

Jan Dils Veterans Disability Benefits Newsletter

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This summer, Washington has been working on a critical effort to replenish the Veterans Choice funding program before the August recess – a measure both sides of the aisle came together to support. Through bipartisan legislation, the House and Senate Veterans Affairs Committees have passed a bill that will provide \$2.1 billion in funding and invest in the VA's internal capacity by authorizing 28 major medical leases. This is great news for our Veterans. We will be breaking down what this means for you and your loved ones in future communications.

In the theme of “breaking down” important issues, in this month's newsletter we are addressing two questions we frequently receive from Veterans and their families as it relates to disability benefits: Can my benefits be

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reduced? And, how can I request my rating be increased? We hope this article will give peace of mind and answers to those who rely on this income.

The second article highlights the work and programming within the U.S. Department of Labor to help employ our Veterans. As good news on the employment front, in June 2017, the Veteran unemployment rate was 3.7 percent, down from 4.2 percent last June, making it the lowest June rate since 2007. What a way to support our troops as they transition back into civilian life!

Of course, all of us at Jan Dils, Attorneys at Law are working to champion Veterans. If you have questions about these or any other topics related to Veterans benefits, please don't hesitate to give us a call or send an email. We are a compassionate team with the knowledge and experience to help you, a family member or friend navigate Veterans benefits. We hope you had a great summer.

Sincerely,



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**PEACE OF MIND FOR
DISABLED VETERANS**



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The two most common questions from disabled Veterans as it relates to these tax-free benefits are: 1) Can my benefits be reduced and 2) If my condition(s) have worsened, how can I request my rating be increased? Jan Dils, Attorneys at Law, breaks down the two issues.

Your Right to Maintain Your Disability Benefits

In tackling the first common question, the U.S. Department of Veterans Affairs (VA) can take action to reduce a Veterans' disability compensation. While the list of reasons is exhaustive, below are the primary flags:

- **Jail:** The VA can reduce compensation when a Veteran is in a local, state or federal jail or prison for more than 60 days.
- **Unprotected Ratings:** An “unprotected rating” is when the benefits paid are not total (that is, under 100%) or not stabilized (that is in effect for less than five years). The VA can only reduce the rating if there is a proven improvement in your disability under the ordinary conditions of life and work.
- **Stabilized Ratings:** This applies to ratings that have continued for five or more years or more at the same level. It cannot be reduced unless the VA can show a “sustained improvement” in your disability.
- **100% Ratings:** The VA can only reduce a 100% rating if a “Material improvement” is proven that symptoms have alleviated and/or a temporary remission of a chronic condition have occurred. It is not uncommon for the VA to make mistakes after the re-examination.
- **Continuous Rating:** This is a situation where the Veteran has received benefits at, or above, a certain percentage for 20 years or more. In this case, the VA may not lawfully reduce the rating unless the VA can show that the rating was procured by fraud.

If this happens, it is vital to act immediately. Do these two things, without waiting. Do not miss the pre-reduction examination, as this alone can be a basis for the VA to reduce monthly benefits. Find an aggressive Veterans lawyer to ensure a better chance of preventing a reduction in your benefits.

Increasing Your VA Disability Rating

Medical conditions can get worse over time. If you are a Veteran receiving disability benefits from the VA, you have the right to request your rating be increased. However, make sure you understand that if your re-evaluation is not iron clad, you could cause benefits to decrease as the VA may find errors in your initial benefits award.



Top Three Tips:

- Make sure you review original award letters so you know exactly what benefits and ratings you have.
- Make sure that the medical evidence backs your claim.
- Check your benefits at the [eBenefits](https://eBenefits.va.gov) site.

After you have done your research and received medical validation, the final step is to file [VA Form 21-426b](#). If you disagree with your disability rating and wish to challenge it, arrange a consultation with an attorney certified with the VA.

Sources:

<http://www.disabilitysecrets.com/resources/disability/veterans-disability/va-reduce-benefits.htm>



EMPLOYING OUR VETERANS TRANSITIONING BACK INTO CIVILIAN LIFE



The Department of Labor [Veterans Employment and Training Service](#) works daily to make sure that those who serve have the employment support they need when they transition back into civilian life. Here are three ways the Department is getting Veterans back to work:

Transition Training

As a component of the [Transition Assistance Program](#), or TAP, the Labor Department provides a mandatory three-day employment workshop, as well as an optional two-day Career Technical Training Track curriculum focused on licensing, credentialing and apprenticeship programs that lead to well-paying civilian jobs and meaningful careers. During the 2016 fiscal year, the department hosted over 6,300 employment workshops worldwide for

over 184,000 participants.

To keep this content current, VETS has conducted a comprehensive review of both courses using input from employers, Veteran service organizations and other stakeholders who have unique perspectives and expertise with Veterans employment. The revised curriculum will be taught beginning in 2018.

Support for Regional Hiring Events

Since June 2015, more than 860,000 Veterans have used the Labor Department's American Job Centers to find employment resources – and bring assistance to them by participating in numerous hiring events around the country every year.

“There were a lot of very professional companies at this job fair that obviously appreciate the soft skills and values Veterans have to offer, such as duty and loyalty,” said one participant, an Army Veteran. “I thought that the organizers and state employment workforce agencies did an excellent job connecting Veterans with employers who had great jobs to fill.”

Events like these help keep the Veteran unemployment rate low. In July 2017, the Veteran unemployment rate was 3.5 percent, down from 4.2 percent last June, making it the lowest June rate since 2007.

Getting Veterans Licensed to Work

The Department of Labor last year released a [toolkit for states](#) detailing ways to streamline professional licensing and credentialing for Veterans and transitioning service members. The toolkit identifies common barriers, describes strategies for overcoming them, and provides a blueprint that can help states accelerate Veterans' licensing and certification.

The toolkit's resources can help states navigate common challenges in implementing policies to overcome the complexity of state licensure and third-party certification

systems for Veterans.



The U.S. works to honor our heroes by giving them the tools they need to get back on track towards a successful civilian career. Learn more at www.veterans.gov.

Source: [Department of Labor](#)

<https://blog.dol.gov/2017/07/31/how-were-helping-our-heroes-get-hired>

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Jan Dils, Attorneys at Law, handles Personal Injury Claims, Social Security and Veterans Disability for clients throughout West Virginia with offices located in Parkersburg-Beckley-Charleston-Huntington-Logan as well as one additional office located in Charlotte, North Carolina. But regardless of where you are located we are able to serve you or a family member Nationwide.

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