

VETERANS SERVICE NOTES – MAY 2012

SCAM ALERT!

There are a number organizations and individuals operating in the area that are claiming they'll help Veterans or their Widows the VA's "Aid & Attendance" benefit, which is a level of the VA's Disability or Death Pension Programs. Generally, they are using the VA benefit to "bait and switch" our elderly Veterans and their Widows into purchasing insurance products or financial services.

Virtually none of these entities are accredited with the VA's Office of the General Counsel to provide Claimants' representation before the VA, and some are charging as much as \$1,500 to assist a Veteran or their Widow in filing a claim for this benefit! **THIS PRACTICE IS ILLEGAL!**

Title 38 of the Code of Federal Regulations Article 14.636 clearly states that ONLY accredited Agents or Attorneys are allowed to charge a fee for services rendered, and only after the Claimant has submitted a "Notice of Disagreement" initiating an Appeal on a Decision made on a benefit request by the VA Regional Office, and that fee cannot exceed more than 33 1/3% of any retroactive award received.

The reason these individuals are getting away with this nationwide is that there are no criminal penalties associated with the Statute. U.S. Senator Marco Rubio of Florida introduced *The Protect Our Disabled Heroes Act of 2011* (S. 1847) last November, which would establish a criminal penalty of up to a \$10,000 fine or one-year in prison, or both, and to date, the Bill only has three co-sponsors, none of which are our Senators Boxer or Feinstein.

The companion Bill in the House, *The Veterans Benefits Act of 2011* (HR 2349), introduced by Representative Jon Runyan of New Jersey last June, has supporting language in Section 7, but it only has one co-sponsor, and none of the San Diego County Representatives (Brian Bilbray, Susan Davis, Darrell Issa, Bob Filner or Duncan Hunter) have co-sponsored this Bill.

I encourage you to call the Capitol Switchboard toll-free at (877) 762-8762, and ask to speak to both of your Senator Boxer's and Senator Feinstein's office as well as the office of your respective Representative, and then encourage them to co-sponsor this bill, and persuade their fellow Senators to do the same! You can identify your Representative by your zip code at www.house.gov.

Locally, State Senator Mark Leno of San Francisco has introduced a *Senior Insurance Bill* (SB 1170), that would amend the Insurance Code to change the definition of advertisement to also include worksheets, questionnaires, or other materials designed to collect personal or financial information about a prospective insured or annuitant. The bill would also add Veterans organizations or agencies and the United States Department of Veterans Affairs to the list of those entities that cannot be used in specified deceptive or misleading advertising practices and materials.

Additionally, State Senator Ellen Corbett of San Leandro has introduced a *Senior Insurance; Veterans Benefits Bill* (SB 1184) that would amend the Insurance Code to prohibit an insurance broker or agent from participating in, being associated with, or employing any party that participates in, or is associated with, the obtaining of veterans benefits for a senior, unless the insurance agent or broker maintains procedural safeguards designed to ensure that the agent or broker transacting insurance has no direct financial incentive to refer the policyholder or prospective policyholder to any Veterans benefits program offered through the government. Both Bills have been referred to the Appropriations Committee.

You can identify your State Senator and Assembly Member using your address at this website: <http://192.234.213.69/smapsearch/framepage.asp>. I urge you to contact them and bring their attention to these Bills!

BEWARE – SCAM EMAILS – THAT APPEAR TO BE SENT BY DFAS EMPLOYEES!

There are emails being sent to individuals, including military members, military retirees, and civilian employees, which appear to be sent by a DFAS employee. Although the email appears to come from a DFAS employee and displays a dot mil address it is actually from a non-government email account. This is an example of what's called "spoofing."

VETERANS SERVICE NOTES – MAY 2012 (CONTINUED)

The emails indicate that individuals who are receiving disability compensation from the Department of Veterans Affairs (VA) may be able to obtain additional funds from the Internal Revenue Service (IRS). These emails are not issued by DFAS and will likely result in a financial loss if you comply with the suggestions in the email. Bottom line – do not send your personal information or copies of your tax returns and 1099s to the individual listed in the email.

The email indicates that individuals receiving VA disability compensation can receive additional funds from the IRS. The email states that such funds can be obtained by sending copies of your VA award letter, your income tax returns, your 1099-Rs, your RAS statements, and a copy of your DD 214, to a so-called retired Colonel at an address in Florida. **Do NOT** follow the suggestions in the email because you will be providing a significant amount of your personal information to a complete stranger, which could result in a financial loss to you.

LOCAL BUSINESSMAN VOWS TO HIRE VETS!

Although the March National unemployment rate was 8.3% and the unemployment rate among Veterans that month was 7.5%, up from 7.0% in February, the unemployment rate among Veterans 18-24 years of age was a whopping 17.8% in March, up from 12.4% in February, which will probably only increase in the coming months due to force reductions in progress, especially locally given the scope of our military community here!

Through my affiliation with the San Diego County Council on Aging, I have become acquainted with a successful local businessman, John Alexander, who is the Founder and CEO of "Vets Caring for Vets", an In-Home Non-Medical Care Provider Service. John will hire a Veteran to be a Veterans' Caregiver, and he'll also hire the Spouses or Significant Others of our Military Personnel or a Veteran to be the Caregiver for the Widow of a Veteran.

They provide services customized to the needs of the Veteran or their Widow, within a private setting. They offer this service with dignity, respect, and at a value! To learn more about "Vets Caring for Vets", visit www.VetsCaringforVets.com or call toll-free (888) 465-4502.

HOST A VETERANS & SENIORS RESOURCE FAIR!

If your Post or Auxiliary Unit is interested in having an "Open House" in your Community by hosting a Veterans' and Seniors' Resource Fair at your Post Home, or nearby other facility such as a Senior Center or Community Center, please contact Jerry Barber, Event Coordinator for the Joint Outreach Service Office, by telephone at (619) 820-4813 or by email to MTNJERRY39@YAHOO.COM The Joint Outreach Service Office will publicize the event, and your Post will be provided a free table for Veterans Service, Recruiting, & Poppies! This is a great opportunity for your Post to excel and show Veterans, their Family members and Survivors in your Community to our various programs, and show them that we're more than just a Canteen!

HOST A VETERANS' BENEFITS PRESENTATION!

If your Post or Auxiliary Unit is interested in having an "Open House" in your Community by hosting a Veterans' Benefits Presentation Post Home or nearby other facility such as a Senior Center or Community Center, please contact me either by telephone at (619) 365-8263 or by email to SLANGHOFF@COX.NET The Joint Outreach Service Office will publicize the event in your area and you'll get all the attention from Veterans, their Family members and Survivors who reside there!

If you have questions about Veterans or Survivor benefits, speak to your Post Service Officer, or call the Joint Outreach Service Office at (619) 365-8263!

Respectfully,
Scott H. Langhoff
CPO, USN (Retired)
District Service Officer