

THIS
ISSUE

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Chicken & Dumplings**

THE
JAN DILS
FOUNDATION

VETERANS

BENEFITS & BEYOND

MAY 2024



WHAT IS INDIVIDUAL UNEMPLOYABILITY? AM I ELIGIBLE?

If you can't work because of a disability related to your military service, you may qualify for Individual Unemployability — and get disability compensation or benefits at the same level as a Veteran who has 100% disability rating.

Am I eligible for this benefit?

You may be eligible for Individual Unemployability if you meet the following requirements:

- You can't hold down a steady job that supports you financially (known as substantially gainful employment) because of your service-connected disability. Odd jobs (marginal employment) don't count.

And:

- You have at least one service-connected disability rated at 60% or more disabling,
- or
- You have two or more service-connected disabilities, with at least one rated at 40% or more disabling and a combined rating of 70% or more.

If I'm eligible for Individual Unemployability, will my disability rating change?

No. If you're eligible for Individual Unemployability, the amount of your monthly compensation payment will change,

but your disability rating will stay the same.

What's an example of Individual Unemployability?

A Veteran has a service-connected heart condition and a 60% disability rating. She was able to work until last year, when she began to get chest pain while doing anything physical, like lifting boxes. Her doctor told her to retire as soon as possible. She filed a claim for additional disability

compensation. The VA reviewed her work and education history and agreed that she was individually unemployable because of her service-related disability, and her disability compensation was increased to the same rate as a 100% disabled Veteran.

What evidence is needed?

You'll have to provide evidence (supporting documents like a doctor's report or medical test results) showing that your disability prevents you from holding down a steady job. The VA will also review your work and education history.

What if my VA individual Unemployability benefits claim has been denied?

If your claim for Total Disability based on Individual Unemployability has been denied, you can appeal VA's decision. Keep in mind that Veterans have one year to appeal a denied claim before the decision becomes final. If you choose to appeal, it may be in your best interest to seek assistance from an experienced VA attorney.

If your Individual Unemployability benefits claim has been denied, the experienced team of accredited attorneys at the Jan Dils Foundation may be able to help. We take pride in fighting for the benefits you deserve. Call us today at **833.534.3577** or email us at contact@JanDilsFoundation.org.



Letter From Jan

It's finally spring! Time to get outside and enjoy this nice weather. But for those inevitable rainy days, let me offer a suggestion: Our

firm is teaming up with Discovery World on Market in Parkersburg to offer free admission to our Blue Star families and Veterans. The 2024 program begins on Armed Forces Day, May 18, and ends on Labor

Day, September 2. It's a wonderful museum for children with fun exhibits and educational benefits for all. Please see our article in this issue for more information.

Did you know that May is Stroke Awareness Month? Strokes can happen to anyone, at any age, and having one stroke puts you at major risk for a second one. High blood pressure is a leading cause of stroke, but smoking, diabetes and high cholesterol are contributing factors. Warning signs of a stroke include face drooping, arm weakness and difficulty speaking. If you or someone

you care about has any of these symptoms, call 911 immediately. For more info, visit stroke.org.

Following a stroke, it's important to spend less time being sedentary and begin being as physically active as possible, even if you need assistance from others. Engaging in regular physical activity, such as walking, will help you improve and return to the fullest possible level of function.

And, as you know, an ounce of prevention is worth a pound of cure — so get out there, enjoy the spring sunshine and get some exercise. That's the best stroke prevention there is.

COMMUNITYCORNER

DISCOVERY WORLD ON MARKET/ BLUE STAR MUSEUM PARTNERSHIP

Discovery World on Market is teaming up with Jan Dils, Attorneys at Law, to sponsor museum admission for military families — by participating in the Blue Star Museums initiative. Blue Star Museums is a collaboration among the National Endowment for the Arts, Blue Star Families, the Department of Defense, and participating museums across America — which offer free admission to the nation's active-duty military personnel and their families, including National Guard and Reserve. The 2024 Blue Star Museums program begins on Armed Forces Day, Saturday, May 18, 2024, and ends on Labor Day, Monday, September 2, 2024.

Free admission is available to those currently serving in the United States military: Air Force, Army, Coast Guard, Marine Corps, Navy, and Space Force; members of the Reserves, National Guard, U.S. Public Health Commissioned Corps, NOAA

Commissioned Corps; and up to five family members. Qualified members must show a Geneva Convention common access card (CAC), DD Form 1173 ID card (dependent ID), DD Form 1173-1 ID card, or the Next Generation Uniformed Services (Real) ID card for free admission to a participating Blue Star Museum.

In addition, Jan Dils, Attorneys at Law, is offering free admission for any Veteran and their family. Veterans must present their Military ID and/or DD214 for entrance.

For a complete list of upcoming programs, classes, and events at Discovery World on Market, visit their website at dwonmarket.org.

We are a



BLUE STAR MUSEUM

presented by
NATIONAL ENDOWMENT FOR THE ARTS
 and **BLUE STAR FAMILIES**

arts.gov/bluestarmuseums

Employee Spotlight



Seaira Fortune

Meet Seaira Fortune — quite possibly the coolest team member at the firm.

An Outlying Office Specialist at our Logan, WV location, Seaira has been with the firm for almost a year. From the wall décor in her cube, you can tell she's a huge fan of *The Office*. Seaira also enjoys participating in drag racing and watching drift competitions.

Fun fact: Her first name grew out of her mother's love for the ocean and salty air, and her middle name (Hope) quite literally reflected her mom's hope that she would be a girl.

We're glad to have you, Seaira!



DO I NEED A COMBAT BADGE TO CLAIM PTSD?

Veterans diagnosed with non-combat PTSD but denied service connection frequently express a common frustration: “How can the VA say this never happened to me? I’m not lying!” The VA will often cite a lack of evidence as reason for denial.

With something as deeply personal and traumatic as a stressor for PTSD, it can be difficult for Veterans to take a step back and realize what evidence they need to contest a denial-of-service connection for non-combat PTSD. No matter how it may feel to a Veteran in need of benefits, the rules constrain the VA from granting service connection until a claim meets a certain level of proof.

Non-combat PTSD can be just as debilitating as PTSD from combat.

Combat PTSD, by definition, involves the Veteran having been “engaged in combat with the enemy.” In other words, the Veteran must have personally participated in events constituting an actual fight or encounter with a military foe. But you don’t have to engage in a firefight to endure the trauma of war.

Can you have PTSD without seeing combat?

Yes, Veterans can experience post-traumatic stress disorder without seeing combat. A stressor can still cause debilitating, long-lasting effects if you don’t receive the right benefits and treatment. Non-combat PTSD is a manifestation of stressors that create anxiety, panic and distress. Some examples of root causes are physical or sexual assault while serving, witnessing a fellow soldier’s death or suicide, or motor vehicle accidents.

Non-combat PTSD stressors differ among Veterans. While PTSD episodes can be debilitating, the first step for many Veterans is to exercise their right to file a disability claim.

Please keep in mind that the outcome of the claims approval process depends on the information and evidence you present. To apply for PTSD disability benefits, you must be able to provide some proof of your stressors. The three main requirements to establish service connection for PTSD are:

- Medical evidence diagnosing the condition using DSM-5 (Diagnostic and Statistical Manual of Mental Disorders) criteria,
- A link, established by medical evidence, between current symptoms and an in-service stressor, AND
- Credible supporting evidence that

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CHICKEN & DUMPLINGS

This tasty dinner is from **Jess Hacker**, VA Operations Manager..



INGREDIENTS

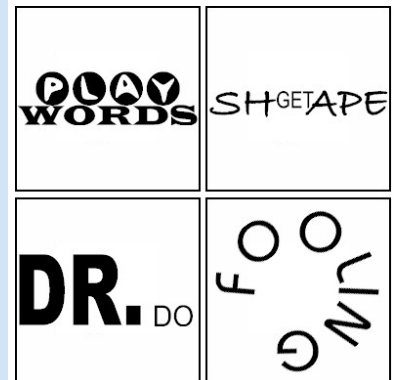
- 3 chicken breasts
- 2 medium celery stalks (with leaves), chopped
- 1 medium carrot, diced
- 1 small onion, chopped

- 3 cups water
- 2 cups chicken broth
- 3 cups Bisquick Original baking mix
- 1 cup milk
- Salt, pepper and garlic powder to taste

DIRECTIONS: Combine first six ingredients in a large pot. Bring the mixture to a low boil and cook down until vegetables are soft and chicken is completely cooked through. Remove chicken and shred; then add it back to the pot. Bring to a boil. While you’re waiting for the chicken and broth to come to a boil, combine Bisquick and milk in a separate bowl. Stir until mixture reaches a doughy consistency. If it seems dry, add more milk. Once the chicken mixture reaches a boil, drop heaping tablespoons of dumpling mix into the boiling broth. Boil for 10-12 minutes or until the dumplings are cooked through.

It’s Game Time

What’s a Bamboozable? A bamboozable is a saying/phrase that is made up of a display of words, in an interesting way. The object is to try to figure out the well-known saying, person, place, or thing that each bamboozable is meant to represent.



Answers: 1. Play on Words 2. Get in Shape 3. Dr. Dolittle 4. Fooling Around

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PERSONAL INJURY | VETERANS DISABILITY | SOCIAL SECURITY DISABILITY

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the in-service stressor actually happened.

Relaxed standards

Under certain circumstances, a Veteran's lay testimony alone may establish an in-service stressor for purposes of establishing service connection for PTSD. For the lay testimony to establish the occurrence of a claimed stressor, the stressor must be consistent with:

- Circumstances, conditions, or hardships of service for claims based on an in-service PTSD diagnosis, FPOW (former prisoner of war), or combat service, OR
- Places, types, and circumstances of service for claims based on a fear of hostile military or terrorist activity or duties as a drone aircraft crew member, AND
- There must be no clear and convincing evidence to the contrary.

Non-combat PTSD can be just as debilitating as PTSD from combat. PTSD is a complex psychological diagnosis that can be rooted in any kind of traumatic stressor. At Jan Dils, Attorneys at Law, we have spent

more than 30 years successfully fighting for Veterans' benefits. Let us help you get the benefits you deserve. Call us today at **833.534.3577** or email us at contact@JanDilsFoundation.org.

