.S.C. §§ 5902, 5903, 5904 and 5905:

- Eliminates the current prohibition on the charging of fees for services of an attorney or agent provided before the Board of Veterans' Appeals (Board) makes its first final decision in the case. As amended, section 5904 will allow accredited attorneys and agents to charge fees for services provided after a notice of disagreement (NOD) has been filed with the VA Regional Office (RO) in the case.
- Authorizes the Secretary to collect an assessment from an individual recognized as an agent or attorney under section 5904 in any case

where VA pays the agent's or attorney's fees from past-due benefits owed to a claimant. The amount of the assessment shall be equal to five percent of the amount of the fee paid to the agent or attorney from past-due benefits. The assessment may not exceed \$100. An agent or attorney who is charged an assessment may not receive reimbursement for such assessment from the claimant. VA will deposit the amounts collected in an account available for administrative expenses for veterans' benefits programs.

- Authorizes VA to regulate the qualifications and standards of conduct applicable to agents and attorneys.
- Adds four additional categories to the list of grounds for suspension or exclusion of agents or attorneys from further practice before VA.
- Authorizes VA to review fee agreements between agents or attorneys and claimants and order a reduction in the fee if the Secretary finds that the fee is excessive or unreasonable, although a fee that does not exceed 20 percent of the past due amount of benefits awarded on the claim will be presumed to be reasonable.
- Eliminates fee matters as grounds for criminal penalties under 38 U.S.C. § 5905.
- Subjects Veterans Service Organization representatives to suspension on the same grounds as apply to agents and attorneys.

### Regulations

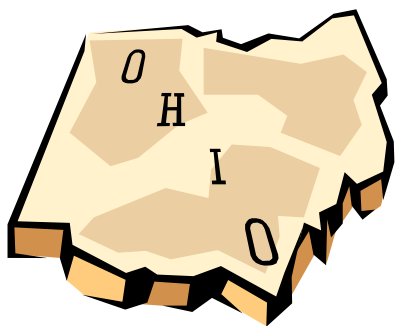
VA is amending its regulations governing the representation of claimants for veterans' benefits in order to implement provisions of Public Law 109-461. VA published its proposed regulations in the Federal Register for notice and comment on May 7, 2007. After the proposed regulations are finalized, we will issue further guidance on the new regulations. Enclosure Two provides interim guidance for adjudicating attorney fee decisions

2007, and the date the final regulations are effective.

#### Questions

Questions concerning this fast letter and other issues related to agent and attorney representation should be submitted to the VAVBAWAS/CO/21Q&A mailbox.

Bradley G. Mayes, Director  
Compensation & Pension Service



## July 3, 2007 Property Tax Savings Now Available to Ohio Senior Citizens

Columbus, Ohio Senior citizens and disabled Ohioans may now apply with their local county auditor to lower the size of the property tax bills on their home through the newly-expanded Homestead Exemption.

The Homestead Exemption expansion signed into law on Saturday by Governor Ted Strickland as part of Ohio's two-year operating budget will allow senior citizen homeowners and permanently and totally disabled homeowners, regardless of income, to shield \$25,000 of the market value of their home from property taxes. The exemption is also available for manufactured home taxes.

Previously, eligibility for the Homestead Exemption was restricted through a complex income-based formula that disqualified most senior citizens. For example, during the 2006 tax

year, any senior citizen or disabled Ohioan with household income of more than \$26,200 per year could not qualify for the savings.

The Homestead Exemption changes signed into law on Saturday are expected to increase the number of Ohioans who qualify from about 220,000 to 775,000. The legislation also does away with tiered benefits in favor of the flat, \$25,000 exemption.

The amount of savings will vary from community to community based on local tax rates, but should average about \$400 per newly qualifying homeowner.

#### The catch?

Homeowners who weren't previously eligible for the Homestead Exemption must apply in order to take advantage of it.

"The Homestead Exemption will deliver real tax relief for hundreds of thousands of senior citizens who never before qualified," Tax Commissioner Richard A. Levin said. "But in order to take advantage, you must apply."

County auditors must receive applications by Oct. 1 in order to ensure the exemption is applied to the first property tax bills payable in 2008.

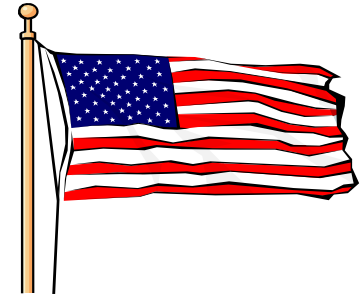
The Ohio Department of Taxation has set up an informational section on its Web site, [tax.ohio.gov](http://tax.ohio.gov), to educate Ohioans about the Homestead Exemption expansion. The site includes answers to frequently-asked questions, an application form and a link to contact information for all of Ohio's county auditors.

To qualify for the new Homestead Exemption, homeowners must live in their home as their primary residence and be either:

- At least 65 years old or turn 65 in 2007 or,
- Certified totally and permanently disabled as of Jan. 1, 2007, or,

- The surviving spouse of a qualified homeowner who was at least 59 years old on the date of their spouse's death.

For more information, visit [tax.ohio.gov](http://tax.ohio.gov) or contact your local county auditor.



## VA Clarifies Policy on Flag-Folding Recitations "13-Fold" Ceremony, Other Scripts

Approved WASHINGTON (October 30, 2007) -- To ensure burial services at the 125 national cemeteries operated by the Department of Veterans Affairs (VA) reflect the wishes of veterans and their families, VA officials have clarified the Department's policy about recitations made while the U.S. flag is folded at the gravesite of a veteran.

"Honoring the burial wishes of veterans is one of the highest commitments for the men and women of VA," said William F. Tuerk, VA's Under Secretary for Memorial Affairs. "A family may request the recitation of words to accompany the meaningful presentation of the American flag as we honor the dedication and sacrifice of their loved ones."

Traditional gravesite military funeral honors include the silent folding and presentation of an American flag, a 21-gun rifle salute, and the playing of "Taps."

The clarification includes the following:

- \* Volunteer honor guards are authorized to read the so-called "13-fold" flag recitation or any comparable script;
- \* Survivors of the deceased need to provide material and request

it be read by the volunteer honor guards; and

**VETERANS JOURNAL**  
**Winter 2007**  
**Page 4**

\* Volunteer honor guards will accept requests for recitations that reflect any or no religious traditions, on an equal basis.

Veterans with a discharge other than dishonorable, their spouses and eligible dependent children can be buried in a national cemetery. Other burial benefits available for all eligible veterans, regardless of whether they are buried in a national cemetery or a private cemetery, include a burial flag, a Presidential Memorial Certificate and a government headstone or marker.



**Waging War on the VA  
Investigates Gaps in  
Veterans' Disability  
Benefits**

CNN's Dr. Sanjay Gupta Reports on Challenges Facing Returning Wounded Warriors for Nov. 17 Documentary

Release Date: 11/14/2007

**CNN's Dr. Sanjay Gupta Reports on Challenges Facing Returning Wounded Warriors for Nov. 17 Documentary**

Just days after the nation honored its veterans for Veteran's Day, CNN's chief medical correspondent **Dr. Sanjay Gupta** reports on the shocking reality of what happens to so many of the nation's wounded warriors once they return from the

battlefront. This one-hour documentary investigates the delays, diversions and disappointments faced by wounded troops as they navigate the bureaucracy of the U.S. Department of Veterans Affairs (VA).

*Broken Government* – "Waging War on the VA" will premiere on Saturday, Nov. 17, and replay on Sunday, Nov. 18, at 8 p.m., 11 p.m. and 2 a.m. on CNN/U.S. All times Eastern.

Battlefield medical advances enable more veterans to survive previously fatal injuries, yet, at the same time, more injured troops are returning – the highest rate in U.S. military history. Despite these statistics, the VA was caught unprepared for the numbers of returning wounded from the war in Iraq. The documentary features three Purple Heart recipients – Army Sgt. Garrett Anderson, Army Maj. Tammy Duckworth and Marine Sgt. Ty Ziegel – who battle against the bureaucracy of the VA's 62-year-old disability ratings system. CNN speaks to outgoing VA Secretary Jim Nicholson, and Gupta was the first journalist to interview acting VA Secretary Gordon Mansfield about these challenges.

Ziegel, a 25-year-old Marine, was severely burned and disfigured by a suicide bomber, losing his ears, nose, left arm and damaging his eyes, jaw and brain. Ziegel and his wife were photographed for the cover of *People* magazine in 2006, but despite the high-profile interview and his severe injuries, Ziegel received disability ratings at odds with his extensive injuries. Within 48 hours of telling his story to CNN, Ziegel heard from VA Secretary Nicholson's staff, which intervened to upgrade his disability rating. Later, CNN's cameras followed Ziegel to Washington, D.C., and through meetings with the staffs of both U.S. Sens. Hillary Clinton (D-N.Y.) and Barack Obama (D-Ill.), as he fought for other veterans he believes are being cheated by the system.

Gupta also gains intimate access to Duckworth, an Army major in the National Guard of Illinois who now

serves as director of the Illinois Department of Veterans' Affairs. Three years ago, Duckworth lost both of her legs and endured extensive injuries to her right arm after her Black Hawk helicopter was shot down in Iraq. As Duckworth returns to Walter Reed National Military Medical Center – the place she credits with saving her life – she worries about other veterans returning home to red tape.

"I started worrying about the fact that maybe this country won't remember in five years that there are all of these war wounded – and that this is also a price of the war," said Duckworth, reflecting about why she decided to become an advocate for wounded veterans.

Last April, her battle became even more personal. She said goodbye to her husband Bryan Bowsbey, who after 19 years with the National Guard, shipped off to war for the first time.

A Harvard University study finds the cost of caring for the nation's war wounded could ultimately reach more than \$600 billion dollars. While disability claims take approximately six months to process, appeals take about two years, resulting in lengthy delays of benefits for some veterans.

Later, Gupta meets National Guardsman Garrett Anderson of Champaign, Ill, who lost his right arm in 2005 when the truck he was driving near Baghdad was hit by an improvised explosive device. Anderson received a letter from the VA award ruling that his shrapnel wounds were "not service connected" and denying his claim for post-traumatic stress disorder. Anderson later discovered that the VA had documented – but not compensated him for – a brain injury. One year later, with assistance from U.S. Sen. Dick Durbin's (D-Ill.) office, Garrett won his battle with the VA and now works with the American Legion, helping other veterans file their disability claims.

*Waging War on the VA* was produced by Emily Probst; the managing editor was Steve

Robinson. The vice president and senior executive producer of CNN Productions is Mark

**VETERANS JOURNAL**  
**Winter 2007**  
**Page 5**



**DEPARTMENT OF  
VETERANS AFFAIRS**  
Under Secretary for Health  
Washington DC 20420

In Reply Refer To:

Dear Veteran,

If you're experiencing an emotional crisis and need to talk with a trained VA professional, the **National Suicide Prevention toll-free hotline number, 1-800-273-TALK (8255)**, is now available 24 hours a day, seven days a week. You will be immediately connected with a qualified and caring provider who can help.

**Here are some suicide warning signs:**

1. Threatening to hurt or kill yourself
2. Looking for ways to kill yourself
3. Seeking access to pills, weapons or other self destructive behavior
4. Talking about death, dying or suicide

*The presence of these signs requires immediate attention.* If you or a veteran you care about has been showing any of these signs, do not hesitate to call and ask for help!

**Additional warning signs may include:**

1. Hopelessness
2. Rage, anger, seeking revenge
3. Acting reckless or engaging in risky activities, seemingly without thinking
4. Increasing alcohol or drug abuse
5. Feeling trapped -like there's no way out

6. Withdrawing from friends and family
7. Anxiety, agitation, inability to sleep - or, excessive sleepiness
8. Dramatic mood swings
9. Feeling there is no reason for living, no sense of purpose in life

Please call the **toll-free hotline number, 1-800-273-TALK (8255)** if you experience any of these warning signs. We'll get you the help and assistance you need right away!

Sincerely yours,  
Michael J. Kussman, MD, MS,  
MACP



**TRICARE Beneficiaries  
Saving Money**

Nearly 20,000 TRICARE beneficiaries are saving money on their prescriptions after making the switch to mail order through the new Member Choice Center (MCC). After only two months of operation, beneficiaries saved approximately \$600,000 on prescriptions by switching from retail to the TRICARE Mail Order Pharmacy's (TMOP).

In all, individual beneficiary's savings through TMOP could range from \$24 a year for each regular formulary generic drug to as much as \$176 a year for each non-formulary brand-name drug. The savings increase with each additional prescription.

The Department of Defense (DoD) is saving money too, projecting a savings of approximately \$6.9 million on the 39,500 prescriptions converted so far from retail to TMOP. DoD could save up to \$24 million a year with just a 1 percent shift of prescriptions from retail to mail order.

Beneficiaries that do not have other health insurance and are currently using a retail pharmacy can go now go online to [www.express-scripts.com/TRICARE](http://www.express-scripts.com/TRICARE) to complete

the registration, without downloading or mailing forms, and request that their prescription be converted to mail order from retail.

A toll free number is also an option in the United States. A patient care advocate at the MCC at 1-877-363-1433 can initiate the process to obtain a new prescription from the beneficiary's provider to be filled by the TMOP.

TMOP also notifies beneficiaries by letter when one of their medications is switching to the third tier, which has the most expensive co-pay. This gives beneficiaries time to ask their doctor to switch them to the formulary drug, at a lower co-pay, before they need a refill.

For more information about the new Member Choice Center and filling prescriptions through the TMOP program, visit the prescription area on the "My Benefit" link of [www.tricare.mil](http://www.tricare.mil).

**TRICARE Coverage  
Guaranteed for  
Beneficiaries**

(TMA Press Release)

The TRICARE Management Activity wants to reassure beneficiaries that none of them is at risk of losing TRICARE coverage, regardless of the cost of care or any other conditions that might affect commercial insurance policies.

"I want to remind our beneficiaries that TRICARE is an entitlement earned by military service," said Army Maj. Gen. Elder Granger, deputy director, TRICARE Management Activity. "They shouldn't worry as their entitlement to care is statutory. No contractor can simply drop the health care coverage of our beneficiaries."

Beneficiaries may have seen recent news reports that Health Net rewarded senior analysts in charge of cancellations for exceeding annual targets for revoking policies. Because Health Net Federal Services is one of TRICARE's managed care contractors, TRICARE beneficiaries might think they may also risk cancellation or

revocation of their TRICARE coverage. TRICARE leaders say that is simply not true. The issue in the news report involves the civilian commercial health insurance portion of Health Net and is not related to the federal services part of the company.

**VETERANS JOURNAL**  
**Winter 2007**  
**Page 6**

Unlike some commercial insurance policies, TRICARE benefits are not limited by factors such as pre-existing conditions or failure to report health information. If a person is entitled to care under the law established by Congress, then they receive that care. "In addition to the best available medical care, we want TRICARE to offer one other benefit," General Granger said. "Peace of mind."



## **Vets, Military Receive Faster Education Benefits**

The VA announced this week that it has dramatically improved its ability to process applications for GI Bill education benefits from veterans and servicemembers. NAUS testified on the difficulties in the education benefit program earlier this year and is pleased to see it addressed.

Over the period of improvement, the average processing time decreased from 40 days in 2006 to 32 days in

2007. Claims from veterans reenrolling for school terms or additional training programs were processed in an average of 13 days, down from 20 days in 2006.

As an example of the strategies used, VA created a temporary call center in late 2006 to respond to customer service calls, freeing additional employees to process education claims. The center's success led VA to develop plans for a permanent call center, scheduled to open in early 2008 at VA's Regional Processing Office in Muskogee, Oklahoma.

VA has also developed programs that promote self-service among GI Bill users. Services that once demanded the attention of VA employees -- from enrolling in direct deposit to updating contact information -- can now be performed online. In October 2007 alone, veterans and servicemembers completed more than 10,000 self-service transactions.

VA has also expanded its self-servicing approach to school officials to submit enrollment information electronically. More than 100,000 of the more than 1.5 million education claims received in fiscal year 2007 were submitted electronically.

"VA is on the right track, as demonstrated by processing times last month of 26 days for initial applications and 10 days for reenrollments," said Keith Wilson, Director of VA's Education Service. "There are a lot of folks who share in our success, none more central than the hardworking employees at our Regional Processing Offices."

In 2007, 524,000 veterans and beneficiaries received approximately \$21 billion dollars of education assistance. Since 1944, more than 21.4 million veterans and their beneficiaries have received GI Bill benefits.

VA education benefits include Montgomery GI Bill for active duty personnel, Montgomery GI Bill for Selected Reserves, the Reservist Education Assistance Program and

educational assistance for survivors and dependents.

For more information on VA education benefits, go to VA's education Web site at: [www.GIbill.va.gov](http://www.GIbill.va.gov).

## **Researchers Seeking Vietnam Veteran Amputees**

Recently, much national media attention has focused on the traumatic amputees of the Iraq and Afghan conflicts. However, there is little known about the long-term outcomes of traumatic amputations arising from war. The largest remaining group with a lifetime of experience is the Vietnam War amputees. It is estimated there were 6,000 or more Vietnam veterans that came home with missing limbs.

The Department of Defense has funded a partnership between Indiana University and Ohio State University to create the Indiana-Ohio Center for Traumatic Amputation Rehabilitation Research. The medical partnership is trying to locate Vietnam veteran amputees in hopes of gaining a better understanding of the needs of these veterans. Its objective is to study the health, psychosocial, and rehabilitation needs of veterans with amputations to help determine the needs of Vietnam veterans and aid in the rehabilitation and adjustment of traumatic amputees from present and future conflicts.

The Center is currently establishing a database of Vietnam veterans who had amputations. The researchers are asking for those veterans to register by filling out an online questionnaire or obtaining a hard-copy version through the mail. Participant confidentiality will be strongly protected. The study currently has 125 Vietnam vets enrolled but there are many more out there and are encouraged to

call or visit the website for more details.

For more information check out this website;  
[www.vietnamwaramputee.org](http://www.vietnamwaramputee.org),  
email [robbinsc@iupui.edu](mailto:robbinsc@iupui.edu) or call  
(866) 283-2599 Toll-Free.

VETERANS JOURNAL  
Winter 2006  
Page 7



Author, Major Bruce W. Lovely

*Twas the night before Christmas,  
he lived all alone,  
In a one bedroom house made of  
plaster & stone.  
I had come down the chimney  
with presents to give  
And to see just who in this home  
did live.  
I looked all about a strange sight  
I did see,  
No tinsel, no presents, not even a  
tree.  
No stocking by the fire, just  
boots filled with sand,  
On the wall hung pictures of far  
distant lands.  
With medals and badges, awards  
of all kind  
A sober thought came through  
my mind.  
For this house was different, so  
dark and dreary,  
I knew I had found the home of a  
soldier, once I could see clearly.  
I heard stories about them, I had  
to see more  
So I walked down the hall and  
pushed open the door.  
And there he lay sleeping silent  
alone,  
Curled up on the floor in his one  
bedroom home.  
His face so gentle, his room in  
such disorder,*

*Not how I pictured a United  
States soldier.  
Was this the hero of whom I'd  
just read?  
Curled up in his poncho, a floor  
for his bed?*

*His head was clean shaven, his  
weathered face tan,  
I soon understood this was more  
than a man.*

*For I realized the families that I  
saw that night  
Owed their lives to these men  
who were willing to fight.  
Soon 'round the world, the  
children would play,  
And grownups would celebrate  
on a bright Christmas day.  
They all enjoyed freedom each  
month of the year,  
Because of soldiers like this one  
lying here.*

*I couldn't help wonder how many  
lay alone  
On a cold Christmas Eve in a  
land far from home.  
Just the very thought brought a  
tear to my eye,  
I dropped to my knees and  
started to cry.  
The soldier awakened and I heard  
a rough voice,  
"Santa don't cry, this life is my  
choice;  
I fight for freedom, I don't ask for  
more,  
my life is my God, my country,  
my Corps."  
With that he rolled over and  
drifted off into sleep,  
I couldn't control it, I continued to  
weep.  
I watched him for hours, so silent  
and still,  
I noticed he shivered from the  
cold night's chill.  
So I took off my jacket, the one  
made of red,  
And I covered this Soldier from  
his toes to his head.*

*And I put on his T-shirt of gray  
and black,  
With an eagle and an Army patch  
embroidered on back.  
And although it barely fit me, I  
began to swell with pride,  
And for a shining moment, I was  
United States Army deep inside.  
I didn't want to leave him on that  
cold dark night,  
This guardian of honor so willing*

*to fight.  
Then the soldier rolled over,  
whispered with a voice so clean  
and pure,  
"Carry on Santa, it's Christmas  
Day, all is secure."  
One look at my watch, and I knew  
he was right,  
Merry Christmas my friend, and  
to all a good night!*



On Tuesday, December 18<sup>th</sup> at Noon, Mike Waldo and his SODEXHO crew invited the Veterans Memorial Business offices to a luncheon in celebration of the Holidays. Also, gifts were given from these offices for the Salesian Boys and Girls Club in their efforts to provide gifts for children from financially challenged families. For those who knew him, Richard Nolan the former Manager of the building attended and was "lookin goooood". Everyone was happy to see him and a great time was had by all. Thanks again to Mike and his crew and all who attended.

*Seasons Greetings  
and Best Wishes For*

FRANKLIN COUNTY  
VETERANS SERVICE  
COMMISSION  
250 W BROAD ST  
COLUMBUS OH 43215-2787

*a Safe and Happy  
Holiday!*

