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Vets Just Want Fair Benefits

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Roberts: Vets just want fair benefits

By Patricia E. Roberts
Nov 7, 2015

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We are now involved in the longest war in U.S. history, fought by an all-volunteer force that has been repeatedly deployed.

Advances in medicine and equipment, particularly on the battlefield, mean that more service members come home injured but alive, entitled to disability compensation rather than a hero's burial.

Unprecedented numbers are seeking benefits today from the Department of Veterans Affairs, including Vietnam veterans whose psychological and physical injuries are worsening with age, and even World War II veterans who have been fighting for their benefits for more than a half-century.

We are all thankful that more are able to come home. We should just as thankfully provide the benefits their service has earned.

Instead, what do they face? We who provide free and low-cost representation in law school clinics, legal services offices, and private law practices see a broken claims system in dire need of reform, one that veterans routinely say is designed to "Delay, Deny and Hope That I Die."

Some contend that there are veterans cheating the disability compensation system.

While every system can be beaten by those intent on fraud, those of us working on behalf of veterans are hard-pressed to find veterans inclined to ask for anything more than they are owed.

Instead of seeing veterans trying to game the system and receive a tax-free disability check for the rest of their lives, we - providers of free legal services at veterans clinics, more than a dozen of whom supported this piece - see injured veterans who wait years for an answer from the VA, only to have their legitimate, medically documented disability claims denied.



For those fortunate to have legal assistance, or who themselves manage the complexities of challenging a denial, appeals are pushed along for years. Even if an appeal is successful, it is likely to be remanded to the office that made the original denial, adding more delays before a final decision is reached and benefits obtained.

Some also argue that disability compensation for veterans will increase their dependency and reduce their participation in the workforce.

More often than not, we see the opposite - the veteran who desperately wants to provide for his family but is unable to do so because of physical disabilities incurred in service, and who suffers from depression and reduced self-worth as a result; or the veteran whose PTSD is so severe that she cannot leave her house; or the veteran who has panic attacks and ideas of suicide that prevent not only work, but meaningful family relationships.

The veterans we represent would rather work than be at home in physical or psychological pain.

Disability benefits are not a prize or a lottery ticket to stay home. They are the means - the inadequate means - we as a nation have of compensating veterans for their incalculable loss.

As long as we continue to send people to war, the cost of that compensation is appropriately borne by a nation that sleeps under the protection that our military men and women selflessly provide.

Patricia E. Roberts is clinical professor of law and director of the Lewis B. Puller, Jr. Veterans Benefits Clinic at the William & Mary Law School.

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