

MODULE #1 DVA, NCDVA & CVSO HISTORY & ORGANIZATION

DATE STARTED: _____ **LOCATION:** _____

SERVICE OFFICER/TRAINEE SIGNATURE: _____

TRAINER SIGNATURE: _____

DATE COMPLETED _____

I. Please rate the effectiveness of this training module.

Objective		Acceptable	Marginal	Unacceptable
Intro to formal training purpose and process for accreditation.	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			
Objective				
VSO Code of Ethics	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			
Objective				
History & Organization of USDVA to include intro to various offices & their services.	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			
Objective				
NCDVA and Statue 165	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			
Objective				
CVSO Program & nature of work.	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			
Objective				
	Objective achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			
Objective				
	Objective achieved			
	Applied objective content through practical exercises			
	Effectiveness of teaching methods used			

MODULE # 1 CONTINUED

Objective		Acceptable	Marginal	Unacceptable
	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of methods used			
Objective				
	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of methods used			
Objective				
	Objective Achieved			
	Applied objective content through practical exercises			
	Effectiveness of methods used			
SUBJECTIVE EVALUATION				
		Good	Fair	Poor
1. Please rate the extent to which you met your personal objective for this module				
2. Rate the information provided in the Training Manual & other reference materials				
3. Please evaluate the physical environment where the training was held.				
4. Is there anything that we could have done to make this training better for you? (Please comment)				

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HISTORY AND ORGANIZATION

Objective: To learn basic facts about: USDVA, NCDVA, & CVSO history & organization.

References:

Title 38, U. S. Code (VA) & Title 10, U.S. Code (DOD).

38 Code of Federal Regulations (VA)

VA Pamphlet Federal Benefits for Veterans and Dependents.

North Carolina General Statutes Chapter 165

Instructions: Study the assigned reference materials for an idea of the scope and extent of the activities and responsibilities of the Department of Veterans Affairs and NCDVA.

STATEMENT OF PURPOSE

This course is designed to educate individuals employed as veteran service officers with basic principles and a fundamental working knowledge of federal and state laws and regulations dealing with benefits for veterans and their dependents. This course is a technical supplement to the programs, policies, and procedures set forth in Title 38 & 10 U.S.C., North Carolina Statutes (NCS), and NCDVA policies & procedures. The overall goal is to assure that all claimants have consistent availability of high quality representation and assistance in obtaining benefits administered by the U. S. Department of Veterans Affairs (VA), U.S. Department of Defense (DOD), and the State of North Carolina. General Statute 165 (8) mandates NCDVA train the employees of any county, city, or town engaged in veteran's service. Training is not optional.

TO THE INSTRUCTOR

This training manual is intended as a basic tool both for new Veteran Service Officers (VSO) and a reference for current Veterans Service Officers. It contains twenty-two modules covering all programs listed in Title 38, U.S.C. & other benefits available from the U.S. Dept. of Defense under Title 10, U.S.C., regarding benefits for veterans, their dependents, and their survivors. It gives pertinent reading references for each topic contained. It is to be used in conjunction with the NCDVA Training Syllabus.

Each module gives a listing of pertinent reading references, followed by a capsule summary of the particular benefit or program being described, followed in turn by a quiz on various aspects of the topic of the particular module. **Because it is intended as only a capsule summary, no attempt is made to give comprehensive detail on any particular aspect—rather; the VSO should be encouraged to read the references given and then discuss with the instructor in more detail the various points.**

It is important that the instructor be available to discuss, clarify and expand upon the various points in each module, as well as to explain any points not clearly understood by the VSO.

TO THE VETERANS SERVICE OFFICER

The best way to learn claims work is by a combination of theoretical and practical training. To the greatest extent possible, you will actually work cases under the guidance of a supervisor/instructor, using this manual and the NCDVA Training Syllabus to help you understand the responsibilities of a VSO. Your instructor will assign various modules for you to study, review, and discuss in connection with casework. It is extremely important that you study the laws, regulations, and

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manuals carefully. Familiarity with the VA Adjudication Manual M21-1 will be beneficial since it is the controlling reference for the majority of VA claims you will deal with.

The various VA pamphlets and booklets listed are also extremely important, since they give detailed information in clear and concise language about the eligibility and entitlement requirements for the various benefit programs.

This manual is your property, and is intended to be a guide and working notebook throughout your career. You may add references and notes, and make changes as required by changes in the laws and/or VA policies. It should remain a useful tool to help prepare for and pass any further examinations related to claims work as may be required. This manual alone will not make you an expert in VA claims matters. However, it should give you a good start in becoming familiar and comfortable with the VA claims process.

COURSE DESCRIPTION

Course Objectives: Upon completion of this course, service officers will be able to demonstrate a fundamental working knowledge of federal and state laws & regulations dealing with veterans' benefits and a basic proficiency in associated claim procedures. They will be able to use reference and research materials in securing hospitalization, compensation, pension, education and other benefits to which veterans and their dependents are entitled by law.

Instructional Methods: Lectures, demonstrations, and practical exercises using actual scenarios in conjunction with the NCDVA Training Syllabus. In addition, service officers tour the VA Regional Office, local VA Medical Centers, NCDVA State Service Office and local District Service Office.

Attendance: This course consists of 50 hours of instruction excluding the additional tours of the VA Regional Office, local VA Medical Centers, NCDVA State Service Office and local District Service Office.

Course Text: The primary texts used to support this course are Title 38 U.S.C., 38 CFR (Compensation, Pensions, Bonuses and Veterans Relief), VA Adjudication Manual M21-1MR, and Title 10 U.S.C. for certain benefits available from the DOD. In addition, there are the constantly changing Federal Court case laws and specific subject matter reference publications as produced by NCDVA for service officers' use and retention.

Audio-Visual Aids: Instructors use chalkboard, flip charts, overhead projectors, and VCR presentations. Extensive use is made of handout materials produced by NCDVA.

Examination: The course examination consists of 100 questions presented in a multiple-choice and true/false format, with a time limit of two hours. This examination is graded on a pass/fail basis, with 75% correct considered a minimum passing score.

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VETERAN SERVICE OFFICERS CODE OF ETHICS

1. Confidential information, whether supplied by the veteran, the Department of Veterans Affairs, or other parties shall remain confidential and will not be released or discussed except to those personally connected to the case with a need to know in order to assist the veteran or the veteran's dependents.
2. The Service Officer will prepare and perfect all claims to the best of his/her ability with the intent of affording the claimant the benefits to which they are entitled. The Service Officer must insure that all information is true and factual to the best of his/her knowledge.
3. The Service Officer shall maintain high professional standards in dealing with other service officers, (state, federal, and local) and other persons and agencies as necessary in his service to his/her client.
4. The Service Officer will provide services, without prejudice, to all persons making a claim to the Department of Veterans Affairs.
5. The Service Officer will, to the best of his/her ability, maintain a working knowledge of all rules and regulations concerning veterans' benefits and will strive to keep such knowledge updated in light of constantly changing laws and regulations.
6. Veterans Service Officers should not, under any circumstances, accept remuneration in cash or other form for services rendered.
7. Veterans Service Officers should not, under any circumstances, serve as guardians, committees, or fiduciaries for any other individuals receiving benefits from the Department of Veterans Affairs or any other agency.

THE DEPARTMENT OF VETERANS AFFAIRS (VA) HISTORY AND ORGANIZATION

Summary:

The United States has the most comprehensive system of veterans' benefits and care of any country in the world. Prior to 1930, responsibility for the various veterans' programs was fragmented among several different Government agencies and bureaus. Pursuant to an Act of Congress, the Veterans Administration was established in 1930 to bring all of these different activities under the control of a single consolidated agency. From World War II and subsequent, the Veterans Administration grew to become the largest non-Cabinet agency in the Federal Government.

On March 15, 1989, the Veterans Administration became a Cabinet-level agency, changing its name to the U.S. Department of Veterans Affairs. The Administrator of Veterans Affairs became the Secretary of Veterans Affairs. The new agency is composed of three sub-agencies: the Veterans Benefits Administration (VBA); the Veterans Health Administration (VHA); and the National Cemetery System.

The VBA administers the Compensation and Pension programs for disabled veterans and surviving dependents of deceased veterans. VBA also administers Vocational Rehabilitation for

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disabled veterans and several education assistance programs for veterans, dependents and survivors; Loan Guaranty programs for veterans and surviving spouses of veterans who died of service-related causes; and a number of life insurance programs for veterans. In addition, VBA also provides a burial allowance, including headstones or grave markers, for eligible veterans.

VBA has one Regional Office (RO) in North Carolina located at Winston-Salem. The VBA has instituted a new program to provide direct assistance to active duty service members at certain military bases that are being discharged due to disabilities. The VBA has also created centralized processing centers for education, home loans, pension, and insurance. These processing centers are located at different Regional Offices throughout the United States. The Winston-Salem RO is one such site for home loans in the southern region. The other centralized processing centers will be discussed when the specific topics are discussed in later modules.

The VONAPP (Veterans On Line Applications) web site is an official Department of Veterans Affairs (VA) web site designed so U.S. military veterans and some service members can apply for compensation, pension, and vocational rehabilitation benefits through the Internet. This is a first step towards an electronic VA. VONAPP will allow veterans, and in the future, dependents and other VA claimants, electronic access to file applications with the VA on-line. To apply, log onto the VA's Web address (www.va.gov) and click on the benefit under VONAPP you wish to apply for. Follow the instructions for completing and submitting the application.

The VHA provides health care facilities for veterans, and in some cases their dependents or survivors. It is one of the largest health care delivery systems in the world. Nationwide, VA operates more than 170 medical centers, more than 80% of which are affiliated with university schools of medicine. VHA averages nearly 100,000 inpatients per day. In addition, VHA operates numerous outpatient clinics, readjustment counseling centers, domiciles, and nursing homes. In North Carolina there are four VA Medical Centers: Asheville, Durham, Fayetteville and Salisbury; currently five Community Out Based Clinics: Greenville, Jacksonville, Morehead City, Wilmington, and Raleigh, and two outpatient clinics located in Charlotte, and Winston-Salem; six Vet Centers: Charlotte, Fayetteville, Greensboro, Greenville, Raleigh, and Spindale; four Nursing Home Care Units: Asheville, Durham, Fayetteville and Salisbury and no domiciles.

The National Cemetery System administers National Cemeteries throughout the United States and its territories. There are four National Cemeteries in North Carolina located at New Bern, Raleigh, Salisbury, and Wilmington; however only Salisbury is open for burials.

NORTH CAROLINA DIVISION OF VETERANS AFFAIRS

The mission of the North Carolina Division of Veterans Affairs is to serve the veterans of North Carolina, their dependents and survivors in all matters pertaining to veterans' affairs.

STATE STATUTES OF NORTH CAROLINA

CHAPTER 165, VETERANS

§ 165-4. Purpose.

The purpose of this Article is to provide assistance to veterans, their families and their dependents, in obtaining or maintaining privileges, rights and benefits to which they are entitled under federal, state, or local laws. (1945, c. 723, s. 1; 1967, c 1060, s. 1.)

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§ 165-6. Powers and Duties of the Division.

In furtherance of the stated purpose of this Article, The Division is hereby authorized and empowered to do the following:

- (1) To assist veterans, their families, and dependents in the presentation, processing, proof, and establishment of such claims, privileges, rights, and benefits as they may be entitled to under federal, State, or local laws, rules, and regulations.
- (2) To aid persons in active military service and their dependents with problems arising out of said service, which come reasonably within the purview of the Division's program of assistance.
- (3) To collect data and information as to the facilities and services available to veterans, their families, and dependents and to cooperate with agencies furnishing information or services throughout the State in order to inform such agencies regarding the availability of (i) education, training and retraining facilities, (ii) health, medical, rehabilitation, and housing services and facilities, (iii) employment and reemployment services, (iv) provisions of federal, State, and local laws, rules, and regulations affording rights, privileges, and benefits to veterans, their families, and dependents, and in respect to such other matters of similar, related, or appropriate nature not herein set out.
- (4) To establish such field offices, facilities and services throughout the State as may be necessary to carry out the purposes of this Article.
- (5) To cooperate, as the Division deems appropriate, with governmental, private and civic agencies and instrumentality's in securing services or benefits for veterans, their families, dependents and beneficiaries.
- (6) To accept any property, funds, service, or facilities from any source, public or private, granted in aid or furtherance of the administration of the provisions of this Article.
- (7) To enter into any contract or agreement with any person, firm, or corporation, or governmental agency or instrumentality in furtherance of the purposes of this Article, and to make all rules and regulations necessary for the proper and effective administration of its duties.
- (8) It shall be the duty of the Division to train, supervise and assist the employees of any county, city or town who are engaged in veterans' service. Authority is hereby granted the governing body of any county, city or town to appropriate such amounts as it may deem necessary to provide a veterans service program and the expenditure of such funds is hereby declared to be for a public purpose; such program shall be operated in affiliation with this Division and under its supervision as set forth above.
- (9) The Division may, in its discretion, contribute to each county an amount not to exceed two thousand dollars (\$2,000) on a matching basis for any fiscal year for the maintenance and operation of a county veterans service officer program. Participating counties shall furnish the Division such reports, accountings and other information at such times and in such form as the Division may require.

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(10) Repealed by Session Laws 1973, c. 620, s. 9. (1945, c. 723, s. 1; 1949, c. 1292; 1967, c. 1060, s. 1; 1973, c. 620, s. 9; 1985, c. 757, s. 61(a))

§165-11.1 Confidentiality of Veterans Affairs Records.

Notwithstanding any other provisions of Chapter 143B, no records of the Division of Veterans Affairs in the Department of Administration shall be disclosed or used for any purpose except for official purposes, and no records shall be disclosed, destroyed or used in any manner which is in violation of any existing federal laws or regulation. Nothing in this Chapter shall convert records, which are the property of the federal government into state property. (1977, c. 70, s. 28.)(38 CFR s. 1.500)

NORTH CAROLINA DIVISION OF VETERANS AFFAIRS

This division has three main functions:

- I. **SERVICES:** The Division has responsibility to train, supervise and assist the employees of any county, city or town who are engaged in veterans service in assisting veterans with the processing, development, and prosecution of claims for State and Federal entitlements. This role as the veterans' advocate is conducted in liaison with the U. S. Department of Veterans Affairs (VA) Regional Office, which has the statutory responsibility under Title 38 U. S. C. for adjudicating claims. Services provided include the following:
 - A. Respond to claimant's inquiries pertaining to establishment of claims, payment of benefits, lost checks, and pertinent applications of the law concerning disability, pension, education, home loan guaranty, death, and burial benefits.
 - B. Review VA decisions as they apply to claims submitted by or on behalf of claimants. Using paramedical and paralegal knowledge, Service Officers develop alternatives and act on behalf of the claimant as an attorney-in-fact in the prosecution and appeal of claims.
 - C. Provide information to other state agencies.
- II. **DISTRICT SERVICE OFFICES:** Provide on-site counseling and assistance to veterans and their dependents throughout the state of their rights and entitlements under various Federal and State laws, prepare necessary forms, obtain supporting documents and affidavits, and forwarding same to the appropriate Government entity of responsibility. The veteran constituency includes veterans who are inpatients and outpatients at the VA Medical Centers and Outpatient Clinics throughout the state, residents of the correctional facilities and state alcohol and drug treatment facilities, and visitors at VA Vet Centers. The District Service Officer assists those CVSOs within their respective District during difficult or unusual cases, provides quality reviews of claim work, and conducts in person training using available technical publications and other current information.
- III. **TRAINING:** Division training is designed to provide professional education to Division Employees and to satisfy federal statutory requirements to train and certify County Veterans Service Officers (CVSO). Other duties include publication of technical information bulletins.

PUBLIC INFORMATION: NCDVA is responsible for the dissemination of information to the public regarding the existence and purpose of the Division, programs available, as well as contacts and updates on veterans' benefits. This includes, but is not limited to, the publication of pamphlets,

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production and distribution of audio and video public service announcements, and press releases.

COMMISSION ON VETERANS AFFAIRS: The North Carolina Commission of Veterans Affairs serves as an advisory body to the governor and is not subject to control, supervision, or direction by the Division. It is comprised of members appointed by the Governor and Department Commanders (State level) from certain designated National Veterans Service Organizations.

The Commission works with the various veterans' organizations and their auxiliaries within the state and functions as a liaison between such organizations and the Division on matters pertaining to veterans.

COUNTY VETERAN SERVICE OFFICERS

The County Veterans Service Officer (CVSO), working in affiliation with the NCDVA, provide on-site counseling and assistance to local veterans and their dependents of their rights and entitlements under various Federal and State laws, prepares the necessary forms and papers, obtaining supporting documents & affidavits, and forwarding same to the appropriate District Service Office (DSO) for quality review and submission to the appropriate Government entity. The CVSO, while employed by the County, is trained by and works under the supervision of a District Service Officer of the North Carolina Division of Veterans Affairs, pursuant to G. S. 165-6 (8), (9). The District Service Officer assists in difficult or unusual cases, reviews the CVSO's work, and provides the CVSO with the necessary technical publications and other current information. Below is a general job description for the County Veterans Service Officer Position.

JOB DESCRIPTION: County Veterans Service Officer

MISSION STATEMENT: The County Veterans Officer is an advocate for the veterans and their dependents regarding benefits established by federal, state, and local regulations.

GENERAL DESCRIPTION: The position of the County Veterans Service Officer is primarily administrative work involving the various veterans' programs. The employee assigned to this position exercises independent judgment and initiative based upon federal, state, and local regulations. The County Veterans Service Officer is subject to the personnel regulations of said county of employment.

ESSENTIAL JOB FUNCTIONS: Administers Service Officer responsibilities in compliance with all federal, state, and local laws and regulations; determines preliminary eligibility for all programs administered by the County Veterans Service Office; provides coordination, liaison, guidance, and counseling to all veterans; coordinates services provided by the federal, state, and local governments; plans, organizes and directs the operational activities of the department; supervises and assigns duties to the Veterans Service Office staff; maintains current knowledge of applicable laws and regulations.

Provides assistance and information to veterans and their families in filing for veteran's benefits on federal, state, and local levels. Contacts other federal, state, and local agencies as necessary to ensure accurate, appropriate, and timely benefit applications; makes necessary contacts and selects proper forms to establish a file for each individual veteran; reviews completed forms to ensure that appropriate information is provided and required signatures are present; follows established procedures to process and submit applications in a timely manner; requests, obtains, and process appeals; maintains ongoing follow-up on active files to ensure proper processing and provides other assistance as appropriate.

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KNOWLEDGE, SKILLS, AND ABILITIES:

Extensive working knowledge of federal and state regulations pertaining to the various veterans' service programs.

Thorough knowledge of federal, state, and local resources available to veterans and their spouses, widows, dependent parents, and children.

Ability to exercise judgment in applying and interpreting federal, state, and local policies relating to veterans and their spouses, widows, dependent parents, and children.

The ability to communicate effectively, orally, and in writing.

Maintain computer skills necessary to utilize access to federal, state, and local database and application programs and services.

Meet county's transportation requirements.

Additional skills and qualifications preferred as designated by 38 Code of Federal Regulations (38 CFR 14.626) pertaining to the Department of Veterans Affairs.

PHYSICAL REQUIREMENTS: Veteran Service work is primarily sedentary in nature. Physical requirements include sitting for extended periods of time, bending, stooping, and lifting books and files of approximately 10 pounds or less.

MINIMUM EXPERIENCE AND EDUCATION: Associate's Degree or equivalent years of experience in a veteran's services related field. Veteran preference is encouraged, subject to county policy.

TRAINING: The service officer is trained by and works with the assistance of the North Carolina Division of Veterans Affairs, pursuant to General Statute 165-6(8)(9). County Veterans Service Officers employed more than 1000 hours per year will be eligible for accreditation by the NCDVA. Accreditation by other veterans' organization is subject to their requirements. Annual training, at minimum, is provided with one NCDVA district school, one NCDVA regional school, and two National County Association of County Veterans Service Officer (NCACVSO) schools.

DISCLAIMER: This is a General Job Description, subject to county policy.

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NCDVA Accreditation & Testing Procedures:

Accreditation with NCDVA is required for continued employment as a NCDVA Service Officer, but is optional for CVSO. NCDVA provided training & testing is required for such accreditation, per GS 165-6(8), as well as a review for effectiveness and quality of training. Accreditation can be obtained after one year of experience or equivalent.

- (1) Each Veterans Service Officer will be given a 100-question test.
- (2) There will be allowed 2 hours to take the test.
- (3) A passing score of 75 on the approved test, for both training and accreditation.
- (4) Each Veterans Service Officer will be allowed three chances to pass. Retesting requires a 90-day waiting period. After the third failed grade, the Veterans Service Officer will not be allowed to retest. He/She will not be accredited. The Veterans Service Officer's supervisor will be notified that he/she failed the test and will not be an Accredited Representative.
- (5) There will be separate test for each retest.
- (6) The test questions will be derived from the test questions at the end of each module.
- (7) The test Administrator will continue to make up the test with a computer program. The will be given at locations that will not require overnight travel and a distance of no more than two hours travel from a CVSO site. There shall be two NCDVA monitors, one covering Greensboro east and one covering Charlotte west. The test will be scheduled on as need basis. If the County Veterans Service Officer has no funds to travel, it will be the responsibility of the District Service Officer to transport the County Veterans Service Officer to the testing site.

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Review Questions: History and Organization:

Using the assigned references and reading materials, answer the following questions:

1. This course is a technical supplement to the programs, policies, and procedures set forth in: _____, _____, _____, and _____. 1-2
2. Veteran Service Officers are allowed to accept cash or any other form of remuneration for services rendered. 1-3
 - a. As long as the amount doesn't exceed \$25.00.
 - b. They may accept lunch, but can never accept remuneration in cash.
 - c. They should not, under any circumstances, accept remuneration in cash or other form for services rendered.
3. List the three different sub-agencies within the Department of Veterans Affairs: 1-3
 - a.
 - b.
 - c.
4. Name the four locations of VA Medical Centers operated by the Department of Veterans Affairs in North Carolina? 1-4

5. Which National Cemetery is currently conducting burials in North Carolina? 1-4
 - a. Wilmington
 - b. New Bern
 - c. Salisbury
 - d. Raleigh
6. Identify the United States Code pertaining to those benefits available to veterans and their dependents from the U.S. Dept. of Defense. 1-2
 - a. 38 U.S.C.
 - b. 10 U.S.C.
 - d. 38 C.F.R.
 - e. M21-1MR
7. Identify any three Community Out Based Clinics operated by the VHA in North Carolina. 1-4

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8. What are the three main functions of the North Carolina Division of Veterans Affairs? 1-6

1. _____

2. _____

3. _____

9. The County Veterans Service Officer, works under the supervision of.

- a. The County Manager in the county employed.
- b. The Human Resources Manager in the county employed.
- c. District Service Officer of the North Carolina Division of Veterans Affairs, pursuant to G.S. 165-6 (8).(9).

10. District Service Officers are responsible for providing which of the following services to those CVSO located within his / her respective District? 1-6

- a. Training
- b. Claims review for quality assurance
- c. Claims assistance
- d. All of the above