



IOWA COUNTY VETERANS NEWSLETTER

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SUMMER, 2023

DEFRAUDING VETERANS WOULD BE A FEDERAL CRIME

Defrauding veterans of their benefits would be its own federal crime under a bipartisan bill recently reintroduced in the Senate. Under the bill from Sens. Catherine Cortez Masto, D-Nev., and Marco Rubio, R-Fla., fraud schemes that target veteran benefits would be punishable by up to five years in prison, a fine or both. "Anytime the federal government provides essential benefits to our constituents, there's going to be predators out there to take it away," Cortez Masto said in a phone interview with Military.com. "So, we have to make sure that we are imposing the appropriate enforcement to protect those individuals so that their benefits are not taken." The bill, which Cortez Masto and Rubio formally reintroduced Friday, has been introduced in previous Congresses and has even passed the House several times. Most recently, in 2021, the House overwhelmingly approved the bill in a 416-5 vote. But it has never been taken up by the Senate, meaning the legislative process must start from scratch again this year.

According to data released by the FTC in February 2022, reports of fraud against veterans, service members and spouses jumped by 69% in 2021 compared to the previous year. Within that group, veterans and military retirees reported being targeted the most, with 87,343 fraud reports. The total 110,827 fraud cases reported by military consumers resulted in an estimated \$266 million lost.

Concerns have also been raised that scammers could target veterans more in the wake of the passage of

the PACT Act, the sweeping legislation that expanded benefits for millions of veterans exposed to toxins.

While fraud is already a crime regardless of whether the target is a veteran, Cortez Masto, who previously served as Nevada's attorney general, said creating a new offense specifically addressing veterans' benefits fraud will give prosecutors more tools to go after criminals. For example, she said, "pension poachers" may escape mail or wire fraud charges if they present themselves as an investment specialist trying to help a veteran. "If a defendant cloaks themselves as some sort of professional that was just trying to help for a fee, even though their intention all along was to defraud these individuals out of their money and not necessarily help them and still get to a fee, sometimes it's difficult for prosecutors to use the existing offense," she said.

The bill, called the Preventing Crimes Against Veterans Act, has stalled in the Senate in previous years, Cortez Masto vowed to continue pushing until it gets across the finish line.

SPRING CLEANING SEASON

As many of you are already aware, Iowa County maintains a healthcare equipment loan program, which is administered through the Veterans Service Office. Given that often our emergence from winter hibernation involves cleaning/decluttering our residences. I am requesting donations to the Healthcare Equipment Loan Program (HELP). We are always accepting serviceable durable medical equipment such as wheelchairs, walkers, toilet seat risers, canes, and other mobility equipment. In the

last three quarters of 2022, the program was able to service 83 requests for equipment to help Iowa County residents maintain their mobility. If you have equipment available that you want to get out of the way, please contact HELP at (608)930-9864 to arrange a donation.

EMERGENCY ROOM BILLS COULD GET REPAID BY VA THANKS TO CHANGE

Veterans who received care at non-VA emergency rooms since 2010 could now get some of their out-of-pocket costs reimbursed years later, even if their claims were previously denied. The VA finalized a new rule, which took effect April 24, that would cover those past costs and reimburse veterans going forward.

The prior patients will have to file a new claim with the VA by Feb. 22, 2024, to get the money. The retroactive reimbursements apply only to VA patients who received emergency treatment for a non-service-connected condition and who also had health insurance through a third-party insurer.

The VA will reimburse only coinsurance -- defined as the patient's out-of-pocket, cost-sharing percentage with their third-party insurer -- at non-VA emergency departments and won't reimburse flat-rate copayments or payments toward flat-rate deductibles. Emergency transportation such as an ambulance ride also counts as care.

Typically, the VA can pay for emergency medical care if the treated condition is service-related or caused by a condition tied to a veteran's service, and care isn't available at a VA facility, according to its website.

For conditions not considered service-connected, VA can also pay for emergency medical care but only under certain conditions: Care must be provided in a hospital emergency department; care must be given to treat life or health-threatening conditions; the required care must not be available to the veteran at a VA; and the veteran must have received care at a VA facility within the past two years. In an emergency, the VA says the veteran should go to the "nearest emergency department."

The new reimbursement rule affects veterans who are covered by both VA and private insurance.

The VA will pay the reimbursements retroactive to care received on or after Feb. 1, 2010, the effective date of the Expansion of Veteran Eligibility for Reimbursement Act. The change was made after a prolonged series of court battles, public comment periods, letters from both houses of Congress and the consideration by VA of some existing precedent.

The initial case was filed by a veteran who went to the emergency room at a non-VA hospital in December 2010, sued the VA and won in 2016. The VA addressed the decision in 2018 with a new interim rule, but other patients later challenged the agency's interpretation of what it would cover. A court order in 2022 then triggered the latest change.

After the initial 2016 court decision, the VA decided it wasn't legally obligated to reimburse copayments, deductibles, or coinsurance because it interpreted the deductibles and coinsurance as "similar" to copays under the law.

A federal court decision in 2022, however, ruled on what constituted a "similar payment" to a copay -- excluding coinsurance because it's not a flat fee -- and ordered the VA to update its rules accordingly. That means the VA still doesn't have to reimburse copays and deductibles for the non-VA emergency care, but it must reimburse coinsurance if the veteran files a new claim within the year.

The VA acknowledged in its final rule that some veterans may never have filed a claim because they knew the claim would have been denied.

The agency said patients who never filed the claim at the time they received their care can still file a new claim by the Feb. 22, 2024, deadline.

THAT OLD, TATTERED FLAG

It is time again to retire the flags that have become too worn and faded to remain in service. The Mineral Point American Legion provides the location for the county-wide flag retirement ceremony. This year's ceremony will be on June 20th at 7:00 p.m. If you have flags you would like to have retired, you can drop them off at several locations around the county as well as at the Veterans Service Office.

AID & ATTENDANCE AND HOUSE BOUND BENEFITS

Due to various advertisements, I receive several inquiries regarding Aid and Attendance and/or

Housebound benefits. Aid & Attendance and Housebound benefits are special benefits paid in addition to the VA pension benefit. They do not apply for service-connected benefits. Aid and Attendance and Housebound benefits help with paying for in-home care, assisted living, or a nursing home.

Aid and Attendance (A&A) is a benefit paid in addition to monthly veteran pension and disability compensation. A&A can help cover the cost of in-home care, assisted living, or a nursing home.

This benefit may not be paid without eligibility to pension. A veteran may be eligible for A&A when:

- They need the aid of another person to perform personal functions required in everyday living, such as bathing, feeding, dressing, attending to the wants of nature, adjusting prosthetic devices, or protecting themselves from the hazards of their daily environment.
- They are bedridden.
- They are a resident in a nursing home due to mental or physical incapacity.
- They are blind, or have corrected vision of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less.

Like A&A, Housebound Benefits can't be paid without eligibility to pension. A veteran may be eligible for Housebound Benefits when:

- They have a single permanent disability evaluated as 100% AND, due to that disability, they are permanently and substantially confined to their home.
- They have a single permanent nonservice connected disability evaluated as 100%, another disability, or disabilities, evaluated as 60% or greater.

A veteran can't get both Aid and Attendance and Housebound Benefits at the same time.

You may apply for Aid and Attendance or Housebound benefits by contacting the veterans service office at (608)930-9865, or you may also contact the VA at 800-827-1000 for help.

You should include copies of any evidence, preferably a report from a doctor (VA Form 21-2680) validating the need for Aid and Attendance or Housebound type care.

- The report should be in sufficient detail to determine whether there is disease or injury producing physical or mental impairment, loss of coordination, or conditions affecting the ability to dress and undress, to feed oneself, to attend to sanitary needs, and to keep oneself ordinarily clean and presentable.

Whether the claim is for Aid and Attendance or Housebound, the report should indicate how well the applicant gets around, where the applicant goes, and what he or she is able to do during a typical day. In addition, it is necessary to determine whether the claimant is confined to the home or immediate premises.

DATA SHOWS 11% DECLINE IN VETERAN HOMELESSNESS SINCE 2020 THE BIGGEST DROP IN MORE THAN 5 YEARS

The Department of Veterans Affairs, the Department of Housing and Urban Development and the U.S. Interagency Council on Homelessness announced preliminary results of the 2022 Point-in-Time Count showing an 11% decline in Veteran homelessness since early 2020, the last time a full count was conducted. This is the biggest drop in Veteran homelessness in more than five years.

The data show on a single night in January 2022, there were 33,136 Veterans who were experiencing homelessness in the United States — down from 37,252 in 2020. Overall, this represents a 55.3% reduction in Veterans experiencing homelessness since 2010.

Information in the newsletter is compiled from various news sources and press releases.

Iowa County Veterans Service Office
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Veterans Newsletter

IMPORTANT DATES

May 29 th	Memorial Day
June 14 th	Flag Day
June 20 th	Flag Retirement – Mineral Point American Legion - 7:00 p.m.
July 4 th	Independence Day

VETERANS SERVICE OFFICE CLOSINGS IN 2022

Memorial Day	Monday, May 29 th
CVSO vacation	31 May – 6 Jun 2023
Independence Day	Tuesday, July 4 th
Labor Day	Monday, September 4 th