



IMPORTANT NEWS FOR DISABLED VETERANS: The Appeals Modernization Act (AMA)

The Veterans Appeals Improvement and Modernization Act (AMA) was officially implemented on February 19, 2019 — in an effort to simplify and streamline the appeals process while giving Veterans, their families and survivors more choices in handling disagreements with challenging VA decisions. If the VA makes an unfavorable rating decision on an initial compensation claim, VA's new disability appeals process allows Veterans to choose from three different options, or lanes, when filing an appeal. While a number of Legacy claims are still active and subject to the old rules and procedures, all appeals of decisions that issued after February 19, 2019, are processed in the new AMA system.

How Does the AMA Work?

Under AMA, there will still be a Rating Decision on every initial claim that is filed. However, a Veteran who disagrees

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with the VA's decision has one year to appeal by choosing one of the following three lanes:

- **Higher-level Review.** The Veteran requests that a more experienced rating specialist issue another decision. In this lane the record is closed, meaning the Veteran cannot submit any additional evidence.
- **Supplemental Claim.** The Veteran can submit new and relevant evidence in support of the claim.
- **Notice of Disagreement.** The Veteran can appeal the case directly to the Board.

After appealing through one of these three lanes, the Veteran will then receive another decision. Specifically, both the Higher-level Review and Supplemental Claim lanes will yield Rating Decisions, while the Notice of Disagreement lane will produce a Board decision.

Sound complicated? The AMA has resulted in changes to our processes and procedures; however, our firm has adapted,



Letter From Jan

Happy New Year! We hope you all had a wonderful and safe holiday season. It looks like 2022 is off to a good start for our Veterans, who will see a welcome and well-deserved 5.9% increase in their VA monthly disability payments. Thanks to the passage of the Veterans' Compensation Cost-of-Living Adjustment Act, our Veterans will now get the same benefits increase that Social Security recipients get. It's about time.

Change is often a good thing. The AMA (Appeals Modernization Act) has streamlined the VA disability appeals process. Our firm quickly adapted to the new methods, and we have modified our procedures to align with the new law. The result is a more streamlined — and often faster — path to a decision. We will continue to improve our methods in order to serve you better.

Lastly, with the inevitable winter weather, be sure to bundle up and drive safely! Spring is on the way.

MINDFUL MATTERS

We might've mentioned this one before, but gratitude is something we strongly encourage among our team members. Practicing gratitude each day can be a game-changer — improving our mental health as well as our relationships with family, friends and coworkers.

Simply put, gratitude is the act of being grateful. When you live your life with gratitude, you notice the little wins and begin to realize that every day is a gift. Here are a few ways you can bring more gratitude into your life:

- **Keep a gratitude journal.** Make it a daily habit to write down the gifts, grace, benefits and good things you enjoy.

- **Remember the bad.** To be grateful in your current state, it's helpful to remember the bad things and see how far you've come.

- **Share your gratitude with others.** Be sure to let other people know you appreciate them.

- **Use visual reminders.** Post sticky notes or other visuals of daily quotes and affirmations.

- **Voice daily affirmations.** Take time to speak positivity into your daily life: *You are worthy. You are successful. You can handle it.*



Recreational Spotlight

Actors Guild of Parkersburg and Smoot Theater

Do you love music and theater? Then consider these two local gems for your next night out on the town — the Actors Guild of Parkersburg and the Historic Smoot Theatre. Each boasts a rich history dating back before World War II. The Smoot Theatre was originally built in 1926 as a vaudeville house while the Actors Guild, housed in a building dating back to 1916, was founded in the early 1940s by a group of area radio personalities and theatre buffs.

Today, the Guild presents several stage productions throughout the year

— including musicals, dramas and comedies — thanks to the generous support of local volunteers, community businesses and organizations. Jan Dils, Attorneys at Law, is proud to support the Guild, most recently its production of “Elf the Musical.”

Smoot Theatre hosts live music, children's theatre, comedy, dance, lectures, one-man shows, seminars and more. This past December, they welcomed West Virginia's own 2011 America's Got Talent winner Landau Eugene Murphy Jr. to the stage. Team member Jamie Kincheloe had the opportunity to snag a photo with Landau during an album signing at the Grand Central Mall earlier this year.

If you haven't had the opportunity to catch a show at either location, you should add them to your must-do list. Parkersburg is proud to have such artistic treasures nestled in downtown.



MORE GOOD NEWS FOR VETERANS



The 2022 VA pay increase will be the biggest in a decade. Those receiving VA disability compensation will see their monthly VA pay increase by 5.9% beginning in January 2022 — the largest increase in more than a decade. To put that into dollars, for every \$1,000 a Veteran currently receives in benefit payments, they will get an additional \$59 each month. Spouses and family members receiving survivor benefits will see the same increase in their monthly payments. The annual cost of living adjustment has averaged around 1.5% for the last 10 years, so this year's increase of 5.9% is certainly welcome.

In 2022, Veterans will get the same cost of living increase in their benefit payouts that Social Security recipients get — thanks to passage of the Veterans' Compensation Cost-of-Living Adjustment Act, a rare bipartisan success story.

The 2022 compensation bump is no doubt driven by inflation, which was increasing at 5.3% in August, according to the Consumer Price Index. But it's more than just a rate adjustment tied to inflation — it represents a quality-of-life boost for Veterans who served honorably and are now dealing with service-connected disabilities that make it hard to work and provide.

Can I Increase My Disability Claim?

If you feel your Veterans compensation payment is too low even with the pay boost, you can appeal VA decisions: If you received a low service-connected rating percentage, you don't have to accept it. Appealing a claim can help you change several kinds of unsatisfactory VA decisions. For example, you can:

- *Appeal denials for service connection*
- *Appeal for higher ratings*
- *Appeal for an earlier effective date*
- *File claims for clear and unmistakable error*
- *File claims for individual unemployability*
- *File a Section 1151 claim if you suffered additional disability resulting from VA hospital error*

If your initial application has been denied, it is better to file an appeal rather than a new application. When you file a new application, you lose out on retroactive benefits to which you may be entitled. Instead of getting benefits that could date back to the start of the process, you may only receive benefits dating back to the filing of the second application.

If you decide to file an appeal, you should act quickly. There are certain deadlines you will have to meet in order to file successfully. Call us at **833.534.3577** or email us at **contact@jandilsfoundation.org**.

Sources: www.repforvets.com/2022-va-pay-increase-is-biggest-in-over-a-decade/#:~:text=Veterans%20receiving%20VA%20disability%20compensation,an%20additional%20%2459%20in%202022

What's Cooking?

CHEX MIX

Easy to make and soooo yummy!
By: **Jess Hacker** – VA Operations Manager



INGREDIENTS

- | | |
|----------------------------------|--|
| 4 cups Rice Chex cereal | 1/3 cup vegetable oil |
| 4 cups Corn Chex cereal | 2 Tbsp. Worcestershire sauce |
| 4 cups Wheat Chex cereal | Garlic powder, to taste (we use a lot) |
| 3 cups mini pretzels | Salt, to taste |
| 10 Tbsp. unsalted butter, melted | |

DIRECTIONS: Preheat oven to 250° F and line two large, rimmed baking sheets with parchment paper. In a large bowl, toss Chex cereal and pretzels with the melted butter, vegetable oil, Worcestershire sauce, garlic powder and salt. Spread the mixture on prepared baking sheets in an even layer and bake for 1 hour, tossing after 30 minutes. Store in an airtight container for up to two weeks (if it lasts that long).

It's Game Time

COMMONYMS

What's a commonym, you ask? A commonym is a group of words that have a common trait in the three words/items listed. For example, the words: A car - A tree - An elephant... they all have trunks. These will make you think!

1. Olive - Orange - Fig
2. Doors - Paintings - Eye Glasses
3. Picnic - Pool - Coffee
4. Rose - Potato - Taste
5. Olympics - Leap Year - Presidential Elections
6. Masking - Red - Duct
7. Index - Pinky - Ring
8. Ice - Sugar - Rubik's
9. Jurors - Roses - Doughnuts
10. Seat - Whoopee - Pin

Answers: 1. trees 2. they have frames 3. tables 4. buds 5. happen every 4 years 6. tape 7. fingers 8. cubes 9. they come in dozens 10. cushions

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and we have aligned our procedures with the new VA process. One of the major changes resulting from AMA is that we can no longer submit evidence throughout the claims process at any given time as we could with a Legacy claim.

For example, our firm typically submits a Notice of Disagreement (NOD), and will request that a Board of Veterans Affairs (BVA) hearing be scheduled. We select this lane

so we have the ability to argue our client's disability claim in front of the BVA Law Judge in Washington, D.C. Once the appeal is filed, the law states that you can no longer submit

evidence until the day of and/or 90 days after the day that the BVA hearing is scheduled. We have adapted our procedures to ensure all evidence and medical records are submitted within the allotted time frame.

Heather E. Vanhooose, Lead Veterans

Disability Attorney at Jan Dils, Attorneys at Law, recently spoke at the National Organization of Veterans Advocates (NOVA) fall conference on managing a practice within the confines of the new AMA system.

She stated, "It's a tremendous honor to be involved in any way with NOVA. Their organization is absolutely essential in navigating the practice of Veterans law. To be included in

a panel at the conference was an exciting experience for me."

We are always adapting and improving our methods to better serve our clients. Let us help you navigate the AMA system. Call us at **833.534.3577** or email us at **contact@jandilsfoundation.org**.

Our firm has adapted, and we have aligned our procedures with the new VA process.



Far left: Heather VanHooose, Jan Dils Attorneys at Law, panelist.