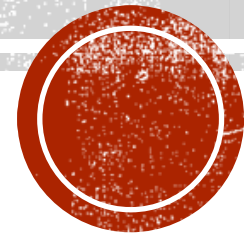


HONORING OUR PACT ACT OF 2022

**Presented by American Legion Department Service
Officers: Bruce Foster, Matt Hollenbeck, and Robert Black**



**WHAT DOES IT MEAN TO HAVE
A PRESUMPTIVE CONDITION
FOR TOXIC EXPOSURE**



PRESUMPTIVE CONDITIONS

- To get a VA disability rating, your disability must connect to your military service. For many health conditions, you need to prove that your service caused your condition
- But for some conditions, we automatically assume (or presume) that your service caused your condition. We call these “presumptive conditions”
- We consider a condition presumptive when it’s established by law or regulation
- This is because of the unique circumstances of a specific Veteran's military service
- VA will presume that a veteran was exposed to certain harmful chemicals or environmental hazards if they have qualifying service



PRESUMPTIVE CONDITIONS CONTINUED

- If a presumed condition is diagnosed in a Veteran within a certain group, they can be awarded disability compensation
- If you have a presumptive condition, you don't need to prove that your service caused the condition. You only need to meet the service requirements for the presumption
- Types of exposure
 - Asbestos
 - Birth defects like spina bifida
 - Burn pits and other specific environmental hazards
 - Contaminated drinking water at Camp LeJeune
 - Gulf War illness in Southwest Asia



PRESUMPTIVE CONDITIONS CONTINUED

- Types of exposure continued:

Gulf War illness in Afghanistan

Project 112/SHAD

Radiation exposure



GULF WAR ERA AND POST 9/11 VETERAN ELIGIBILITY

- What burn pit and other toxic exposure conditions are now presumptive?
 - **These cancers are now presumptive:**
 - **Brain cancer**
 - **Gastrointestinal cancer of any type**
 - **Glioblastoma**
 - **Head cancer of any type**
 - **Kidney cancer**
 - **Lymphatic cancer of any type**
 - **Lymphoma of any type**
 - **Melanoma**
 - **Neck cancer**
 - **Pancreatic cancer**
 - **Reproductive cancer of any type**
 - **Respiratory (breathing-related) cancer of any type**



CONDITIONS CONTINUED

- **These illnesses are now presumptive:**
 - **Asthma that was diagnosed after service**
 - **Chronic bronchitis**
 - **Chronic obstructive pulmonary disease (COPD)**
 - **Chronic rhinitis**
 - **Chronic sinusitis**
 - **Constrictive bronchiolitis or obliterative bronchiolitis**
 - **Emphysema**
 - **Granulomatous disease**
 - **Interstitial lung disease (ILD)**
 - **Pleuritis**
 - **Pulmonary fibrosis**
 - **Sarcoidosis**



ELIGIBILITY CONTINUED

- How do I know if I have a presumptive exposure to burn pits?
 - If you served in any of the locations below with the corresponding dates
 - From August 2, 1990
 - Bahrain
 - Iraq
 - Kuwait
 - Oman
 - Qatar
 - Saudi Arabia
 - Somalia
 - United Arab Emirates



LOCATIONS CONTINUED

- On or after, September 11, 2001
- Afghanistan
- Djibouti
- Egypt
- Jordan
- Lebanon
- Syria
- Yemen
- Uzbekistan
- the Philippines



BACK TO ELIGIBILITY

- Am I eligible for free VA health care as a post 9/11 combat veteran?
 - Your eligibility depends on your service history and other factors.
- If you meet the requirements listed here, you can get free VA health care for any condition related to your service for up to 10 years from the date of your most recent discharge or separation. You can also enroll at any time during this period and get any care you need, but you may owe a copay for some care.



CONDITIONS OF YOUR ACTIVE-DUTY SERVICE

- At least one of these must be true of your active-duty service:
 - You served in a theater of combat operations during a period of war after the Persian Gulf War, or:
 - You served in combat against a hostile force during a period of hostilities after November 11, 1998.
- This must also be true.
 - You were discharged or released on or after October 1, 2013.



WHAT IF I WAS RELEASED PRIOR TO OCTOBER 1, 2013?

- You can receive care and enroll during a special enrollment period between October 1, 2022, and October 1, 2023, if you meet the below requirements.
 - You served in a theater of combat operations during a period of war after the Persian Gulf War, **or**
 - You served in combat against a hostile force during a period of hostilities after November 11, 1998
- And both of these must be true for you:
 - You were discharged or released between September 11, 2001, and October 1, 2013, and
 - You haven't enrolled in VA health care before



WHAT HAS CHANGED FOR VIETNAM VETERANS

- First there are two new Presumptive conditions added to the authorized AO List
 - High Blood Pressure (Hypertension)
 - Monoclonal gammopathy of undetermined significance (MGUS)
 - **Monoclonal gammopathy of undetermined significance (MGUS)** is a condition in which an abnormal protein — known as monoclonal protein or M protein — is in your blood. This abnormal protein is formed within your bone marrow, the soft, blood-producing tissue that fills in the center of most of your bones.



THE FIVE NEW AO PRESUMPTIVE AREAS

- Any U.S or Royal Thai military base in Thailand from Jan 9, 1962 – June 30, 1976
- Laos from Dec 1, 1965 – September 30, 1969
- Cambodia at Mimot or Krek, Kampong Cham Providence from April 16, 1969 – April 30, 1969
- Guam or American Samoa or in territorial waters off of Guam or American Samoa from January 9, 1962 – July 30, 1980
- Johnston Atoll or on a ship that called at Johnston Atoll from January 1, 1972 – September 30, 1977



WHAT NEW RADIATION PRESUMPTIVE LOCATIONS ARE ADDED

- Cleanup of Enewetak Atoll from Jan 1, 1977 – Dec 31, 1980
 - From 1948 to 1958, the U.S. conducted 43 nuclear tests on the Enewetak Proving Ground at Enewetak Atoll in the Pacific Ocean. The government began planning the cleanup of Enewetak Atoll in the early 1970s, after deciding to return the atoll to the Trust Territory of the Pacific Islands. Approximately 6,000 Veterans participated in the cleanup project, which ran from May 1977 through May 1980.
- CLEANUP OF THE Air Force B-52 bomber carrying nuclear weapons off the coast of PALOMARES, Spain from Jan 17, 1966 – March 31, 1967.
- Response to fire onboard an Air Force B-52 bomber carrying nuclear weapons near **Thule Air Force Base** in Greenland from Jan 21, 1968 to Sep 25, 1968



HOW DO I FILE A DISABILITY CLAIM FOR A NEW PRESUMPTIVE

- Do not do business with any Service Officer who does not have access to your VA File – That means they must be Accredited by the VA and have Access?
- These Resources are in Dauphin, Cumberland, York Counties:
 - The American Legion 877-720-8387
 - The DAV 717-761-4060
 - The VFW 717-234-7927
 - The Dauphin CDVA 717-780-6357
 - The York CDVA 717-771-9218
 - The Cumberland CDVA 717-240-6178

