

VETERANS ★ POST ★

by Freddy Groves

**Claims error rate:
61%**

It's one thing to have a medical condition that neatly slots into the VA's presumptive chart of toxic exposure-related illnesses. If you served at a location at a certain time, your illness is presumed to have been caused by that service under TERA, a toxic exposure risk activity. As the list of presumptives grows (courtesy of the PACT Act), so do the number of veterans who qualify automatically. Disability benefits soon follow - if all goes well.

But what if you were there, at a certain time, and your toxic exposure illness isn't on the list?

In 2022 when the PACT Act added so many presumptives, veterans submitted their claims, the how-to claims manual increased in size and things became complicated. For one thing, those veterans without a presumptive (listed) illness were required to get a medical exam and a medical opinion. The claims people had to do extra work and request the specific exam as well as the opinion to verify that the veteran did have that illness, and that the exposure did indeed cause that illness.

And there the problems began with the denial of claims.

The VA's Office of Inspector General stepped in and conducted a very long review to investigate whether processors handled those denials correctly.

The results of that investigation showed that 61% of denials for non-presumptive TERA-related claims had processing errors. In some cases, there was no request for a medical exam and opinion. In other cases there was no research into whether the veteran participated in a toxic exposure activity.

It's not surprising so many mistakes were made. Besides the standard 82-page how-to manual, processors needed to wade through eight policy documents, nine general information documents and 94 webpages of frequently asked questions.

The OIG's recommendations, if followed by the VA, should ease the difficulties in accurately processing the exposure claims. We can only hope they're listening.

Veterans, if you believe your illness was caused by toxic exposure, insist on a TERA exam and medical opinion to bolster your claim.

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