



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**March 2009 Newsletter
Volume 17 Number 9**

Membership Status as of 3/10/09

Trial Members 2,532

Part Life Members 2,712

Full Life Members 49,528

Total Members 54,772

Goal for Full Life Members 49,606 (99.84%)

OUR VISIT TO WASHINGTON

Robert J. Finnerty, Department Commander

I just returned home from Washington DC, where we attended the National Mid-Winter Conference. We accomplished quite a bit in a short period of time. The Department of New York hosted the 2nd Annual Legislative Breakfast. Attending this affair were Congressmen and Congresswomen from the North East corridor. Members traveled from as far as South Virginia and to the Canadian border of Maine to attend. With over 122 DAV members, the turn out was unbelievable. Even a Congressman from the State of Texas stopped by to see us. It was one of the most enlightening Mid-Winter Conferences ever. Our National Commander Raymond Dempsey gave the greatest formal speech that I have ever heard during this conference. As always, the Department of New York had forty members in attendance at this event. Thank you all for coming and supporting the Disabled American Veterans.

Most of the members of the Veterans Affairs Committee addressed the DAV delegation. U.S. Senator Daniel K. Akaka (D-HI) said the bipartisan group of lawmakers are reintroducing legislation to secure timely funding for veterans healthcare through the advance appropriations process. He and other members of the Congress are trying to pass the Veterans Health Care Budget Reform and Transparency Act of 2009. Under the bill the Veterans Health Administration would be funded one year ahead of the regular federal funding process. Military.com just published the most current guide to military and veteran benefits. These benefits include billions of dollars in scholarships, educational benefits, VA home loans, thrift saving, life insurance, allowances, allotments and disability pay.

Before you know it, June will be here and we will be electing new line officers. I hope that as many members as possible will be in attendance to welcome our new leaders.

Looking forward to seeing all of the troops soon.



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**March 2009 Newsletter
Volume 17 Number 9**

1929 REDUX

Sidney Siller, Sr., PDC, Department Adjutant

The greatest fear is fear itself; to recall the significance of the famous “Nothing to fear but fear itself” phrase by our WWII President Franklin Delano Roosevelt. With the economy in shambles and many of our fellow citizens losing jobs; losing homes; and losing the lifeline – savings of retirement assets. What will be our fate as disabled veterans?

Your leaders in DAVNY have returned from our organization’s Mid-Winter Conference. To evaluate our score this year is easy. When National Commander Ray Dempsey presented our program to the Joint House and Senate Committee on Veterans Affairs, we were pleased to hear from both Democrats and Republicans alike that they are totally on board with our National Legislative Agenda. Both parties and the members in the House and Senate could not verbalize or articulate greater support for our cause. Yet, their total commitment at this particular juncture worries me, to no end. Yet, by nature I am not a worry bird.

But history is on the negative side of the issue as to whether all the high-minded rhetoric and expressions of support may not be as solid and as strong as a pyramid in a rainstorm.

Here is a short list of Important Facts:

Early on in the Roosevelt Administration, General Hines saved FDR a million buck on the backs of our WWI disabled veterans. This, after the bonus marchers were made targets by our own military. One of our darkest days.

Then, after WWII, General Bradley headed the “Little Bradley” Commission, which recommended closing of VA facilities .

Following President Eisenhower was President Lyndon Johnson, in 1965 he closed 18 VA offices and hospitals in the United States. Five of these were in New York State. New York has always been a huge victim of the budgetary axe.

Then we had the CARES phenomena; as recently as two years ago.

DAVNY enjoyed being the catalyst of the 2nd Northeastern Legislative Breakfast the morning of the National Commander’s address before Congress (see Commander



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**March 2009 Newsletter
Volume 17 Number 9**

Finnerty's column), because it has proved to be a great tool to bolster and extend the influence of our National DAV Legislative Program.

Yet, in spite of Congress's appreciative bi-partisan support for disabled veterans and our excellent programs, I feel that Murphy's Law may be ultimately the dark knight. In these dreadful economic times, my fears about modification of our compensation and pension benefits; lowering the high standards of medical and hospital care; may be impacted by the evil pursuits of means testing; and opening VA medical facilities to non-veterans.

History has a strange way of repeating itself. Well, don't let it! How can we avoid a "veteran Armageddon?" Only by staying strong, supporting your National Officers, supporting your Department, and continuing building our Chapters.

**MID-WINTER CONFERENCE: DAV MEMBERS STORM CAPITOL
HILL**

DAV Website

Hundreds of disabled veterans including more than 40 members from New York delivered the DAV's message to their senators and representatives this week as National Commander Raymond E. Dempsey capped off the DAV's Mid-Winter Conference with a rousing testimony on Capitol Hill in Washington. He discussed the major concerns of our nation's disabled veterans with members of the Senate and House Veterans Affairs Committees.

"The only question is whether our government has the will to live up to its obligation to all our nation's veterans," Commander Dempsey told the lawmakers.

He also stressed the DAV's top legislative priority, passage of the recently introduced Veterans Health Care Budget Reform and Transparency Act, which would provide advance appropriations for veterans health care.

"This legislation is all about making government more efficient, transparent and accountable," Dempsey said. "These are three key elements that President Obama, Congress and veterans all agree are needed in these challenging times.

"This sufficient, timely and predictable funding mechanism will allow the VA to work better and smarter in caring for our nation's veterans, including those wounded in Iraq and Afghanistan," he continued.



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**March 2009 Newsletter
Volume 17 Number 9**

**PROPOSAL WOULD BILL INSURANCE FOR COSTS OF VETERANS'
SERVICE INJURIES**

DAV Stand Up For Veterans

The Disabled American Veterans, along with ten leading veterans' organizations – The American Legion, AMVETS, Blinded Veterans Association, Iraq and Afghanistan Veterans of America, Jewish War Veterans of the USA, Military Officers Association of America, Military Order of the Purple Heart of the USA, Inc., Paralyzed Veterans of America, Veterans of Foreign Wars of the United States, Vietnam Veterans of America, Inc. sent a letter to President Obama on February 27, 2009 denouncing a rumored proposal that would allow the VA to bill a veteran's insurance for the care and treatment of a disability or injury sustained as a result of military service. This policy would discourage companies from hiring disabled veterans, increase insurance premiums for disabled veterans and renege on the U.S. government's promise to care for all veterans injured during their service to our country.

**WOMEN VETERANS HEALTHCARE IMPROVEMENT ACT
REINTRODUCED; DAV'S JOY ILEM OFFERS TESTIMONY IN SUPPORT OF
LEGISLATION**

DAV Stand Up for Veterans

February 26, 2008, Washington, DC-Today, U.S. Rep. Stephanie Herseth Sandlin, a member of the Veterans' Affairs Committee and Chair of its Economic Opportunity Subcommittee, reintroduced the "Women Veterans Health Care Improvement Act," a bill to expand and improve VA health care services for women who have bravely served their country.

"The depth and scope of the duties of our servicemembers continue to expand at home and abroad, drawing a diverse cross-section of the American population to serve our country in uniform," Rep. Herseth said, "In order to make good on our country's promise to all of its veterans, we must provide them with health care services to meet their wide array of needs. That's why I'm proud to once again introduce this legislation in the 111th Congress that seeks to better care for women who have answered the call to serve." Herseth Sandlin noted that as of October 2008, there were 23 million veterans in the U.S. Of this, women veterans made up 1.8 million or 8% of the total veteran population.

The "Women Veterans Health Care Improvement Act" calls for a study of barriers to women veterans seeking health care, assessment of women's health care programs, medical care for newborn children of women veterans, enhancement of VA sexual trauma programs, enhancement of PTSD treatment for women, establishment of a



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



March 2009 Newsletter Volume 17 Number 9

pilot program for child care services, and the addition of recently separated women veterans to serve on advisory committees.

Herseth Sandlin worked closely with the Disabled American Veterans (DAV) in crafting this bill. "With more and more women in the military, and many now serving in combat situations, the Women Veterans Health Care Improvement Act is absolutely essential to ensuring that VA is prepared for the rising number of women veterans coming into the system," said David W. Gorman, Washington Headquarters Executive Director of DAV. This legislation will require VA to provide comprehensive medical care services that are uniquely suited to their particular needs, especially those veterans of the wars in Iraq and Afghanistan." Gorman added, "DAV is grateful to Congresswoman Herseth Sandlin for her foresight and leadership on veterans' issues. Since coming to Congress, she has been a champion for all veterans and DAV looks forward to working with her to help enact this important legislation."

TRICARE PHYSICIAN AVAILABILITY

Source: NAUS Weekly Update 20 Feb 09

MinuteClinic, the pioneer and largest provider of retail health care in the United States, announced that it has become a participating provider in the network of Health Net Federal Services/Tricare North. Nearly 1.5 million Tricare health care beneficiaries now have in-network access to MinuteClinic health care centers located inside select CVS/pharmacy stores in 13 states: Connecticut; Illinois; Indiana; Massachusetts; Maryland; Michigan; St. Louis; Missouri area; North Carolina; New Jersey; **New York**; Ohio; Pennsylvania; and Virginia. MinuteClinic health care centers are staffed by masters-prepared, board-certified nurse practitioners who specialize in family health care and are trained to diagnose, treat and write prescriptions when clinically indicated for common family illnesses such as strep throat and ear, eye, sinus, bladder and bronchial infections. Common vaccinations such as influenza, tetanus, MMR, and Hepatitis A & B are also available. MinuteClinic retail locations are open seven days a week including weekday evening hours. No appointment is necessary. MinuteClinic nurse practitioners utilize nationally recognized medical protocols to diagnose and treat health conditions. With the patient's consent, treatment information is shared with his or her primary care physician to facilitate continuity of care.

Minneapolis-based MinuteClinic is a subsidiary of CVS Caremark Corporation (NYSE: CVS), the No. 1 provider of prescriptions and related health care services in the nation. MinuteClinic launched the first retail health care centers in the United States in 2000 and is the first provider to establish a national presence with more than 500 locations in 25 states. By creating a health care delivery model that responds to consumer demand, MinuteClinic makes access to high-quality medical treatment easier for more



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



March 2009 Newsletter Volume 17 Number 9

Americans. The company has generated more than 3 million patient visits, with a 95% customer satisfaction rating. A recognized leader in the patient-centric health care movement, MinuteClinic consistently brings innovation to the marketplace and sets new standards for clinical quality that exceed the national guidelines established for store-based clinics by the American Medical Association (AMA) and the American Academy of Family Physicians (AAFP). MinuteClinic is the first and only retail health care provider to receive accreditation from The Joint Commission, the national evaluation and certifying agency for nearly 15,000 health care organizations and programs in the United States. For more information, refer to www.MinuteClinic.com.

VETERAN'S PENSIONS

Source: www.vba.va.gov/bln/21/pension/index.htm 12 Feb 09

If you are a wartime veteran with a limited income and you are no longer able to work, you may qualify for a Veterans Disability Pension or the Veterans Pension for Veterans 65 or older. Many veterans of wartime service are completely unaware of the fact that if they are 65 or older and on a limited income they may qualify for a VA Pension without being disabled. An estimated 2 million impoverished veterans and their widows are not receiving the VA pension they deserve because they do not know about it. The VA has had limited success in getting the information to them. Generally, you may be eligible if:

- You were discharged from service under conditions other than dishonorable, and
- You served at least 90 days of active military service 1 day of which was during a war time period. If you entered active duty after September 7, 1980, generally you must have served at least 24 months or the full period for which called or ordered to active duty (There are exceptions to this rule), and
- Your countable family income is below a yearly limit set by law (The yearly limit on income is set by Congress), and
- You are age 65 or older, or, you are permanently and totally disabled, not due to your own willful misconduct.

With the advent of the Gulf War on 2 AUG 90 (and still not ended by Congress to this day), veterans can now serve after 2 AUG 90 during a period of wartime. If your countable income appears to be near the maximum you should apply. VA will determine if you are eligible and notify you. If you do not initially qualify, you may reapply if you have un-reimbursed medical expenses during the twelve-month period after VA receives your claim that brings your countable income below the yearly income limit (i.e. These are expense you have paid for medical services or products for which you will not be reimbursed by Medicare or private medical insurance). Countable income for eligibility



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



March 2009 Newsletter Volume 17 Number 9

purposes includes income received by the veteran and his or her dependents, if any, from most sources. It includes earnings, disability and retirement payments, interest and dividends, and net income from farming or business. There is a presumption that all of a child's income is available to or for the veteran. VA may grant an exception to this in hardship cases.

There is no set limit on how much net worth a veteran and his dependents can have, but net worth cannot be excessive. Net worth means the net value of the assets of the veteran and his or her dependents. It includes such assets as bank accounts, stocks, bonds, mutual funds and any property other than the veteran's residence and a reasonable lot area. The decision as to whether a claimant's net worth is excessive depends on the facts of each individual case. All net worth should be reported and VA will determine if a claimant's assets are sufficiently large that the claimant could live off these assets for a reasonable period of time. VA's needs-based programs are not intended to protect substantial assets or build up an estate for the benefit of heirs. The Maximum Annual Pension Rates (MAPR) effective 1 DEC 08 for both living and deceased veteran's surviving spouse/children cannot exceed the following:

- Veteran or widow/er with no dependents \$11,830 or \$7,933.
- Veteran with spouse and child or widow/er with a child \$15,493 or \$10,385.
- Veterans or survivor with additional children: add \$2,020 to the limit for each child.
- Housebound veteran or widow/er with no dependents \$14,457 or \$9,696.
- Housebound veteran or widow/er with one dependent \$18,120 or \$12,144.
- Veteran or widow/er who needs aid and attendance and you have no dependents \$19,736 or \$12,681.
- Veteran or widow/er who needs aid and attendance and you have one dependent \$23,396 or \$15,128.

Some income is not counted toward the yearly limit (for example, welfare benefits, some wages earned by dependent children, and Supplemental Security Income). It's also important to note that your medical related expenses are considered when determining your yearly family income. VA pays you the difference between your countable family income and the yearly income limit, which describes your situation. This difference is generally paid in 12 equal monthly payments rounded down to the nearest dollar. You can apply by filling out VA Form 21-526, Veteran's Application for Compensation Or Pension. If available, attach copies of dependency records (marriage & children's birth certificates) and current medical evidence (doctor & hospital reports). You can also apply on line through the VONAPP website <http://vabenefits.vba.va.gov/vonapp/main.asp>. For more information contact the nearest National Service Office.



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**March 2009 Newsletter
Volume 17 Number 9**

DISABLED VETERANS LEADER PRESSES ISSUES WITH KEY LAWMAKERS

DAV Press Release March 9, 2009

Washington, March 9 – The National Commander of the Disabled American Veterans begins a series of meetings with key lawmakers seeking their support for budget reform legislation to ensure sufficient, timely and predictable funding for veterans' health care. He is also urging them to reject a contentious proposal that would shift the cost of treating veterans for service-connected conditions from the government's side of the ledger to insurance companies.

“For too long the Department of Veterans Affairs health care system has had to struggle with budgets that were too little, too late,” said DAV Commander Raymond E. Dempsey. “It’s time to reform the funding system to enable the Department of Veterans Affairs to work better and smarter in caring for the nation’s sick and disabled veterans.”

Dempsey has scheduled meetings with Senate Veterans’ Affairs Committee Chairman Daniel Akaka and Ranking Republican Richard Burr, House of Veteran’s Affairs Committee Chairman Bob Filner and Sen. Tim Johnson and Rep. Chet Edwards, who chair their respective Appropriations subcommittees that fund veterans programs.

A top priority for the DAV and other groups is passage of the recently introduced Veterans Health Care Budget Reform and Transparency Act. The measure would authorize Congress to approve VA medical care appropriations one year in advance of the start of each fiscal year. The legislation also would add needed transparency to the process by having the Government Accountability Office review and report on the VA budget request.

“This legislation is all about making government more efficient, transparent and accountable. These are three key elements that President Obama, Congress and veterans all agree are needed in these challenging times. And if enacted in conjunction with the fiscal year 2010 budget, advance appropriations for 2011 would not add one dime to the 2010 deficit,” Commander Dempsey said.

While urging support for the Veterans Health Care Budget Reform and Transparency Act, Dempsey is raising concerns shared by the entire veterans community that a proposal to shift the cost of treating veterans for service-connected conditions to their insurance companies will worsen the health care affordability crisis.



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



March 2009 Newsletter Volume 17 Number 9

“As a native of Illinois, the Land of Lincoln, I can’t help but not the irony of such a proposal. Lincoln’s famous quote, ‘To care for him who shall have borne the battle and for his widow, and his orphan,’ has been adopted as the VA’s official motto. But if the current President – who calls Illinois home – expands third-party collections to service connected conditions, that motto will be rendered meaningless and should be removed from the VA building,” Dempsey said.

STAND UP FOR VETERANS UPDATE

DAV March 11, 2009

Report of Rumored Proposal - Today *The Hill* and *Air Force Times* reported on a proposal rumored to be in the President’s budget that would allow the VA to bill a veteran’s insurance for the care and treatment of a disability or injury sustained as a result of military service. *The Hill* reports that veterans’ service organizations believe the proposal would “...discourage employers from hiring disabled veterans by raising the premiums insurance companies would charge. Veterans groups also argue that the VA is abdicating its responsibility to veterans.”

Veteran Family Caregivers Legislation Introduced - On March 6, Senator Dick Durbin (D-IL) introduced the Veteran and Servicemember Family Caregiver Support Act of 2009. The legislation would establish pilot programs to provide support services and financial assistance to family caregivers of veterans or members of the military seriously injured in the line of duty since September 11, 2001. If the pilot programs are successful, they could be expanded nationwide. The legislation would:

- Provide training and certification of family caregivers and of alternate caregiver to relieve primary caregiver, if deemed necessary.
- Once they are trained and certified, allow family caregivers to receive payment for the care they provide.
- Require VA and DoD to make mental health and support services available to caregivers, as the need for services relates to their role as caregivers.
- Conduct a survey of family caregivers to better understand the value of the services they provide and to assess the pilot programs,

LEGISLATIVE REPORT



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



March 2009 Newsletter Volume 17 Number 9

Robert E. Becker, Jr., Chairman, Legislation and Civil Service Committee

We have some issues we should all be concerned with. Your help is needed, please contact your Congressional leaders by e-mail, fax, mail or telephone.

Compensation and Pension Service Improvement in Claims – The Department of Veterans Affairs has an obligation to deliver timely decisions on claims for disability benefits when such claims are adequately prepared for rating purposes. **Our Recommendation** – Congress should amend Title 38, United States Code Section 5125, in so far as it states that a Claimant’s private examination report “may be accepted without a requirement for confirmation by an examination by a Physician employed by the Veterans Health Administration. If the report is sufficiently complete to be adequate for the purpose of adjudicating such a claim.” The forgoing statutory language should be amended to read that a claimant’s private examination report including Medical opinions “must be accepted if adequate for the purpose of adjudicating such claims.”

Funding – Our Recommendation – Congress should sufficiently fund the DoD and Veterans Health Care systems to ensure these systems are flexible and agile enough to adapt to meet the unique needs of the newest generation of combat service persons and veterans as well as continue to address the needs of older veterans with PTSD and other combat related mental health challenges. DoD and VA must work collaboratively to eliminate the stigma attached to service members and veterans seeking care for readjustment issues, mental issues, and substance abuse **with** the same urgency and sincerity that we give to “Medical Illnesses.”

Some Pending Legislation We Support –

HR177- Depleted Uranium Screening and Testing: To provide for identification of members of the armed forces exposed during military service to depleted uranium; to provide for health testing of such member.

HR190 – Veterans Health Equity Act 2009: To ensure that veterans in each of the 48 contiguous states are able to receive service in at least one full service hospital of the Veterans Health Administration.

HR333 – Disability Veterans Tax Termination Act: To amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation, to eliminate the phase-in period for concurrent receipt, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes.

Also, at <http://thomas.loc.gov> you can review a copy of each bill’s text, determine its current status, the committee it has been assigned to, who your representative is and



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**March 2009 Newsletter
Volume 17 Number 9**

his/her phone number, mailing address, or email/website to communicate with a message or letter of your own making, and if your legislator is a sponsor or cosponsor of it. To separately determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d111/sponlst.html>. To review a numerical list of all bills introduced refer to <http://thomas.loc.gov/bss/111search.html>. The key to increasing cosponsorship is letting our senators know of veterans' feelings on issues.

TAPS

Department has been notified that the following comrades have been called into final formation above:

Anthony Mediate, Chapter #173, 3/09

Gale Dennie, Chapter #153, 12/29/08

Nicholas J. Polanko, Chapter #153, 3/4/09

Department and the membership extend deepest sympathies to the family members, friends and comrades of these fallen heroes. May each one rest in honor.

Please feel free to call, write or e-mail davny@optonline.net Headquarters if you have a loss in your Chapter that you would like to include in this column.

DATES FOR YOUR DIARY

Department of New York's 88th Anniversary Celebration

Sunday May 17, 2009
El Caribe Country Club
Brooklyn, New York

Department of New York Convention

June 28, 2009 to July 1, 2009
Hudson Valley Resort
Kerhonkson, New York

Rehab Cruise XVII

July 14, 2009
Nautical Empress



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS



DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563

**March 2009 Newsletter
Volume 17 Number 9**

Freeport, NY

2009 National DAV Convention
August 22, 2009 to August 25, 2009
Sheraton Hotel Denver
Denver, CO 80202