

VeteransAir

Sept 6th, 2022 1:00PM

Show title: The new VA PACT Act

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Welcome to VeteransAir – the Veteran’s Hour your source for news, talk and uncensored commentary here on Lone Star Community Radio. I’m your host DouglasB. You can listen to us LIVE the FIRST TUESDAY of every month on VeteransAIR.us and on Conroe’s FM 106.1 and 104.5, Facebook LIVE, YouTube.com Our City TV and wherever you get your fine podcasts.

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As always, a little housekeeping today before we get started. You can contact VeteransAir through the website at www.VeteransAir.us or leave us a message or better yet text us in the studio on our Google phone: 936-344-3083.

Today we are going to discuss the new VA PACT Act and what this means to us and our loved ones. So grab a pen, crayons are acceptable for some of you, and get ready to take notes. Not a note taking kinda veteran, no problem. You can down load a full transcript when this show is uploaded to VeteransAIR.us/archives.

The PACT Act is a new law that expands VA health care and benefits for Veterans exposed to burn pits and other toxic substances. This law help provide for generations of Veterans — and their survivors — with the care and benefits they’ve earned and deserve.

What’s the PACT Act and how will it affect my VA benefits and care?

The PACT Act is perhaps the largest health care and benefit expansion in VA history. The full name of the law is ***The Sergeant First Class (SFC) Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act.***

The PACT Act brings about changes to the way the VA cares for Veterans affected by burn pits:

- Expands and extends eligibility for VA health care for Veterans with toxic exposures and Veterans of the Vietnam, Gulf War, and post-9/11 eras
- Adds more than 20 new presumptive conditions for burn pits and other toxic exposures
- Adds more presumptive-exposure locations for Agent Orange and radiation

- Requires VA to provide a toxic exposure screening to every Veteran enrolled in VA health care
- Helps improve research, staff education, and treatment related to toxic exposures
- If you're a Veteran or survivor, you can file claims now to apply for PACT Act-related benefits.

What does it mean to have a presumptive condition for toxic exposure?

To get a VA disability rating, your disability must connect to your military service. For many health conditions, you need to prove that your service caused your condition. But for some conditions, The VA automatically assume (or “presume”) that your service caused your condition. These are “presumptive conditions.”

The VA can only consider a condition presumptive when it's established by law or regulation. If you have a presumptive condition, you don't need to prove that your service caused the condition. You only need to meet the service requirements for the presumption.

Gulf War era and post-9/11 Veteran eligibility

What burn pit and other toxic exposure conditions are now presumptive

We've added more than 20 burn pit and other toxic exposure presumptive conditions based on the PACT Act. This change expands benefits for Gulf War era and post-9/11 Veterans.

These cancers are now presumptive:

- Brain cancer
- Gastrointestinal cancer of any type
- Glioblastoma
- Head cancer of any type
- Kidney cancer
- Lymphatic cancer of any type
- Lymphoma of any type
- Melanoma
- Neck cancer
- Pancreatic cancer
- Reproductive cancer of any type

- Respiratory (breathing-related) cancer of any type

These illnesses are now presumptive:

- Asthma that was diagnosed after service
- Chronic bronchitis
- Chronic obstructive pulmonary disease (COPD)
- Chronic rhinitis
- Chronic sinusitis
- Constrictive bronchiolitis or obliterative bronchiolitis
- Emphysema
- Granulomatous disease
- Interstitial lung disease (ILD)
- Pleuritis
- Pulmonary fibrosis
- Sarcoidosis

If you served in any of these locations and time periods, the VA has determined that you had exposure to burn pits or other toxins. This is called having a presumption of exposure.

On or after September 11, 2001, in any of these locations:

- Afghanistan
- Djibouti
- Egypt
- Jordan
- Lebanon
- Syria
- Uzbekistan
- Yemen
- The airspace above any of these locations

On or after August 2, 1990, in any of these locations:

- Bahrain
- Iraq

- Kuwait
- Oman
- Qatar
- Saudi Arabia
- Somalia
- The United Arab Emirates (UAE)
- The airspace above any of these locations

Am I eligible for free VA healthcare as a post-9/11 combat Veteran?

The VA is extending and expanding VA health care eligibility based on the PACT Act. I encourage you to apply, no matter your separation date. Your eligibility depends on your service history and other factors.

If you meet the requirements listed here, you can get free VA health care for any condition related to your service for up to **10 years from the date of your most recent discharge or separation**. You can also enroll at any time during this period and get any care you need, but you may owe a copay for some care.

At least one of these must be true of your active-duty service:

You served in a theater of combat operations during a period of war after the Persian Gulf War,
or

You served in combat against a hostile force during a period of hostilities after November 11, 1998

And must also be true:

You were discharged or released on or after October 1, 2013

What if I was discharged or released before October 1, 2013?

If you meet the requirements listed here, you can receive care and enroll during a special enrollment period between October 1, 2022, and October 1, 2023.

At least one of these must be true of your active-duty service:

You served in a theater of combat operations during a period of war after the Persian Gulf War, or

You served in combat against a hostile force during a period of hostilities after November 11, 1998

And both of these must be true for you:

You were discharged or released between September 11, 2001, and October 1, 2013, and

You haven't enrolled in VA health care before

I encourage you to apply during this 1-year period so the VA can provide you with any care you may need now or in the future. Enrollment is free. And your care may be free as well.

Vietnam era Veteran eligibility

What new Agent Orange presumptive conditions will VA add?

Based on the PACT Act, the VA added 2 new Agent Orange presumptive conditions:

- High blood pressure (also called hypertension)
- Monoclonal gammopathy of undetermined significance (MGUS)

If you think you're eligible for VA health care and benefits, I encourage you to apply now.

What new Agent Orange presumptive locations will VA add?

The VA has added these 5 new locations to the list of presumptive locations:

- Any U.S. or Royal Thai military base in Thailand from January 9, 1962, through June 30, 1976
- Laos from December 1, 1965, through September 30, 1969
- Cambodia at Mimot or Krek, Kampong Cham Province from April 16, 1969, through April 30, 1969
- Guam or American Samoa or in the territorial waters off of Guam or American Samoa from January 9, 1962, through July 30, 1980
- Johnston Atoll or on a ship that called at Johnston Atoll from January 1, 1972, through September 30, 1977

If you served on active duty in any of these locations, the VA will automatically assume (or "presume") that you had exposure to Agent Orange.

What new radiation presumptive locations will VA add?

The VA has added these 3 new response efforts to the list of presumptive locations:

- Cleanup of Enewetak Atoll, from January 1, 1977, through December 31, 1980
- Cleanup of the Air Force B-52 bomber carrying nuclear weapons off the coast of Palomares, Spain, from January 17, 1966, through March 31, 1967
- Response to the fire onboard an Air Force B-52 bomber carrying nuclear weapons near Thule Air Force Base in Greenland from January 21, 1968, to September 25, 1968

If you took part in any of these efforts, the VA automatically assumes (or “presume”) that you had exposure to radiation.

How do I file a disability claim for a new presumptive condition?

If you haven’t filed a claim yet for the presumptive condition, you can file a new claim online now. You can also file by mail, in person, or with the help of a trained professional.

If the VA denied your disability claim in the past the VA will now consider your condition presumptive, you can submit a Supplemental Claim for a review your case again.

What if I have a pending claim for a condition that's now presumptive?

You don’t need to do anything. If the VA added your condition after you filed your claim, we’ll still consider it presumptive. We’ll send you a decision notice when we complete our review.

Can I apply now?

Yes.

When can I expect VA to make a decision on my PACT Act claim?

“We encourage all Veterans and survivors to file for benefits now. We’ll start to process PACT Act-related benefits in January 2023. We must wait for funding approval from Congress and put the needed systems in place before we can process these claims.

If you apply for benefits at any time in the next year and we grant your application, we’ll likely backdate your benefits to the date of the bill signing. This means we’ll pay you the amount you would have received from August 10, 2022, to the date we grant your application.”

Information for survivors

Can Veterans' survivors get compensation payments under the PACT Act?

Yes. If you’re a surviving family member of a Veteran, you may be eligible for these benefits:

A monthly VA Dependency and Indemnity Compensation (VA DIC) payment. You may qualify if you're the surviving spouse, dependent child, or parent of a Veteran who died from a service-connected disability.

A one-time accrued benefits payment. You may qualify if you're the surviving spouse, dependent child, or dependent parent of a Veteran who we owed unpaid benefits at the time of their death.

A Survivors Pension. You may qualify if you're the surviving spouse or child of a Veteran with wartime service.

What if VA denied my DIC claim and I think I'm now eligible?

You can submit a new application for VA dependency and indemnity compensation (VA DIC).

What other VA benefits are survivors eligible for?

You may be eligible for these VA benefits as the surviving family member of a Veteran:

- Burial benefits and memorial items such as a gravesite in a VA national cemetery or a free headstone, marker, or medallion.
- A burial allowance to help with the Veteran's burial and funeral costs. You may qualify if you're the Veteran's surviving spouse, partner, child, or parent.
- Education and training. You may qualify if you're the survivor of a Veteran who died in the line of duty or as a result of service-connected disabilities.
- Health care through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA). You may qualify if you're the survivor or dependent of a Veteran with a service-connected disability.
- A VA-backed home loan. You may qualify if you're the surviving spouse of a Veteran.

Shout out to our sponsors.  graphic

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Happenings:

VFW 4709 September 10th at 2PM

VFW 4709 September 24th – Community Rummage Sale 8-2PM

Indoor and outdoor booths are available for purchase too! Call the Post at 936-703-3316 for more info or to be part of the fun.

Montgomery County FoodBank: Shootout Hunger

Sep 16, 2022

Blackwood Sporting Co.

Email krifaat@mcfoodbank.org

936-271-8822

I want to let you all know that I will be having a SPECIAL podcast broadcast on September 11th on 9/11 and how it changed my life. Well, that about wraps up our show for now but remember to tune-in on October 4th at 1:00 pm for our next show where we will be talking Andrea Corpening from United Health Care and changes specifically targeting Veterans using the VA and Medicare. You WANT to listen to this one or you may be pissing your money away. and remember to like VeteransAIR on Facebook so you can be informed about our show topics and podcasts.

I want to leave you with this song by Alan Jackson - Where Were You.

While we are listening let us remember our police, firemen, first responder and military in uniform that today are standing in harm's way to stand for our freedoms and liberty. If you are wearing the uniform, I say thank you and I'm proud of you. Until next month, "Stay safe and Stay vigilant!"

Play TheWarriorSong.mp3 (3 min 41 sec)

Play: have been listening-GRUNT.wav (12 sec)

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Show Links:

The PACT Act – VA's Statement: <https://www.va.gov/resources/the-pact-act-and-your-va-benefits>