

DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20420

APR 19 1993

Mr. Henry H. Sadler
Executive Director
National Association of
County Veterans Service Officers
501 S. Minnesota Ave.
St. Peter, MN 56082

Dear Mr. Sadler:

I am pleased to extend recognition to the National Association of County Veterans Service Officers, Inc., for the purpose of preparation, presentation, and prosecution of claims under laws administered by the Department of Veterans Affairs. This recognition is accorded pursuant to 38 U.S.C. § 5902 and 38 C.F.R. § 14.628(c) and is solely for the purpose of claimant representation before this Department.

Accreditation of representatives associated with your organization will be handled on an individual basis in accordance with 38 C.F.R. § 14.629.

I am looking forward to a productive relationship between VA and your organization in service to our Nation's veterans and their families.

Sincerely yours,

Jesse Brown

JB/jy

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NATIONAL ASSOCIATION COUNTY VETERANS SERVICE OFFICERS, INC.

18 February 1993

Richard J. Hipolit (022A)
Deputy Assistant General counsel
U.S. Department of Veterans Affairs
810 Vermont Avenue N.W.
Washington D.C. 20420

Dear Mr. Hipolit:

This is in response to your letter dated May 26, 1992 regarding the request for recognition of the National Association of County Veterans Service Officers (NACVSO) by the Department of Veterans Affairs under section 5902 of Title 38, United States Code.

As per your instructions we are providing the remaining requested information and documentation to satisfy the requirements of 38 C.F.R. §14.628 that was omitted from our initial submission of 13 February 1992.

Attachment #1 - is a copy of the Constitution and By-Laws of the NACVSO, ARTICLE II - PURPOSE: as amended 26 June 1992.

Attachment #2 - is a current listing of the members of the NACVSO along with their office addresses.

Attachment #3 - is a statement of the type of Title 38, U.S Code, services performed or to be performed by the Service Representatives of the NACVSO on behalf of the veteran and their dependents.

Attachment #4 - is a listing of the approximate number of veterans and dependents that are served by the membership of the NACVSO.

Attachment #5 - is a synopsis of the state veterans programs by member state that are serviced by the NACVSO representatives. These programs are designed to assist veterans and their dependents in the respective states. The approximate number of potential clients served under these state programs is the same as listed in attachment #4

The amount of funds allocated by the NACVSO for conducting veterans services is broken down into two categories. First, the NACVSO allocates approximately annually \$16000.00 toward the professional continuing education of the County Veterans Service Officers that are members of the NACVSO. Secondly, each individual County Veterans Service Officer's

department is annually budgeted to provide their services to veterans and their dependents by their respective county boards based primarily on the veteran population of that county.

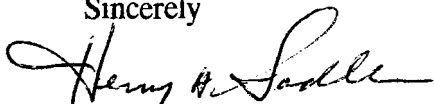
Attachment 6-1 is the proposed method of informing claimants through use of the NACVSO form C-1, *Notice concerning limits on NACVSO Representation before the Board of Veterans Appeals*, along with advice concerning alternative service. This form and supporting NACVSO form C-2, *Proof of Service*, (atch 6-2) and attached directive, (atch 6-3) was adopted by the NACVSO Executive Board of Directors on 02-18-1993.

Attachment #7 - is the executed agreement dated 02-18-1993 by the Executive Directors of the NACVSO regarding action to ensure proper handling of claims and training and monitoring of its accredited representatives.

Attachment #8 - is a listing of names and addresses the NACVSO Officers and those officials authorized to certify representatives.

The information retained by your office coupled with this submission hopefully will satisfy all requirements. We want to thank you and your staff for the continuing service and patience in our pursuit for recognition by the Department of Veterans Affairs.

Sincerely

A handwritten signature in cursive script, appearing to read "Henry H. Sadler".

Henry H. Sadler, Co-Chairman
Accreditation Committee

encl: atch's 1-8



NATIONAL ASSOCIATION

COUNTY VETERANS SERVICE OFFICERS, Inc.

COUNTY VETERANS SERVICE OFFICER

Summary of Principle Responsibilities & Tasks & Knowledge

Advises and provides technical assistance for filing claims as per Title 38, U.S. Code and 38 C.F.R. as well as state benefits. Interviews, counsels and assists with obtaining benefits for veterans, dependents, widows & orphans of war or peacetime era as well as retired & active military personnel and their dependents of present federal & state laws, statutes, rules or regulations requiring the interpretation and application of them. Supervises programs, prepares & files claims and develops working relationships with the following Federal Agencies, U.S. Dept of Veterans Affairs, Social Security Administration, Dept's of the Army, Navy, Air Force US Marine Corps & Coast Guard, CHAMPUS, Armed Forces Reserves, US Office of Personnel Management, Dept. of Labor, HUD, SBA and Dept of Health & Human Services. On the state level the Dept. of Veterans Affairs, Dept. of Vocational Rehabilitation, Dept. of Jobs & Training, National Guard. Performs research and investigative activities based on prior claim decisions made by the agency of primary responsibility and reviews findings and decisions for grounds for appeal. Projects expenditures based on age groups of veterans and requirements for hospital treatment. Maintains cost projections of county recipients of Federal and State veterans programs and estimates annual receipts into the county from all federal and state agencies in relationship to veterans programs for reporting purposes. Works closely with Court Services, County Public Health, County Recorder, and Human Services to accomplish the mission. Maintains a working relationship with veterans organizations (both at the county level as well as district and state levels), staff, volunteers and news media; provides information regarding department (federal & state) programs and services, and performs field informational and claim visits to clients. Requires considerable public speaking ability to address veteran advocate groups and the media concerning current rules, regulations, changes and trends in the veterans benefit domain.

Summary of Knowledge, Skills & Ability: Problem Solving & Freedom to Act:

Requires extensive knowledge of federal and state laws, regulations rules and statutes while working with multiple agencies to obtain veterans benefits, disability and pension programs, knowledge of report and claims forms of various agencies, ability to effectively and efficiently communicate both orally and in writing at all levels, requires tenacity and investigative skills to appropriately process claimants through a multitude of governmental programs. Math, accounting and data processing ability required as well as the ability to make independent judgments based on department objectives.



NATIONAL ASSOCIATION COUNTY VETERANS SERVICE OFFICERS, INC.

NOTICE CONCERNING LIMITS on National Association of County Veterans Service Officers Representation before the Board of Veterans Appeals for claimants represented at VA Regional Offices by the NACVSO

* The NACVSO does not provide representation before the Board of Veterans Appeals (BVA) for claimants represented by NACVSO Representatives at VA Regional Offices. It is required by law (38 C.F.R. §14.628(d)(4)) that we inform you of alternatives for representation.

* Your NACVSO Representative will inform you which service organization's representatives provide BVA representation for all the claimants they represented at the regional office level.

* Should you elect to be represented by NACVSO at the Regional Office and NACVSO is not able to represent you at BVA, the other organizations are likely to provide representation at your request at the BVA. NACVSO will assist you with the transition to other counsel if necessary.

* Consult your NACVSO Representative if you have any questions about this policy.

* I have read and understand the above statement.

Signature of Client

date of signature



NATIONAL ASSOCIATION
COUNTY VETERANS SERVICE OFFICERS, INC.

PROOF OF PROVIDED SERVICE

I Certify that on _____ 19__

(Client's name)

was personally given/sent by me a copy of the attached NOTICE CONCERNING LIMITS ON NACVSO REPRESENTATION BEFORE THE BOARD OF VETERANS APPEALS, as required under 38 C.F.R. §14.628(d)(4).

NACVSO Accredited Rep. Signature

Date of Signature

cc: NACVSO Clients file

NACVSO form C-2

(adopted 02-18-93 NACVSO Exec.Board)



NATIONAL ASSOCIATION COUNTY VETERANS SERVICE OFFICERS, INC.

MEMORANDUM

TO: ALL NACVSO ACCREDITED SERVICE REPRESENTATIVES

RE: PROOF OF SERVICE FORM/NOTICE CONCERNING LIMITS ON NACVSO REPRESENTATION BEFORE BOARD OF VETERANS APPEALS (BVA)

FR: NACVSO EXECUTIVE BOARD OF DIRECTORS

As per 38 C.F.R. §14.628(d)(4), the accredited representative of the NACVSO is required to provide written notice to clients of the limits of representation at the BVA level with advice concerning alternative service.

As adopted by the NACVSO Executive Board the following applies: A client **MUST BE** provided a copy of NACVSO form C-1, the Notice Concerning Limits on NACVSO Representation before the BVA, which the client may or may not elect to sign.

At the time a Power of Attorney is taken for NACVSO, the following procedures **MUST** be followed by the accredited representative:

- (1) the client **MUST** be given a copy of the attached NACVSO form C-1, Notice Concerning Limits on NACVSO Representation before the BVA;
- (2) the NACVSO accredited Service Representative will complete the attached NACVSO form C-2, Proof of Service, noting in the appropriate areas the date notice was given or sent to the client and the client's name;
- (3) the NACVSO Service Representative **MUST** sign and date the form and a copy of NACVSO forms C-1 & C-2 must be kept in the clients file.

(Adopted by NACVSO Directors 02-18-1993)



NATIONAL ASSOCIATION COUNTY VETERANS SERVICE OFFICERS, INC.

EXECUTED AGREEMENT NATIONAL ASSOCIATION OF COUNTY VETERANS SERVICE OFFICERS

The National Association of County Veterans Service Officers (NACVSO) clearly recognizes the importance of training and monitoring of its accredited representatives to ensure proper handling of claims. In addition the NACVSO does recognize that each candidate for accreditation with the NACVSO is a professional within the ranks of veterans advocacy by being accepted as a member in good standing within the NACVSO.

The three day NACVSO advanced accreditation training course will cover the major areas of Titles 38 United States Code and Code of Federal Regulations concerning eligibility for, and adjudication of, veterans' benefits claims. Included among other topics in this advanced training program are compensation and pension eligibility, survivors benefits, vocational rehabilitation, education and training programs, home loan guarantees, life insurance, burial benefits and health care. Emphasis is placed on the method and time limits for filing claims, the appeals process and procedure, appropriate official DVA forms to be used as well as terminology based on federal statutes and regulations. The course will additionally offer a broad overview of the DVA benefits and claims process and how it functions in relation to the individual.

Each candidate for accreditation will be administered an examination on the final day of training. The test format is in a true/false or multiple choice format. The examination is written and updated annually with the intent of being a reliable indicator of the practical knowledge each trainee has achieved in the area mentioned in the previous paragraph. The students will be given a two hour period to complete the test and are required to attain a minimum of 70% correct answers to pass. Failure of this test means ineligibility to re-take the test for at least one year.

In order to remain accredited, the qualified representative will be required to recertify by attending the annual update training and passing the annual accreditation test.

The NACVSO on 18 February 1993 does hereby execute this agreement in accordance with 38 C.F.R. §14.628 to take affirmative action, including training and monitoring of its accredited representatives to ensure proper handling of claims.

adopted by the NACVSO Executive Board on 02-18-1993.

Signed: David L. Thomas, President, NACVSO

James W. Lynde, Executive Director

Joita M. Kraushaar, Executive Director



NATIONAL ASSOCIATION COUNTY VETERANS SERVICE OFFICERS, INC.

Addendum to Executed Agreement NACVSO Attachment #7

The following statement is added to attachment #7

All accredited representatives of the National Association of County Veterans Service Officers in addition to the requirements of said "Executed Agreement" are required to submit a Quarterly Statistical Data Report reflecting the number of clients represented, specific types of claims taken, personal hearings attended, and the total of claims allowed and disallowed for the reporting period.

This report will be submitted to the National Service Officer (NSO) not later than 10 days following the end of each calendar year quarter.

The monitoring of these reports is the responsibility of the NSO and will have a direct effect in determining if additional or remedial training is required of the Accredited Representative.

DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20420

MAY 26 1992

Mr. Henry H. Sadler
Executive Director
National Association of County Veterans Service Officers
501 S. Minnesota Ave.
St. Peter, MN 56082

Dear Mr. Sadler:

This is in response to your letter requesting Department of Veterans Affairs (VA) recognition of the National Association of County Veterans Service Officers (NACVSO).

The sole purpose of VA recognition under section 5902 (formerly section 3402) of title 38, United States Code, is to permit an organization to represent claimants for VA benefits. It is not clear from the materials you have submitted that the NACVSO intends to assist veterans in the preparation, presentation, and prosecution of claims for veterans' benefits. In particular, this is not one of the purposes of the organization as stated in article II of its constitution. If your organization intends to engage in representation activities on behalf of claimants for VA benefits, the nature and extent of the contemplated activities should be specified in writing.

In addition, certain other information required of organizations requesting VA recognition under 38 C.F.R. § 14.628 was omitted from your submission. If you wish to continue to pursue VA recognition for the NACVSO, the following additional information is required:

- ° the number of posts, chapters, or offices of the organization and their addresses;
- ° the type of title 38, U.S. Code, services performed or to be performed, with an approximation of the number of veterans and dependent clients served by the organization in each type of service designated; and/or the type of services, if any, performed in connection with other Federal and State programs which are designed to assist veterans and their dependents and the approximate number of clients served by the organization under each program;

2.

Mr. Henry H. Sadler

- ° the amount of funds allocated by the organization for conducting veterans services;
- ° proof of capability to represent claimants before the Board of Veterans' Appeals (BVA); or proof of association or agreement with a recognized organization for the purpose of representation before the BVA or the proposed method of informing claimants of the limitations in service that can be provided, along with advice concerning alternative service;
- ° an executed agreement which states that NACVSO will take affirmative action to ensure proper handling of claims, including training and monitoring of its accredited representatives; and,
- ° the names, titles, and addresses of the organization's officers and of the officials authorized to certify representatives.

Regarding the Curriculum Plan booklet you submitted in connection with 38 C.F.R. § 14.629(a)(2)(ii), the requirements of section 14.629(a)(2)(ii) pertain to accreditation of county representatives under state auspices and not to the recognition of organizations. Requirements for recognition of organizations are set out in 38 C.F.R. § 14.628. Further, the course of training and examination referred to in section 14.629(a)(2)(ii) must be approved by the local VA District Counsel within the appropriate state and not by the VA General Counsel's office. However, we note that the material you submitted is responsive to 38 C.F.R. § 14.628(e)(4), governing recognition of organizations, and, accordingly, we will consider it in connection with that section.

We have enclosed a copy of 38 C.F.R. § 14.628 for your information and reference. We will retain the information you have already forwarded to us so that you may supplement it with the additional information required by section 14.628(e). Please let us know if you would still like to pursue VA recognition and if you need further information or assistance. You may contact Ms. Jean York of my staff at (202) 523-3493 with any questions you may have.

Sincerely yours,

Richard J. Hipolit
Deputy Assistant General Counsel

Enclosure



NATIONAL ASSOCIATION COUNTY VETERANS SERVICE OFFICERS

13 February 1992

Richard J. Hipolit (022A)
Deputy Assistant General Counsel
U.S. Department of Veterans Affairs
810 Vermont Avenue N.W.
Washington D.C. 20420

Dear Mr. Hipolit:

The National Association of County Veterans Service Officers (NACVSO) respectfully requests your consideration for formal recognition of this Association as required under 38 C.F.R. § 14.628 (d) *other organization*.

The following information is provided to your office to enable you determine the eligibility for approval by the Department of Veterans Affairs of the NACVSO.

Enclosed you will find a copy of the NACVSO Constitution, Bylaws, articles of incorporation, and the most recent financial statement.

The purpose of the NACVSO is stated in ARTICLE II - PURPOSE: of the NACVSO Constitution & By-Laws that are attached.

The NACVSO currently has 510 active members. The member states are California, Florida, Illinois, Iowa, Michigan, Minnesota, Nebraska, New York, Ohio, Oregon, South Dakota, South Carolina, Texas and Wisconsin.

As stated in Article III of the attached Constitution, The County Veterans Service Officer is employed by his/her respective county to assist veterans and their dependents or survivors in the application and related administration of any of the Title 38, United States Code benefits available as well as state and county veterans programs. The potential number of veterans and dependents served by this organization totals well over 15 million veterans and dependents.

The NACVSO's funding is not subject to limitations imposed under any Federal Grant or law which would prevent it from representing claimants before the Department of Veterans Affairs. The funding for the NACVSO comes solely from the dues and registration of its membership.

An annual training program has been developed for all members of the NACVSO wishing to apply for accreditation and is a requirement to obtain accreditation (see attached letter to D.V.A. General Counsel). In order for the Veterans Service Officer to remain accredited, they must annually complete the NACVSO Training Course stated above and pass a final examination. All County Veterans Service Officers that will be receiving accreditation are fully qualified under 38 C.F.R. 629(a)(2)(i) and (iii), i.e., such applicants are employed as paid employees working for a county at least 1,000 hours annually and subject to regular supervision and periodic training to assure continued qualification.

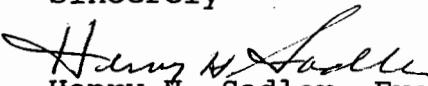
The National Association of County Veterans Service Officers nor its accredited representatives will not charge or accept a fee or gratuity for service to a claimant and the NACVSO will not represent to the public that Department of Veterans Affairs recognition of the NACVSO is for any purpose other than claimant representation.

The NACVSO has no full time paid employees who are qualified to act as accredited representatives.

We are confident that the NACVSO operates well within the criteria as spelled out in 38 CFR § 14.628.

Thank you for your kind consideration.

Sincerely


Henry H. Sadler, Executive Director
National Association of County Veterans Service Officers
501 S. Minnesota Ave.,
Courthouse
St. Peter, MN 56082

encl: 1. copy of Constitution & By-Laws of the NACVSO
 2. Articles of Incorporation
 3. Financial statement of NACVSO