

SPECIAL CLAIM DEVELOPMENT

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SPECIAL CLAIM DEVELOPMENT

JUST APPLIES TO MST?

THE SAME DEVELOPMENT APPROACH CAN APPLY TO
VARIOUS CLAIMS SUCH AS :

- NON-COMBAT, NON-MST TRAUMA
- EXPOSURE
- IN CASES OF MISSING RECORDS
- CLASSIFIED RECORDS
- PACT ACT/EXPOSURE

SPECIAL CLAIM DEVELOPMENT

BREAK OUT SESSION

- PLEASE BREAK OFF INTO 5 GROUPS.
- DISCUSS HOW TO DEVELOP VARIOUS TYPES OF CLAIMS.
- EACH GROUP WILL NEED AT LEAST 2 LAPTOPS.
- EACH SCENERIO ARE ACTUAL DEVELOPMENT LETTERS SENT TO VETERANS--YOUR JOB IS TO WORK TOGETHER TO FIND EVIDENCE TO SUPPORT THE VETERAN'S CLAIM.
- WE WILL GO OVER EXAMPLES OF EVIDENCE USED TO SUCCESSFULLY WIN EACH CLAIM.

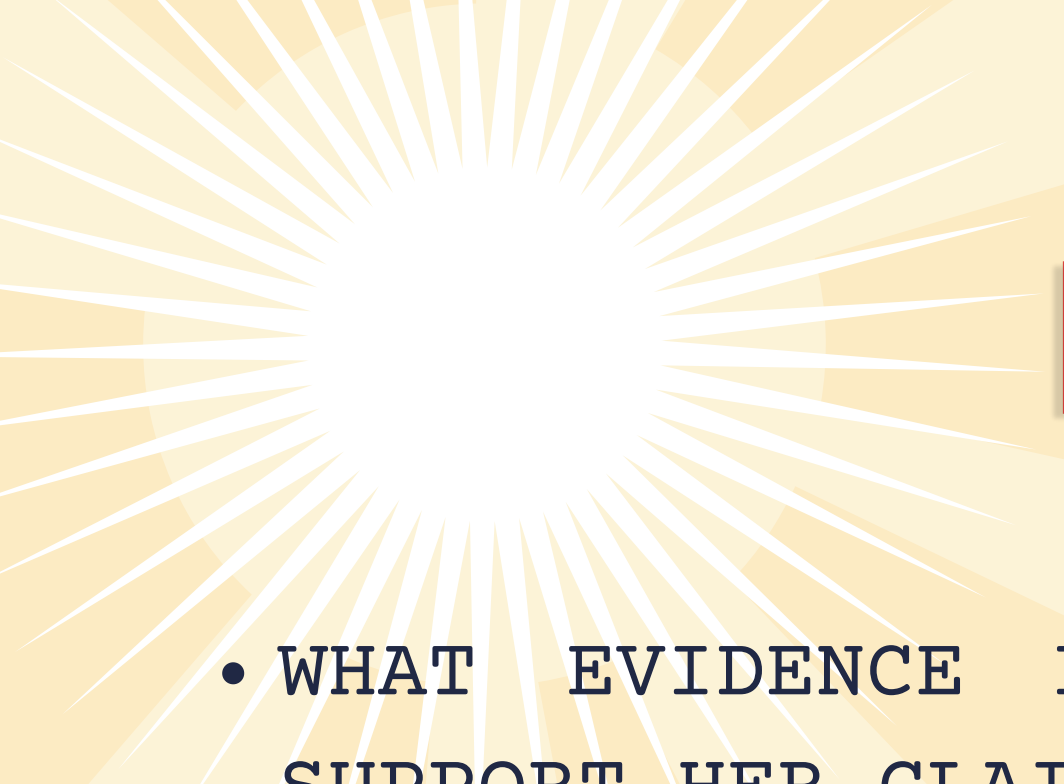


CASE 1: MISSING RECORDS / MST CLAIM

CASE SUMMARY

- READ BACKGROUND INFORMATION ON VETERAN'S CLAIM AND CASE.
- HAS THE VA DONE ENOUGH (DTA) TO LOCATE HER RECORDS?
- WHAT CAN YOU DO TO HELP SUPPORT THIS VETERAN'S CLAIM?





CASE 1: MISSING RECORDS / MST CLAIM

DISCUSSION

- WHAT EVIDENCE DID YOUR GROUP FIND THAT COULD HELP SUPPORT HER CLAIM AND LACK OF RECORDS?
- WHAT OTHER EXAMPLES OF EVIDENCE DID YOU COME UP WITH?



CASE 1: MISSING RECORDS / MST CLAIM

EVIDENCE USED & OUTCOME



- NEWS ARTICLES OF HARASSMENT ABOARD THE USS ENTERPRISE.
- BUDDY STATEMENTS.
- FOIA REQUESTS TO SHOW VETERAN EXHAUSTED ALL ATTEMPTS TO ASSIST VA IN OBTAINING RECORDS.

CASE 2: NON-COMBAT TRAUMA

CASE SUMMARY



- READ BACKGROUND INFORMATION ON VETERAN'S CLAIM AND CASE.
- VETERAN IS REPORTING MULTIPLE EVENTS WHILE ONBOARD THE USS RANGER. VA WAS UNABLE TO VERIFY THESE EVENTS.
- VETERAN HAS A POSTIVE MEDICAL OPINION FOR PTSD—DESPITE EVENTS NOT VERIFIED.

CASE 2: NON-COMBAT TRAUMA

DISCUSSION

- WHAT EVIDENCE DID YOU FIND THAT COULD HELP SUPPORT THE VETERAN'S CLAIM/APPEAL?
- IS THERE ANYTHING YOU CAN DO AS THE CVSO TO 'DUMB IT DOWN' FOR THE VA?



CASE 2: NON-COMBAT TRAUMA

EVIDENCE USED & OUTCOME

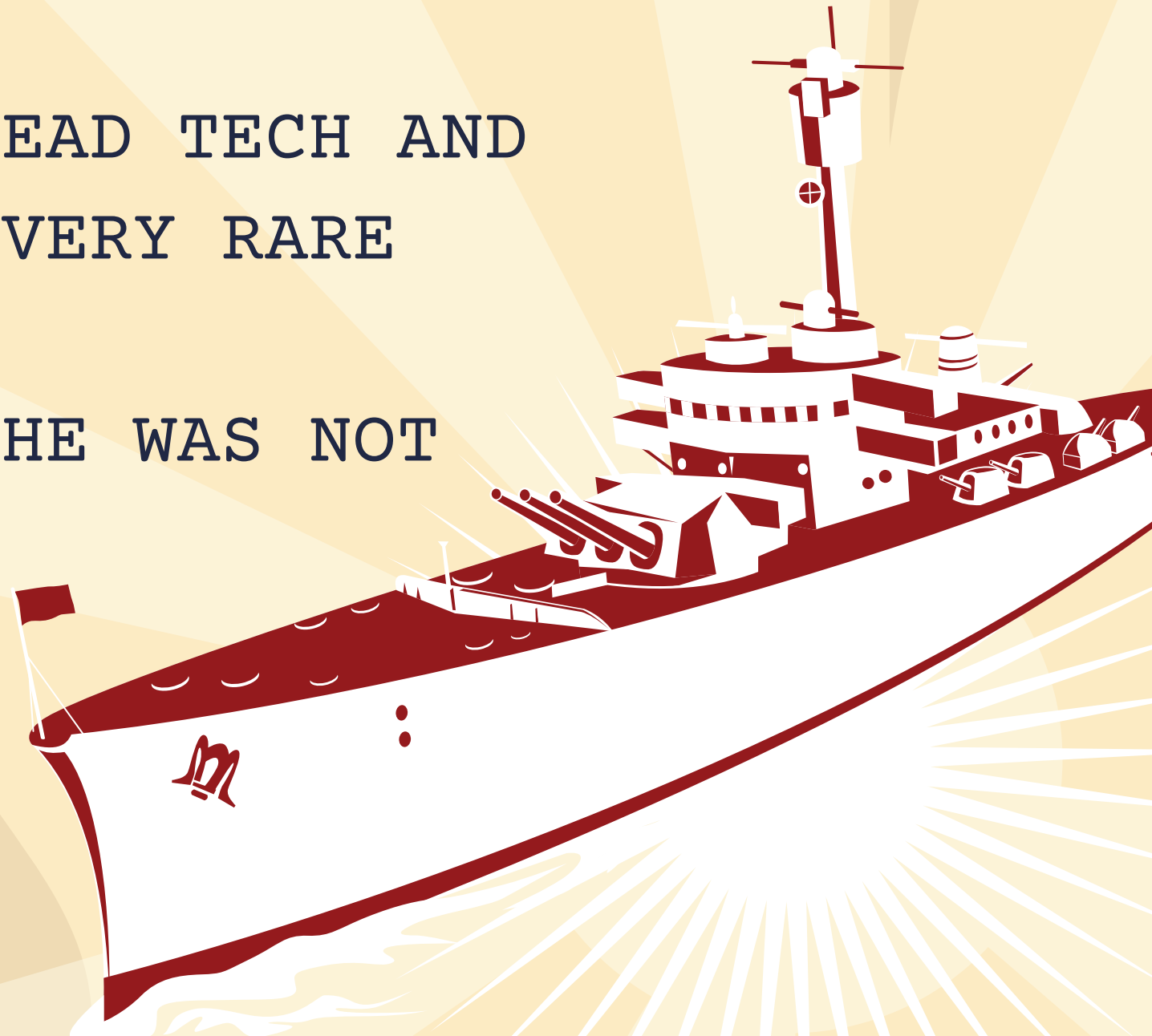
- SHIP HISTORY
- REVIEW OF SHIP LOGS AND DETAILED LIST PROVIDED TO VA.
- UPDATED PTSD STATEMENTS TO VERIFY DATES OF EVENTS.
- NEWS ARTICLES



CASE 3: RADIATION/EXPOSURE

CASE SUMMARY

- READ BACKGROUND INFORMATION ON VETERAN'S CLAIM AND CASE.
- VETERAN WAS A NUCLEAR WARHEAD TECH AND HAS BEEN DIAGNOSED WITH A VERY RARE CANCER.
- VA/FEDERAL AGENCIES STATE HE WAS NOT EXPOSED TO RADIATION.



CASE 3: RADIATION/EXPOSURE

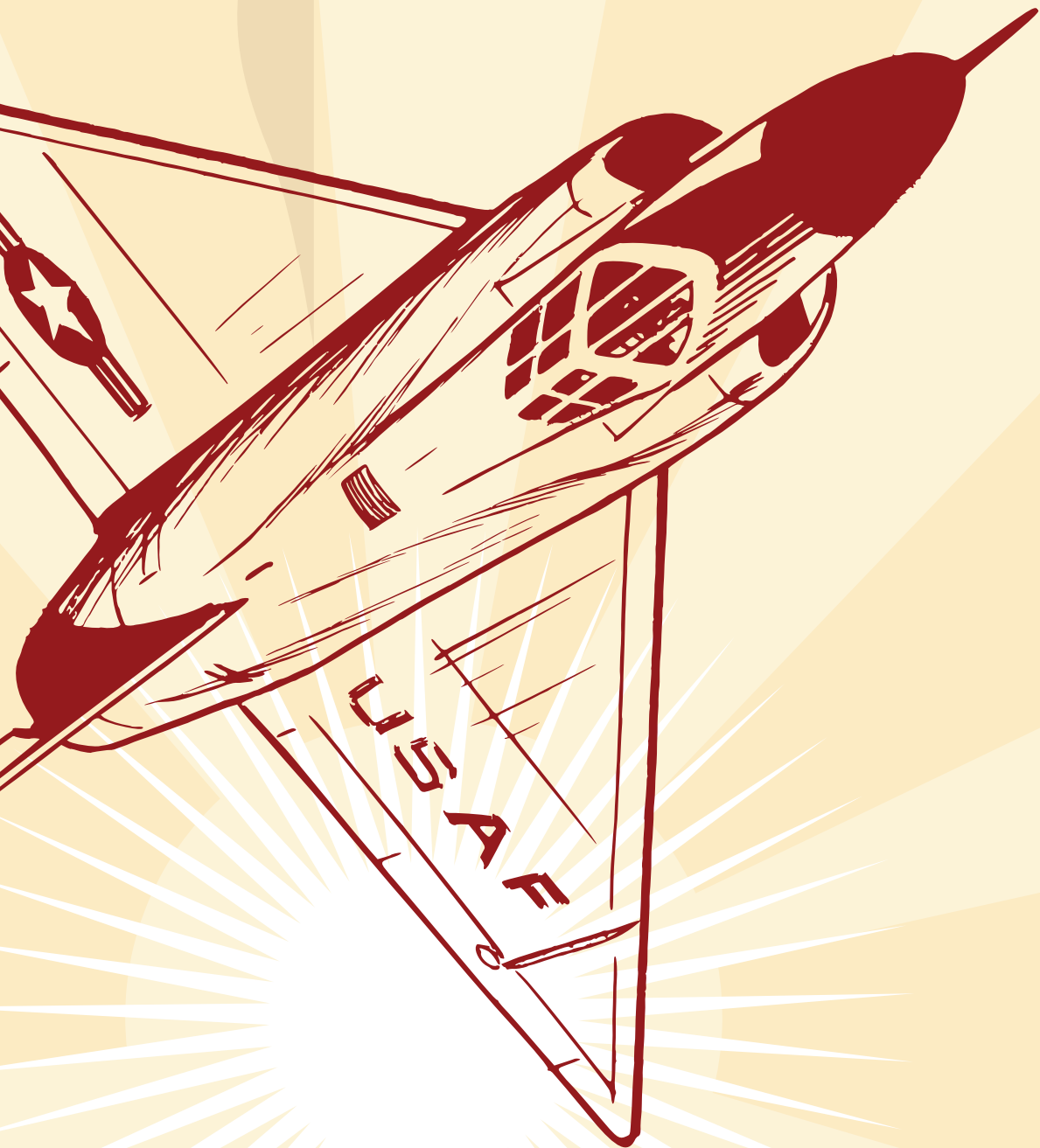
SECTION 1: INITIAL CLAIM

- IS THE CLAIM THEORY SOUND?
- WERE THE MEDICAL OPINIONS SUFFICIENT TO SUPPORT THE CLAIM?
- HOW WOULD YOU RESPOND TO THE VA RADIATION DEVELOPMENT LETTERS?



CASE 3: RADIATION/EXPOSURE

SECTION 1: DISCUSSION



- DISCUSSION OF WHAT YOUR GROUP SUGGESTION ON HOW TO DEVELOP CLAIM.
- CLAIM THEORY
- MEDICAL OPINIONS
- LET'S GO OVER WHAT WE SUBMITTED TO SUPPORT THE CLAIM/RESPOND TO DEVELOPMENT LETTERS.

CASE 3: RADIATION/EXPOSURE

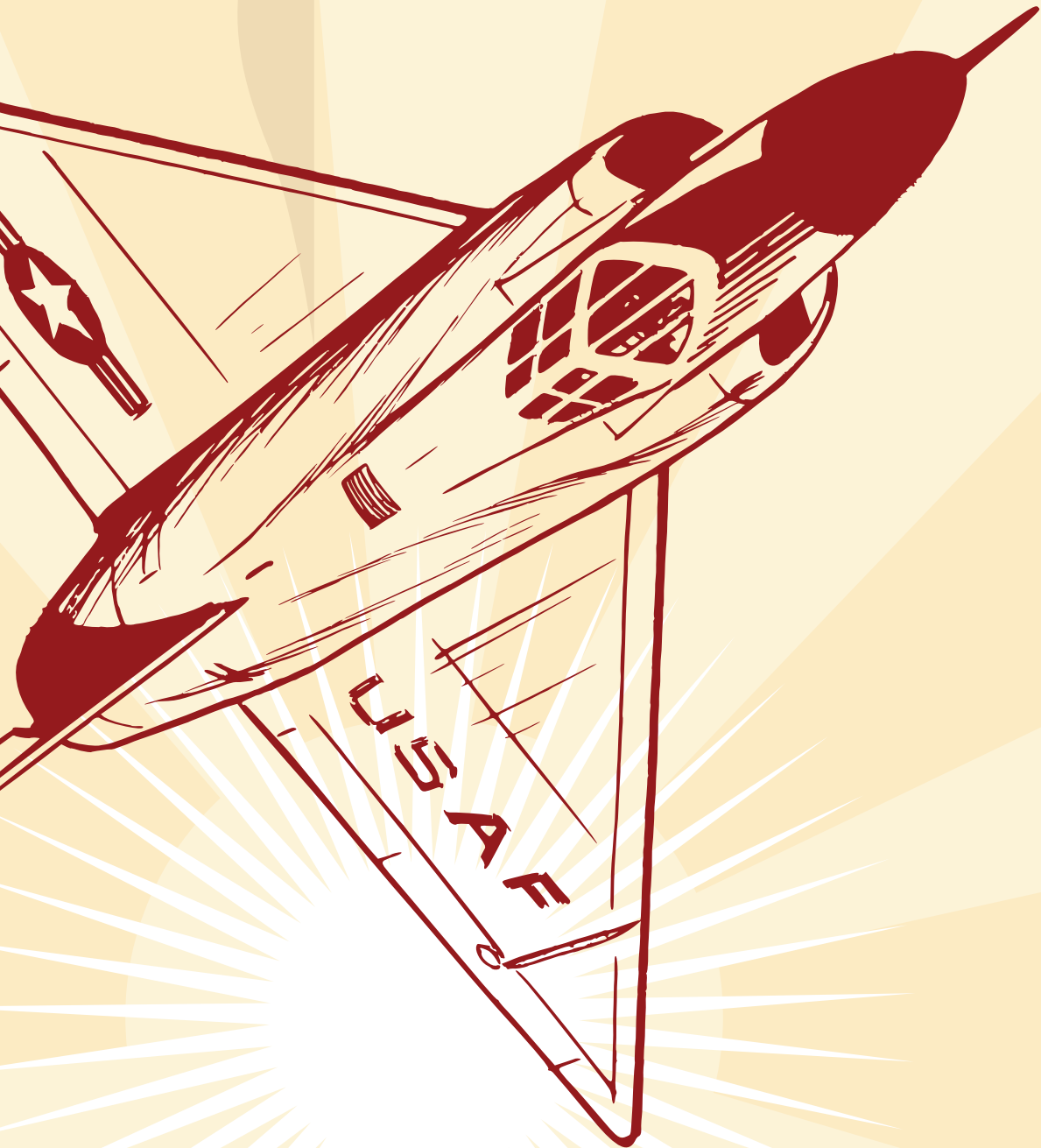
SECTION 1: RESPONSE

- CLAIM THEORY STATEMENT
- VETERAN STATEMENT
- RESEARCH



CASE 3: RADIATION/EXPOSURE

SECTION 1: DISCUSSION



- WHAT WOULD YOU HAVE DONE DIFFERENTLY?
- THERE IS A KEY ERROR IN THE VSO STATEMENT...WHAT IS IT?
- WERE WE SUCCESSFUL?

CASE 3: RADIATION/EXPOSURE

SECTION 2: APPEALS

- WHAT WOULD YOU SUBMIT TO REMEDY INITIAL CLAIM DEVELOPMENT WEAKNESSES?
- HOW WOULD YOU RESPOND TO THE ADDITIONAL DEVELOPMENT LETTERS?



CASE 3:

RADIATION/EXPOSURE

SECTION 2: APPEALS RESPONSE

- COPY OF EPA REPORTS
- 21-4138 RESPONDING TO DEVELOPMENT LETTERS.
- WHERE WE SUCESSFUL?

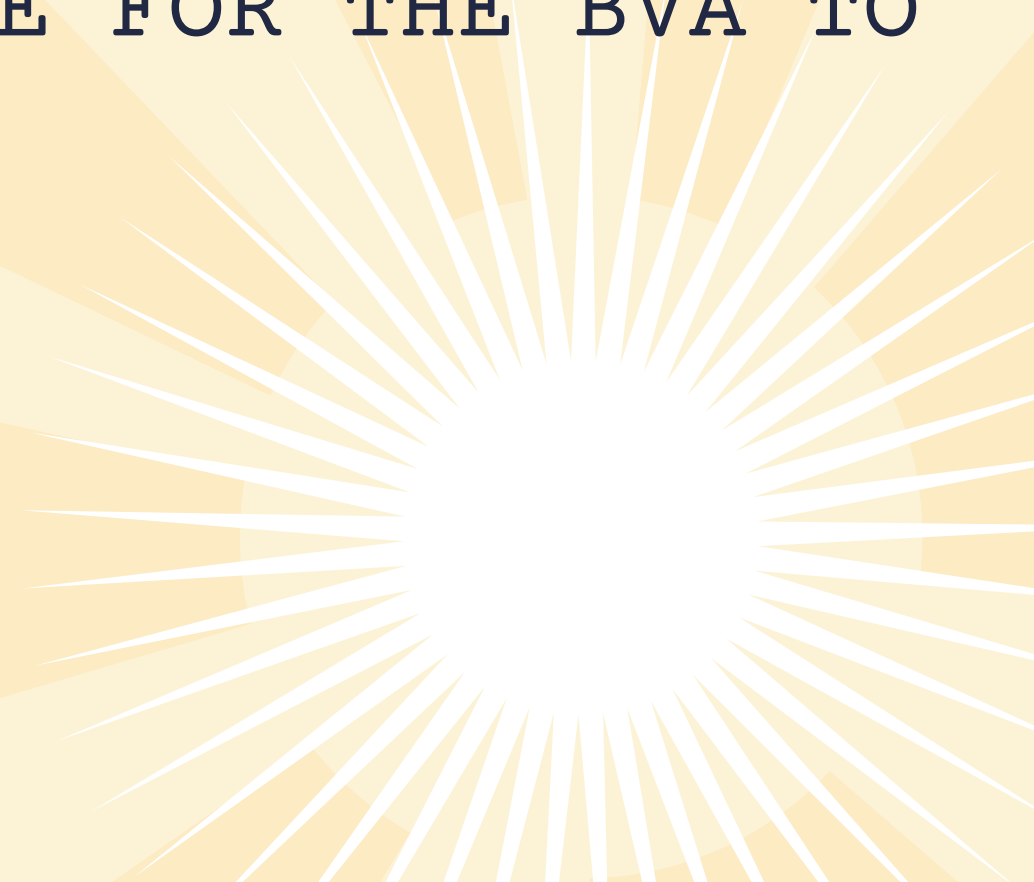


CASE 3: RADIATION/EXPOSURE

SECTION 3: BVA



- WHAT ARE WE MISSING?
- WHAT ELSE COULD WE DO TO PREPARE FOR THE BVA TO HAVE A SUCCESSFUL OUTCOME?



CASE 3: RADIATION/EXPOSURE

SECTION 3: BVA RESPONSE

- PROBABILITY MODEL FOR CANCER
- RESEARCH ARTICLE
- DETAILED ARGUMENT WITH REASON AND BASIS.
- OUTCOME



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QUESTIONS?

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