

AGENT ORANGE – The Next Generation

Everyone knows about the devastating effects of direct Agent Orange exposure, but the problem of birth defects in the children of Vietnam and Korea veterans has not gotten the attention it deserves. According to a story written by ProPublica, which also ran in the Virginia Pilot, children of veterans who were exposed to Agent Orange have a 30% greater chance of having birth defects than the children of average veterans. This means that thousands of children of veteran are affected.

Fortunately, the VA does offer some benefits for children of exposed veterans. The application process can be fact intensive, and the range of qualifying birth defects is narrow, so in the end you may not get the compensation you hoped for. In these situations, the veterans benefits lawyers of Jackson and MacNichol can help get your case on the right track. To learn more about how to succeed in the disability appeals process, call us today at 1(800) 524-3339 for a free consultation.

Children of Agent Orange Veterans May Qualify for Disability Compensation

If you are the child of a veteran who came into contact with Agent Orange, and you have serious birth defects, then you may be eligible for several VA benefits such as monthly disability payments, health care benefits, and vocational training. Vocational training is a two to four year program of rehabilitation and job assistance with the goal of finding you a stable form of employment.

To receive these benefits, you must prove your eligibility. First of all, you must be the biological child of a veteran who was exposed to Agent Orange. The VA will presume that your veteran parent was exposed to Agent Orange if they served:

- ▶ In Vietnam or its territorial waters between January 9, 1962 and May 7, 1975
- ▶ In or near the Korean demilitarized zone between September 1, 1967 and August 31, 1971
- ▶ On C-123 aircraft that were used to transport Agent Orange
- ▶ On any base where Agent Orange was used or stored

If none of the above applies, you would need to establish Agent Orange exposure through the veteran's service records and testimony regarding the conditions of their service.

Next, you must show that you were conceived sometimes after your biological parent was exposed, and that you have a qualifying birth defect. To this end, your case should include extensive medical documentation. If your father was exposed, VA regulations limit compensation to the Spina Bifida condition. But if your mother was exposed (typically as nurse in Vietnam or Korea), you may receive compensation for a wider range of birth defects.

Talk to a Disability Compensation Lawyer About Your Case

You can begin the compensation process by filing VA Form 21-0304. The success of your claim will depend on the strength of the evidence that you submit with it. If the VA denies your benefits, then an experienced disability appeals lawyer can help you make a stronger case by collecting more evidence and presenting legal precedent that supports your claim. Call Jackson & MacNichol today at 1(800) 524-3339 for a free consultation about the appeals process for children of Agent Orange. Remember—we get justice for veterans.





Veterans can apply for SSD BENEFITS

Our military veterans perform a great service for our country. When they are injured and become disabled, it is important for our society to make sure they and their families are taken care of. A disabled veteran is eligible for Social Security Disability (SSD) benefits, and we are here to help make the process of gaining those benefits easier.

To apply for benefits, you must provide information and documentation about your age, employment, proof of citizenship, and information regarding all impairments and related treatment. Social Security will make every reasonable effort to help you get the necessary medical evidence. Specific documents you will need include:

- ▶ Original or certified copy of your birth certificate, or proof of U.S. citizenship or legal residency if foreign born;

- ▶ Form DD 214, if discharged from military service;
- ▶ W-2 form or income tax return from last year;
- ▶ Proof of military pay or workers' compensation;
- ▶ Social Security numbers of your spouse and minor children;
- ▶ Account number for checking or savings account, if you have one;
- ▶ Name, address, and phone number of a contact person, in case you are unavailable; and
- ▶ Medical records that you have or that you can easily obtain from all military and civilian sources.

You should file your application as soon as possible, even without all these documents. There will be time to gather them later. *If you are ready to get the process started, contact our office to schedule a free consultation.*



Jackson & MacNichol COMMUNITY CONNECTION

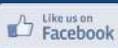
A referral is the greatest professional compliment we can receive. If you have a friend, neighbor, or family member who is in need of legal representation with the VA, please consider referring them to our firm. We will do our best to provide the highest possible level of service and deliver winning results.

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VA DEPRIVED SOME VETS with ALS of benefits

An internal investigation by the Veterans Affairs Department found that some veterans with Amyotrophic Lateral Sclerosis (ALS) were deprived of some benefits. The investigation found that dozens of vets suffering from ALS could have received financial support that they did not due to staff mishandling their claims.

ALS, also known as Lou Gehrig's disease, is a rapidly progressive neurological disease that most often leads to death within three to five years from the onset of symptoms. Studies have shown that military service doubles the risk of contracting the disease. Veterans with ALS are entitled to automatic, service-connected benefits.

The investigation found that employees failed to properly evaluate the many complications of ALS and in dozens of cases failed to inform the ailing veterans that they were eligible for additional compensation.

Since the disease progresses very quickly and has a variety of symptoms, ALS claims are among the most complicated that the VA processes. Veteran's suffering from ALS can get extra compensation for needs related to their disease, such as transportation, dressing and feeding, and specialized housing.

The fault, according to the VA's inspector general's office, lies in poor staff training. Low level employees are tasked with reviewing claims and may not have received adequate training. Additionally, pressure from Congress and veterans service organizations to reduce an enormous backlog of claims may have led to corner-cutting. The investigator's report suggested that the VA create specialized training for reviewers handling ALS claims and inform staff that they are required to tell vets about any additional benefits they are entitled to receive for related needs.

