



DISABLED AMERICAN VETERANS

Victory Chapter 13

YORKTOWN, VIRGINIA

VOLUME 19, ISSUE 1 & 2

Monthly Newsletter

JAN/FEB 2019

ELECTED OFFICERS

Commander

Charles "Terry" Bohlinger

Sr. Vice Commander

Larry Brewer

1st Jr. Vice Commander

Pete Fitzpatrick

2nd Jr. Vice Commander

Tim Valentine

Adjutant

Annisa Gravely

Treasurer

Jim Hughes

Chaplain

Ted Imbasciani

Judge Advocate / Newsletter

Daniel L. Mac Donald

APPOINTED OFFICERS

Certified Service Officers

Greg Baskin, Bob Michaels,

Terry Bohlinger, Carl Garrett,

Pete Fitzpatrick, Frank Perna,

Jim Hughes,

Bill Townsley, Cheryl Huggins,

Tim Valentine, James O Moore

& Laura Skeith

Officer Of The Day

Mike Taylor

Sergeant At Arms

Leo Poniatowski

Benefits Protection Officer

Daniel L. Mac Donald

Assistant Treasurer

Roy Larson

Members-At-Large

Jim Johnson, Ed Marvin

& Bob Michaels

Social Media

Greg Baskin, Cheryl Huggins,

Bill Townsley & Emily Hartle

Volunteer Committee

Mike Taylor & John Schuster

COMMANDER'S CORNER

Comrades: A very few of us were at the DAV DAVA Annual Christmas Party VAMC Hampton at the Community Living Center Mike Taylor and I from DAV 13 and only two DAVA 13 members. DAV and DAVA 58 vastly outnumbered us. I hope we can do better at the Annual BINGO Bash at VAMC Hampton 9 February 2019 at 1300 (1 p.m.) at the "DOM" (Domiciliary) Bldg. 148...the sign-up sheet was distributed at the January meeting and is available in the chapter for other members to sign up. *Please join us in this endeavor.*

Our 9 December "Christmas Open House" was very successful. Don't forget to inform the businesses that generously provided us food items, please tell them that you enjoyed their food at DAV 13: Mission BBQ on Jefferson Ave, Newport News and Texas Roadhouse on Victory Blvd in Tabb and Italian Delights owned and operated by our DAV 13 member Jesse Merriman in Tabb at 2643H George Washington Memorial Highway. Please enjoy their food and inform them that you appreciated their assisting DAV 13.

Please be careful during this winter weather...although warm today...it can change instantly as we have experienced recently.

Our Treasurer informs we have assisted some 1,432 veterans with claims and claims information plus 79 other veterans with Emergency Relief and Homeless Relief providing more than \$9,365 since 1 July 2018. We are well on our way to exceed last year's figures. Many veterans seem to think we will continue to assist after assisting them some time ago. That's not the case: DAV National policy is that we assist one time only any more than one time is up to the local chapter and very, very rare here.

Don't forget if you are using H & R Block for your taxes or perhaps other family members are using H & R Block please inform them of the DAV 13 Nonprofit Referral ID: 40010001096386. This enables \$20 donation from H&R Block to our DAV Chapter.

WE have DAV 13 stickers for your automobile, one per member please. Additional stickers can be obtained at \$1.50/sticker.

The Department of Veterans Affairs in their Community Town Hall Meeting yesterday suggests that each of us put the Veterans Crisis Line phone number in our cell phones – to have it readily available should you need to call for a veteran or have a veteran in crisis call. The number is: 1-800-273-8255. Please put it on your phone to refer a veteran in need. We never know when we might need it.

We've several members needing your prayers and concerns for their health issues. Dan MacDonald just got out of VAMC hospital, Bill Townsley from his recent hospitalization and surgery and Past Chapter Commander and CSO Greg Baskin is ill. Please also remember the family of members Robert ("Bob") Baines Sr. who passed last Thursday (7 Feb) and "Charlie" Hill, a Korean War USN veteran who passed last Friday (8 Feb) afternoon.

"Terry" Bohlinger, Commander DAV 13 & CSO

Visit your web site at: <http://www.dav13va.com/> E-mail us at: dav@dav13va.com

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UPCOMING EVENTS

1. **MONTHLY BREAKFAST:** The next breakfast will be at 7:30 am on **Mar 16, 2019** at the Chapter home.
2. **MONTHLY MEETING:** The next meeting will be at 0900 on **Mar 16, 2019** at the Chapter home.
3. **EXECUTIVE BOARD:** The next meeting will be at 9:00 am on **Mar 12, 2019**, unless one is needed sooner in the Chapter home.
4. **DAVA AUX MONTHLY MEETING:** No meeting in December. The next DAVA meeting will be at 1100 on **Mar 16, 2019** at the Chapter home.

LEGISLATIVE NEWS

Vet Benefit Fraud ► H.R.450 | The Preventing Crimes Against Veterans Act of 2019 On 10 JAN Rep. Theodore E. Deutch (D-FL-22) introduced the Preventing Crimes Against Veterans Act of 2019. The bill would, if passed, amend Chapter 63 of title 18, United States Code by adding at the end of the existing code that whoever knowingly executes, or attempts to execute, any scheme or artifice to defraud an individual of veterans' benefits, or in connection with obtaining veteran's benefits for that individual, shall be fined under this title, imprisoned not more than 5 years, or both. The term 'veterans' benefits' means any benefit provided by Federal law for a veteran or a dependent or survivor of a veteran." The bill has already passed the House, received in the Senate, and referred to the Committee on the Judiciary.

VA Child Care Subsidy ► H.R.840/S.91 | **Veterans' Access to Child Care Act** For some veterans, getting a timely appointment at a VA health care facility is not the only barrier to getting medical treatment. Many struggle with childcare issues. But a new proposal passed by the House on 8 FEB would connect veterans with that childcare, free of cost. The Veterans' Access to Child Care Act, introduced by Reps. Julia Brownley (D-CA) and Brian Higgins (R-NY), would greatly expand and make permanent a pilot program veterans can take advantage of when deciding how best to balance their own care and the well-being of their children and grandchildren. "The

lack of affordable and convenient child-care should never be a barrier for veterans trying to access the VA healthcare they've earned and deserve," said Brownley. "This is especially important for the growing population of women veterans, who are more often taking care of young children. I look forward to continuing to work with Rep. Higgins and all of our colleagues to see this important program finally become permanent and nationwide."

DoD/VA Concurrent Receipt ► H.R.303 | **Retired Pay Restoration Act** On January 8, 2019, Representative Gus Bilirakis (FL) reintroduced H.R. 303, the Retired Pay Restoration Act. This bill would extend concurrent receipt authority to longevity retirees with service-connected disabilities rated less than 50 percent disabling. Under current law disabled veterans with longevity retirement from active military service who are also in receipt of a Department of Veterans Affairs (VA) disability determination of 50 percent or higher may retain both military retirement pay and their compensation. DAV strongly supports H.R. 303 as it would end the unfair policy of forcing many military longevity retirees to forfeit some of their retired pay in order to receive equal amounts of disability compensation from the VA. This legislation is in accord with DAV Resolution No. 104 and would eliminate concurrent receipt for all longevity retirees.

Readers are requested to use the DAV editable prepared electronic letter or draft their own to urge their Congressional Representative to support and cosponsor H.R. 303. Also, for them to advise readers of their intentions to support this bill or not.

VA & TRICARE NEWS

VA Appeals Modernization Act Now In Effect

The Veteran Appeals Improvement and Modernization Act of 2017 became law on August 23, 2017 (Pub L. 115-55). It is also known as the Appeals Modernization Act. At <https://www.congress.gov/bill/115th-congress/house-bill/2288> you can read the law in full. The new law will:

Modernize the current claims and appeals process

Include three review options for disagreements with decisions

Require improved notification of VA decisions

Provide earlier claim resolution

Ensure you receive the earliest effective date possible

You now have three options for review of your claim:

Option 1: Higher-level Review

Your claim is reviewed by a more senior claims adjudicator and involves:

A higher-level de novo review (new look) of the decision

No submission of new evidence allowed

The possibility of overturning the decision based on:

A difference of opinion

A clear and unmistakable error

The reviewer, who identifies or learns of a duty to assist error, can return the claim to the regional office for correction. You or your representative can request an informal phone call to identify specific issues.

Option 2: A Supplemental Claim Lane

You can submit or identify new and relevant evidence to support your claim. VA will provide assistance in developing the evidence.

Option 3: Appeal Lane for Appeals to the Board

This option allows you to appeal directly to the Board of Veterans' Appeals. You can choose between three options:

Direct review: You have no new evidence and do not want a hearing.

Evidence submission: You have new evidence, but do not want a hearing.

Hearing: You have new evidence and want to testify before a Veterans Law Judge.

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