



ALABAMA DEPARTMENT OF VETERANS AFFAIRS (ADVA)

“Proudly Serving America’s Finest”

Presented by:
Rear Admiral Kent Davis, USN (Ret.)
Commissioner





Who is a Veteran?



38 U.S.C. § 101(2) provides:

The term "veteran" means a person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.





DD FORM 214, NOV 55 214 REPLACES EDITION OF 1 JUL 52 WHICH IS OBSOLETE

ARMED FORCES OF THE UNITED STATES
REPORT OF TRANSFER OR DISCHARGE

LEGEND: Insert N/A to the items which are not applicable

1. LAST NAME - FIRST NAME - MIDDLE NAME
PRESLEY, ELVIS ARON

2. SERVICE NUMBER
US 53 310 761

34. GRADE, RATE OR RANK
SGT E-5 (T)

35. DATE OF RANK (Day, month, Year)
11 FEB 60

4. DEPARTMENT, COMPONENT AND BRANCH OR CLASS
ARMY AUS ARMOR

5. PLACE OF BIRTH (City and State of Country)
TUPELO MISS

6. DATE OF BIRTH
8 JAN 35

74. RACE
CAU

75. SEX
MALE

76. COLOR HAIR
BROWN

77. COLOR EYES
BLUE

78. HEIGHT
6'

79. WEIGHT
170

80. U.S. CITIZEN
☒ YES ☐ NO

81. MARITAL STATUS
SINGLE

100. HIGHEST CIVILIAN EDUCATION LEVEL ATTAINED
4 YES HS

101. MAJOR COURSE OR FIELD
GEN

114. TYPE OF TRANSFER OR DISCHARGE
TRANSFER TO USAR (SEE 18)

115. STATION OR INSTALLATION AT WHICH EFFECTED
FORT DIX NEW JERSEY

116. REASON AND AUTHORITY
**AR 635-250 & PAR 7 AR 635-205 SPN 411
EARLY SEPARATION OF OVERSEAS RETURNEES**

12. LAST DUTY ASSIGNMENT AND MAJOR COMMAND
HQ 60 1ST MTB 32D ARMOR APO 39

13. CHARACTER OF SERVICE
HONORABLE

14. SELECTIVE SERVICE NUMBER
40 86 34 16

15. SELECTIVE SERVICE LOCAL BOARD NUMBER, CITY, COUNTY AND STATE
86 MEMPHIS TENN

16. TYPE OF CERTIFICATE ISSUED
DD FORM 217A

17. DATE INDUCTED
24 MAR 58

18. TERMINAL DATE OF RESERVE OBLIGATION
23 MAR 64

19. CURRENT ACTIVE SERVICE OTHER THAN BY INDUCTION
☐ ENLISTED (First Enlistment) ☐ ENLISTED (Prior Service) ☐ REENLISTED
☒ OTHER: **NA**

20. DATE OF ENTRY
NA

21. GRADE, RATE OR RANK AT TIME OF ENTRY INTO CURRENT ACTIVE SERVICE
SGT E-1

22. PLACE OF ENTRY INTO CURRENT ACTIVE SERVICE (City and State)
MEMPHIS TENN

23. HOW OF RECORD AT TIME OF ENTRY INTO ACTIVE SERVICE (Street, RFD, City, County and State)
**GRACELAND HIGHWAY 51 SOUTH
TENNESSEE (SHELBY)**

24. STATEMENT OF SERVICE

	YEARS	MONTHS	DAYS
(1) NET SERVICE THIS PERIOD	1	11	12
(2) OTHER SERVICE	0	0	0
(3) TOTAL (Line (1) + Line (2))	1	11	12
d. TOTAL ACTIVE SERVICE	1	11	12
e. FOREIGN AND/OR SEA SERVICE	1	5	11

25. SPECIALTY NUMBER AND TITLE
**133.60
ARMOR INTEL SPEC**

26. RELATED CIVILIAN OCCUPATION AND D. O. T. NUMBER
NA

27. DECORATIONS, MEDALS, BADGES, COMMENDATIONS, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED
GOOD CONDUCT MEDAL

28. SERVICE SCHOOLS OR COLLEGES, COLLEGE TRAINING, COURSES AND/OR POST-GRADUATE COURSES SUCCESSFULLY COMPLETED

SCHOOL OR COURSE	DATES (From - To)	MAJOR COURSES
NA	NA	NA

29. OTHER SERVICE TRAINING COURSES SUCCESSFULLY COMPLETED
NA

30. GOVERNMENT LIFE INSURANCE IN FORCE
☐ YES ☒ NO

31. VA BENEFITS PREVIOUSLY APPLIED FOR (Specify type)
NA

32. REMARKS
**BLOOD TYPE O
ITEM 3a PVT E-2 (P) 24 JUL 58
LUMP SUM PAYMENT MADE FOR 0 DAYS**

33. PERMANENT ADDRESS FOR MAILING PURPOSES AFTER TRANSFER OR DISCHARGE (Street, RFD, City, County and State)
2764 HIGHWAY 51 SOUTH MEMPHIS TENN

34. SIGNATURE OF PERSON BEING TRANSFERRED OR DISCHARGED
Elvis A. Presley

35. TYPED NAME, GRADE AND TITLE OF AUTHORIZING OFFICER
R F KLUGE 2D LT AGC ASST ADJ



VA



**U.S. Department
of Veterans Affairs**

- ❖ VHA - Veterans Health Administration
- ❖ VBA - Veterans Benefits Administration
- ❖ NCA - National Cemetery Administration

VA



U.S. Department of Veterans Affairs

Veterans Health Administration



**VA Hospitals & Community-
Based Outpatient Clinics -
Medical/Mental Healthcare**

**Vet Centers – Social &
Psychological Services,
Readjustment
Counseling**





VHA Facilities in Alabama

VA Medical Centers:

Birmingham
Montgomery
Tuscaloosa
Tuskegee

Vet Centers:

Hoover
Huntsville
Mobile
Montgomery

VA Clinics:

Bessemer
Birmingham
Childersburg
Dothan
Fort Rucker
Gadsden
Guntersville
Huntsville
Jasper
Mobile
Monroeville
Montgomery
Oxford
Selma
Sheffield



VA



U.S. Department of Veterans Affairs

Veterans Benefits Administration



- ❖ Pension
- ❖ Disability Compensation
- ❖ Education and Training (e.g., GI Bill)
- ❖ Vocational Rehabilitation
- ❖ Home Loans
- ❖ Insurance
- ❖ Survivors Benefits

VA



U.S. Department of Veterans Affairs

National Cemetery Administration



Provides a dignified burial and lasting memorials for veterans and their eligible family members and maintains national veterans' cemeteries.



Federal VA Topics of Interest:

- Nationwide aging VHA facility infrastructure
- Growing evidence of long-term health effects of toxic exposures of veterans (Agent Orange, burn pits, asbestos, radiation, etc.)
- Merger and electronic conversion of DoD-VA medical records
- Large backlog of disability claims and administrative appeal hearings (Nehmer case and new federal laws)



Potential legal route of individual VA claims:

Administrative claim is filed (e.g., Application for Disability Compensation and Related Compensation Benefits - VA Form 21-526EZ)



Administrative appeal to the Board of Veterans' Appeals (BVA)



Judicial appeal to the U.S. Court of Appeals for Veterans Claims



Judicial appeal to the U.S. Court of Appeals for the Federal Circuit



Judicial appeal to the U.S. Supreme Court



Recent Federal Laws:

- The Veterans Appeals Improvement and Modernization Act of 2017, Public Law 115-55
- The VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018, Public Law 115-182
- Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022, Public Law 117-168





The Veterans Appeals Improvement and Modernization Act of 2017, Public Law 115-55

- Usually called the “Appeals Modernization Act” or AMA
- Seeks to modernizes the administrative claims and appeals process
- Requires improved notification of VA decisions
- Provides earlier claim resolution
- Seeks to ensure that veterans receive the earliest effective date possible
- **Most importantly, includes three decision review options for disagreements with initial benefits decisions:**



AMA (continued)



Option 1: Higher-Level Review

Claim is reviewed by a more senior claims adjudicator and involves a higher-level de novo review (new look) of the decision. No submission of new evidence allowed. The possibility of overturning the initial decision based on a difference of opinion or a clear and unmistakable error

Option 2: A Supplemental Claim

Veteran can submit or identify new and relevant evidence to support claim. VA will provide assistance in developing the evidence.

Option 3: Appeal to the Board of Veterans Appeals

This option allows veteran to appeal directly to the Board of Veterans Appeals, choosing one of three BVA options:

- **Direct review:** Veteran does not want to submit additional evidence or have a hearing.
- **Evidence submission:** Veteran wants to submit additional evidence without a hearing.
- **Hearing:** Veterans chooses to submit evidence and have a hearing with a Veterans Law Judge.



The VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018, Public Law 115-182

Goals:

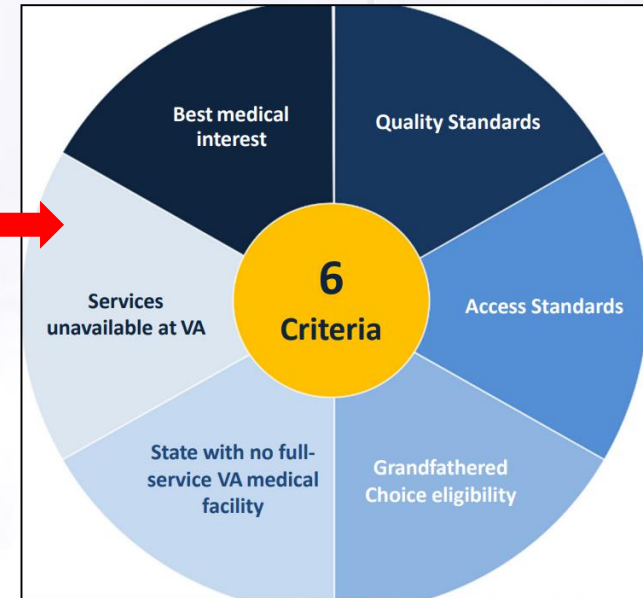
Streamline VA's Community Care Programs

- Replaces arbitrary 30-day, 40-mile barriers to veterans' care in the community with 6 criteria
- Creates standards for timely payment to community care providers.
- Requires the VA Secretary to develop an education program to inform veterans and VA providers about veterans' health care options.

Improve VA Healthcare Delivery

- Encourages the use of telemedicine.
- Provides additional resources for hiring and retention of VA healthcare professionals.
- Created Asset and Infrastructure Review (AIR) process to modernize VHA assets and infrastructure.

Expands eligibility for VA's Caregiver Program



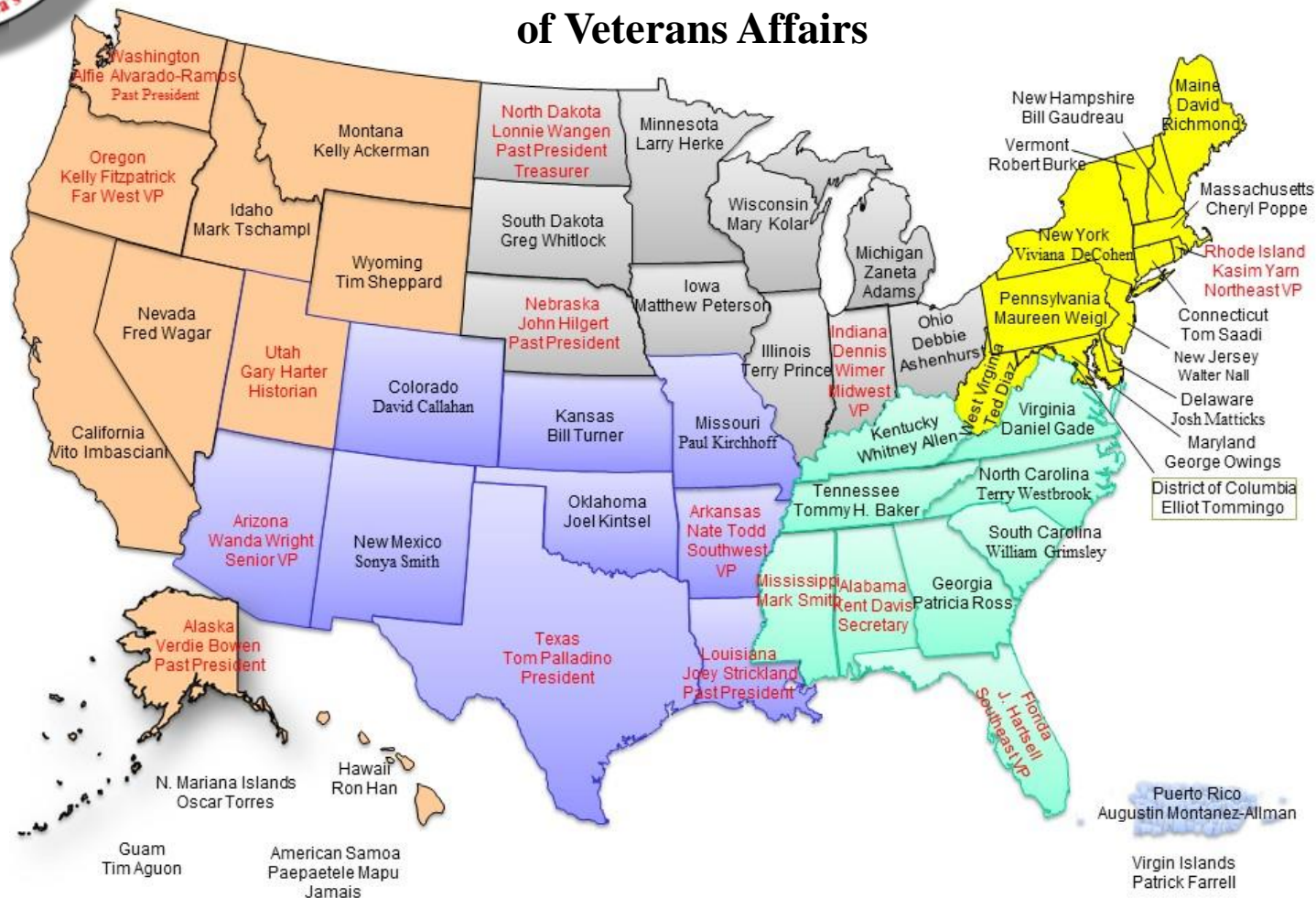


Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022, Public Law 117-168

- Expands and extends eligibility for VA health care for any veteran with toxic-exposures and all veterans of the Vietnam era, Gulf War era, and Post-9/11 era.
- Every VHA enrolled veteran will receive an initial toxic exposure screening and a follow-up screening every five years.
- Requires research studies on mortality of veterans who served in Southwest Asia during the Gulf War, Post-9/11 veteran health trends, and veteran cancer rates.
- Authorizes 31 new VHA medical facilities across the country (none of those in Alabama, by the way).
- Adds more than 20 new “presumptive conditions” for burn pits and other toxic exposures.
- Includes “Camp Lejeune Justice Act,” which allows people who used contaminated water at the North Carolina Marine Corps Base to file lawsuits to recover damages for toxic exposure.
- **NOTE:** Provisions on potential toxic exposures at Fort McClellan, Alabama were heavily amended.



State/Territory Departments of Veterans Affairs





Alabama Department of Veterans Affairs (ADVA) Mission

*To **promote awareness** and **assist** eligible Veterans, their families, and survivors to receive from the state and federal government any and all benefits to which they may be entitled under existing or future laws.*





ADVA Early History

1927 – Legislature created office of State Service Commissioner, to be appointed solely by the Governor and charged *“to aid all residents of the State of Alabama who served . . . in any war in which the United States has been engaged . . . to receive from the United States any and all compensation, hospitalization, insurance, or other aid or benefit to which they may be entitled.”*

1931 – Legislature expanded office to include one Assistant Commissioner, two State Field Service Commissioners, and a secretary for the Commissioner.

1943 – Legislature authorized counties to employ County Service Commissioners separate from the office of State Service Commissioner. 58 counties would eventually take advantage of this authority.

1945 – Legislature created Alabama Department of Veterans Affairs, with State Service Commissioner to be appointed by a new State Board of Veterans Affairs (which would consist of members nominated by the state’s largest veteran service organizations). Merged county service offices into new Department.



Alabama Department of Veterans Affairs (ADVA) “By the Numbers”

- Approximately **1,200 state and contract employees.**
- Small Headquarters in Montgomery, with **71 facilities** around the state of Alabama.
- Serves approximately **400,000 Alabama Veterans**
- **Approximate \$200 million annual budget (FY2021)**
- Overseen by a **17-member State Board of Veterans Affairs (SBVA): Governor and 16 other members**



SBVA's Organizations (and number of members)



1



3



1



1



3



1



3



1



2



ADVA's Major Veterans Services



State Veterans
Homes

Outreach and
Engagement/
Veteran Well-
Being



State Veterans
Cemetery



Dependent
Scholarship
Program



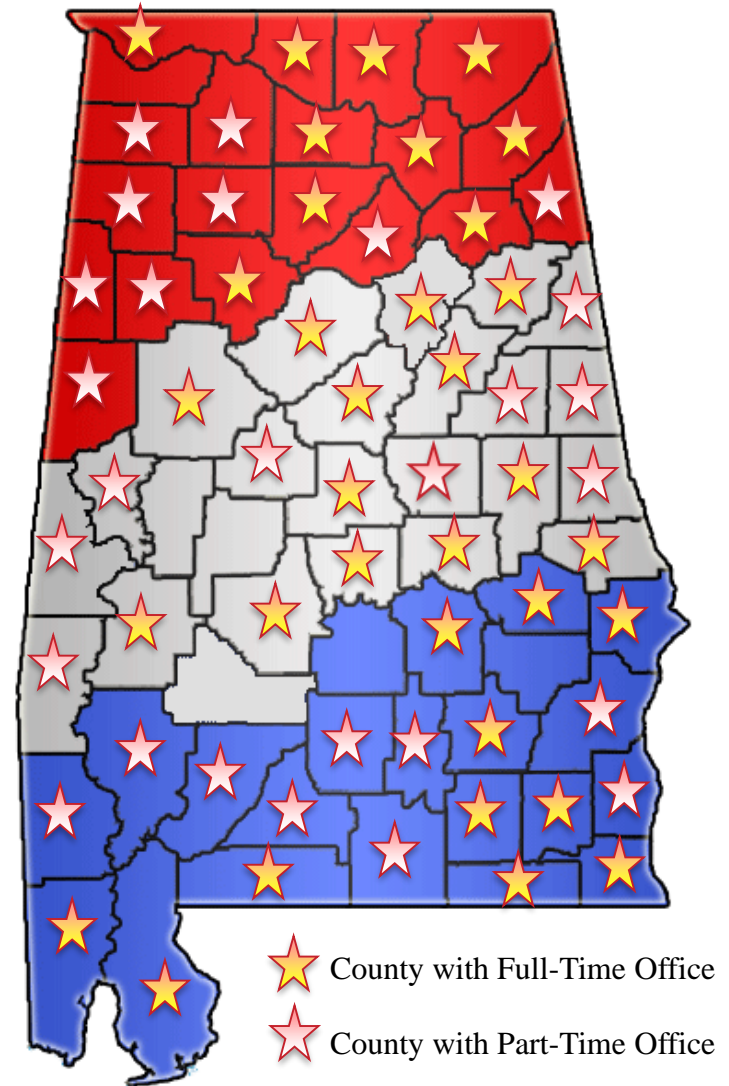
Veterans
Service
Offices

ADVA Major Veterans Facilities

State Veterans Homes, District Offices, and Cemetery



Veterans Service Offices





Veterans Service Offices



- Advocacy, counseling, hands on assistance in submitting applications for VA compensation & pension claims
- Assist with all other state and federal veterans benefits and services
- Referrals to other providers in both public and private sectors
- **12 new Veterans Service Offices over the past 24 months: Chambers, Cherokee, Chilton, Clay, Coosa, Crenshaw, Henry, Lawrence, *Shelby, Sumter, Washington, and Winston Counties. Now in 61 of 67 counties.**
- Our advocacy/representation of Alabama veterans extends to appeals process via our Appeals & Review office located in regional VBA facility in Montgomery.



ADVA Veteran Generated Federal Revenue to Alabama (in Fiscal Year 2020)

- ❖ **COMPENSATION & PENSION:**
\$2.6 billion to Alabama Veterans and their beneficiaries
- ❖ **MEDICAL CARE: \$1.4 billion**
- ❖ **VOCATIONAL REHABILITATION & EDUCATION (VR&E): \$213 million**
- ❖ **EDUCATION: 23,000+** veterans using GI Bill in Alabama
- ❖ **TOTAL FEDERAL VA EXPENDITURES IN ALABAMA: \$4.32 billion**

Alabama

Montgomery

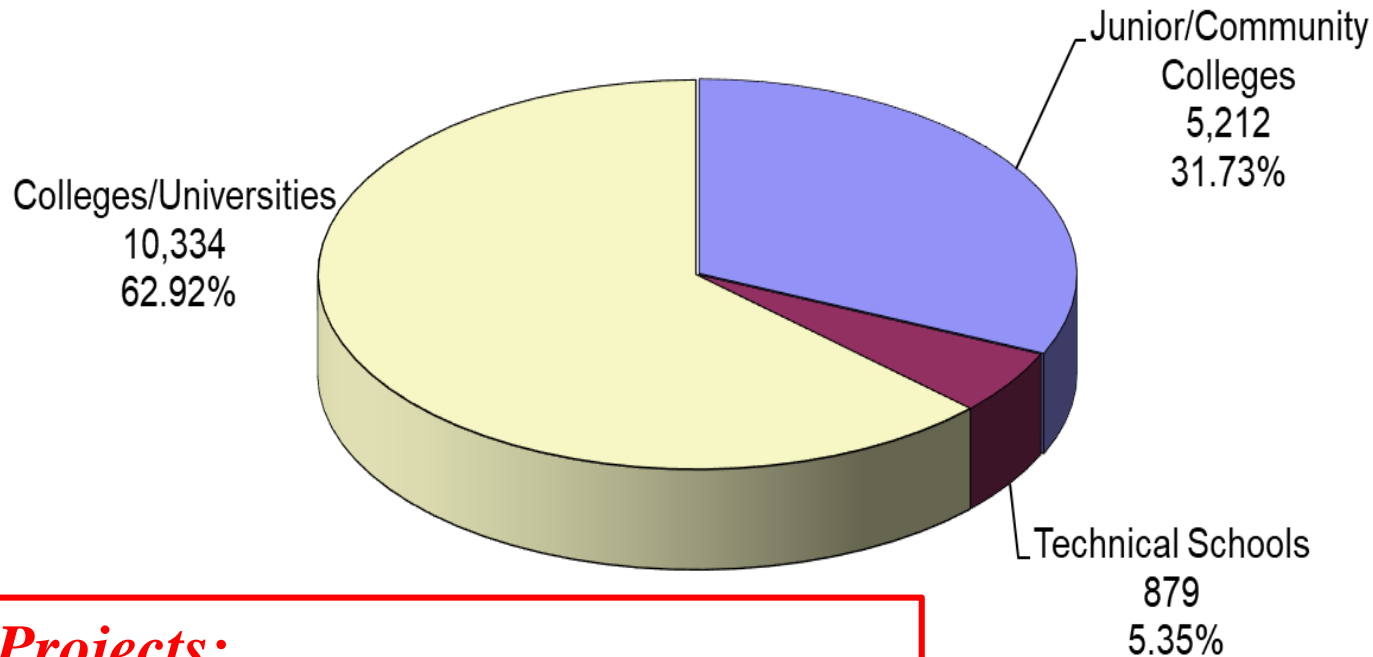


Dependent Scholarship Program

Student Distribution by School Type

October 1, 2020 - September 30, 2021

Total Students Enrolled
16,425



Recent Projects:

- **Electronic/web-based applications**
- **Coverage for private colleges**



State Veterans Homes



Relevant Alabama Statutes

Section 31-5A-1

Legislative intent.

The Legislature hereby finds and determines that there currently exists a significant need for health, nursing, medical, rehabilitative and related housing structures for those residents of this state who have served their state and nation in its armed forces. The Legislature further finds and determines that in order to meet this need, **it is necessary for there to be established a state veterans' home or homes to be operated by the State Department of Veterans' Affairs**

*(Acts **1988**, 1st. Sp. Sess., No. 88-776, p. 184, §1.)*



Relevant Alabama Statutes

Section 31-5A-4

Operation of state veterans' homes; award of contract.

The department shall contract with a non-governmental entity to operate a state veterans' home or homes for the care and support of elderly or disabled veterans in the State of Alabama. Contracts for the procurement of services required to manage, administer, and operate a state veterans' home shall be awarded on a competitive basis through the solicitation of proposals. The contract may be awarded to the vendor whose proposal is most advantageous to the state, taking into consideration cost factors, program suitability factors, management plan, excellence of program design, key personnel, corporate or company resources, financial condition of the vendor, corporate experience and past performance, and any other requirements deemed necessary by the State Board of Veterans' Affairs and expressed in its solicitation for proposals. Any contract awarded under this section shall be for a period not to exceed five years. The State Board of Veterans' Affairs is not required to select the vendor offering the lowest cost proposal but shall select the vendor who, in the board's discretion, offers the proposal most advantageous to the State of Alabama. . . .

(Acts 1988, 1st Sp. Sess., No. 88-776, p. 184, §3.)



Bill Nichols State Veterans Home
Alexander City
150 Skilled Care Units
Opened in 1989. Major renovation in 2015.



Tut Fann State Veterans Home
Huntsville
150 Skilled Care Units
Opened in 1995. Major renovation in 2020.



William F. Green State Veteran Home
Bay Minette
150 Skilled Care Units
Opened in 1995. Major renovation in 2020.

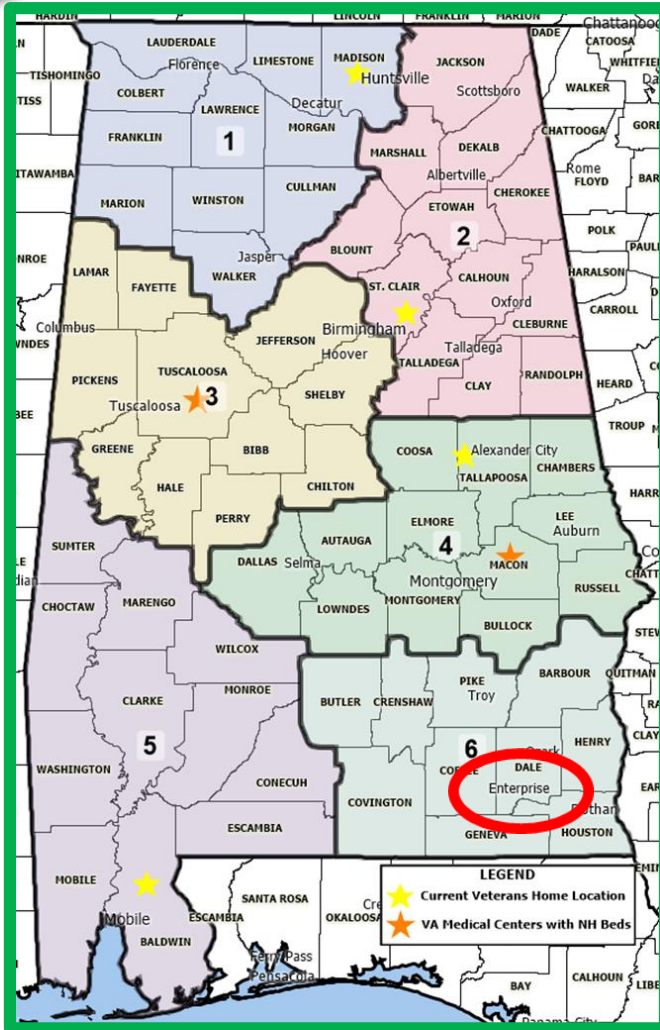


Colonel Robert L. Howard State Veterans Home
Pell City
80 Assisted Living Units/174 Skilled Care Units
Opened in 2012.





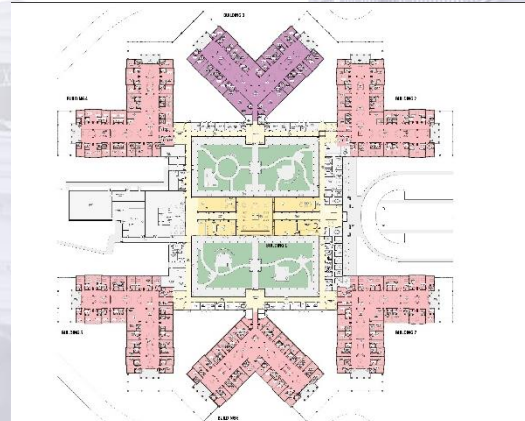
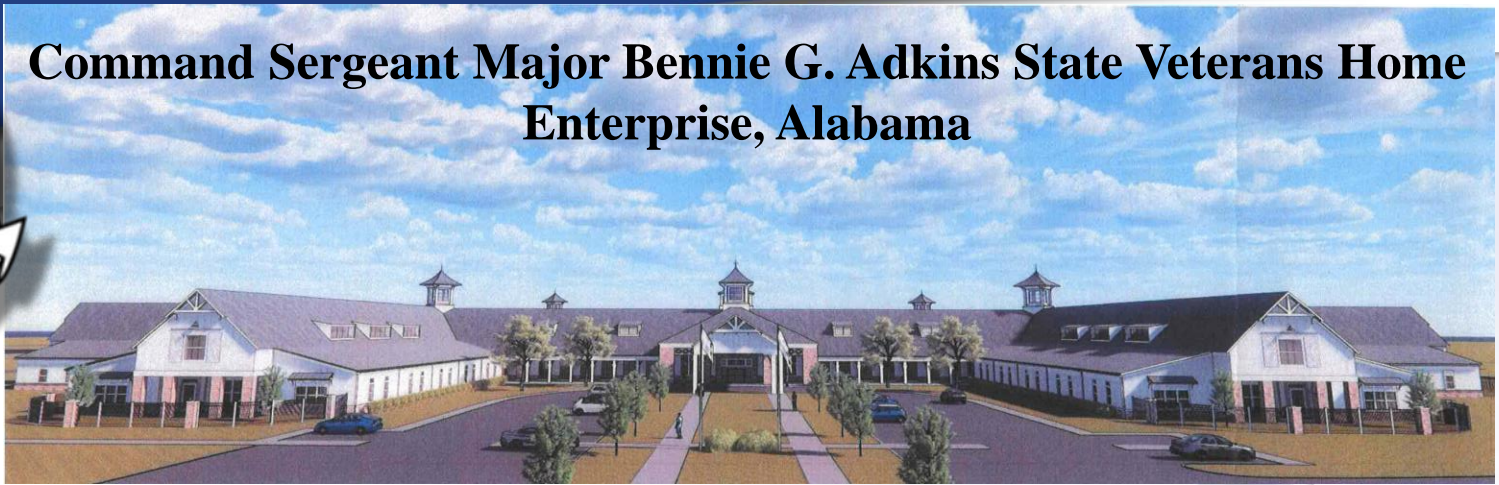
Fifth Veterans Home in Enterprise, Alabama



- Approx. **\$115 million** total construction cost, shared between federal and state
- Will house about 174 veteran residents
- Will employ over 200 people
- Located near Fort Rucker
- A six-year project; opening in 2024.



Command Sergeant Major Bennie G. Adkins State Veterans Home Enterprise, Alabama







State Veterans Cemetery

Alabama State Veterans Memorial Cemetery at Spanish Fort

- Veteran and Spouses Burial Services; Staffed by State Employees
- 106 Acre Cemetery opened in 2012, is expected to be open for 100 years; **Planned expansion every 10 years**
- Current Facilities (“Section 1”): 23 Acres of Columbarium, In-ground Vault Fields, Cremains and Traditional Grave Sites, Admin. & Maintenance Buildings, and Committal Shelter





Cemetery Expansion



- 100% VA Grant Funded. **\$5 million NCA construction grant approved on October 1, 2021**
- Will add: 2,700+ traditional sites, 800 in-ground urn sites, 960 columbarium niches, and 100 memorial wall plaques
- Est. completion end of 2023





Outreach and Engagement/Veteran Well-Being



ADVA Website:

<https://va.alabama.gov>

Facebook:

<https://www.facebook.com/alsdva/>

LinkedIn:

<https://www.linkedin.com/company/alabama-department-of-veterans-affairs>

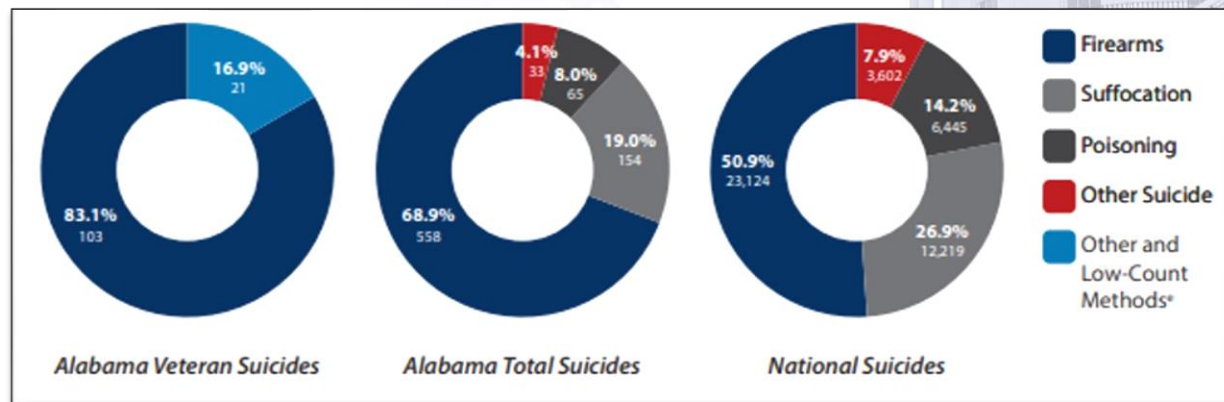
Twitter:

<https://twitter.com/AlVetAffairs>



The Challenge: Veterans at Special Risk

- Almost 18% of those who die by suicide in Alabama are Veterans when 9.1% of Alabamians have served
- 36% of Alabama Veterans who die by suicide are over 55.
- Male Veterans die by suicide at a rate 1.3 times than civilian counterparts; for women Veterans it is 2.1 times higher
- Over 80% of Alabama Veterans who die by suicide use a firearm (much higher than national average)

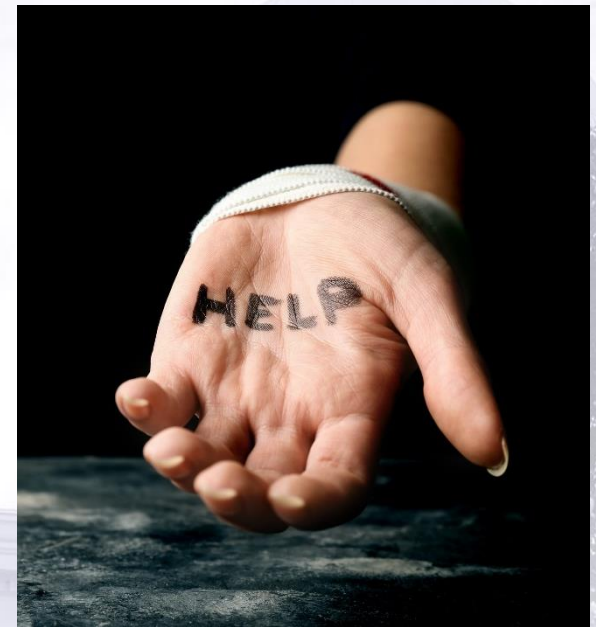




The Challenge: Veterans at Special Risk



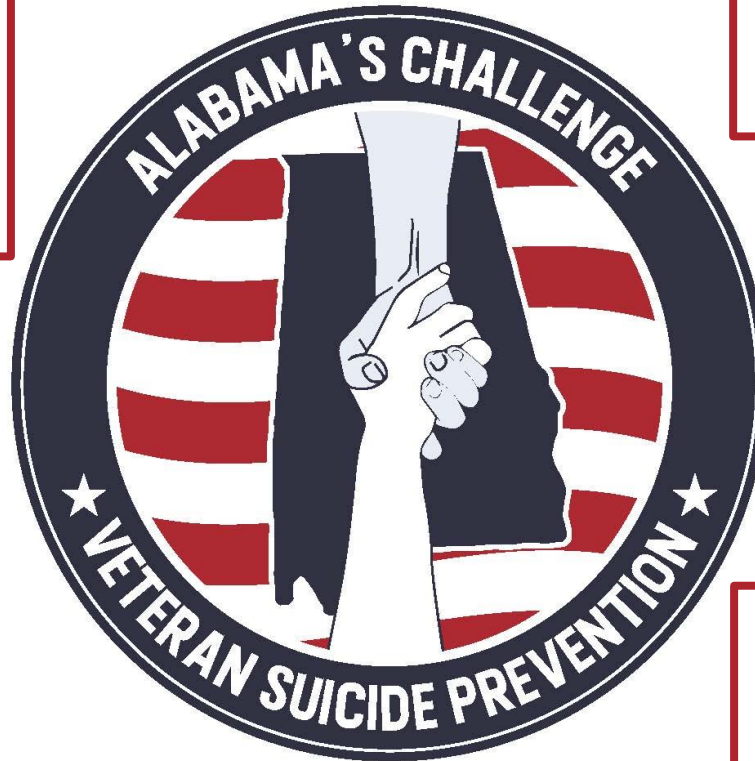
- Nationally, approximately 17 Veterans die by suicide per day.
- **In Alabama, a veteran takes his/her own life every 2.4 days on average.**
- Only about 30% of all Veterans who take their own lives use VA healthcare. 11 of 17 Veteran suicides per day are not enrolled in VA care.
- Alabama's Veteran suicide rate is somewhat higher than the national Veteran average *but significantly higher than the national civilian average.*



Alabama's Challenge

In recognition of their service and sacrifice, the colors are patriotic, though muted to reflect the gravity of the issue

The hands depict that assistance is within reach as a “hand up, not a handout”



The silhouette of Alabama is in the middle to recognize that this is a statewide effort

The seal is round to emulate a challenge coin, a familiar symbol to the military community as a recognition of contribution and membership



Partners on “Alabama’s Challenge”



State

- Alabama Department of Veterans Affairs
- State Board of Veterans Affairs
- Members of State Legislature (Reps. Rafferty and Oliver)
- Alabama Department of Mental Health
- Alabama Department of Public Health
- University of Alabama
- University of South Alabama
- Department of Human Resources (Adult Protective Services)
- Alabama National Guard
- Alabama Department of Rehabilitation Services

Federal

- U.S. Department of Veterans Affairs
- U.S. Department of Health and Human Services (Substance Abuse and Mental Health Services Administration)

Private

- Still Serving Veterans
- Veterans Recovery Resources
- Volunteer Lawyers of Birmingham
- Krulak Marines
- Red Cross
- American Legion
- Disabled American Veterans
- Civilian Marksmanship Program
- Alabama Hospital Association



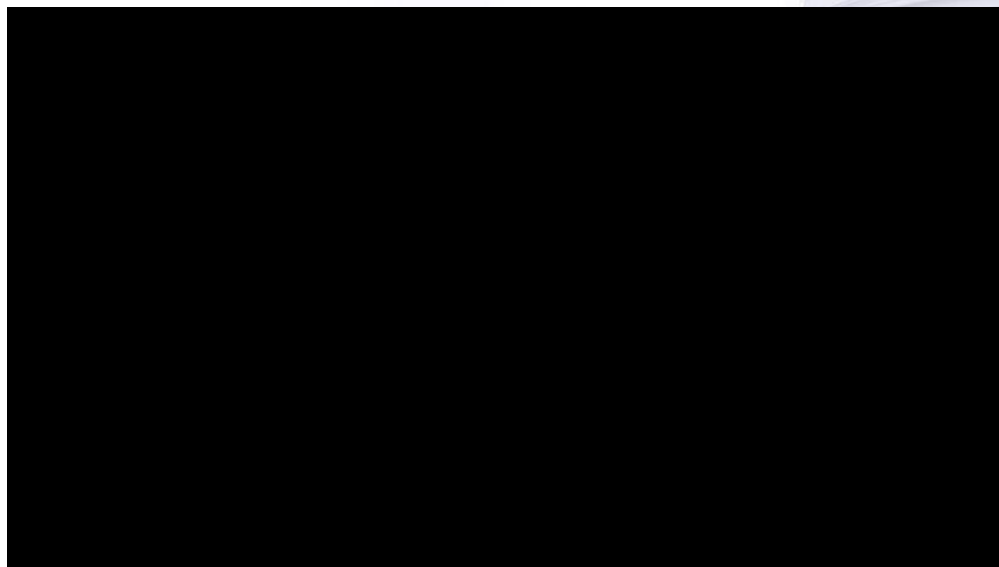
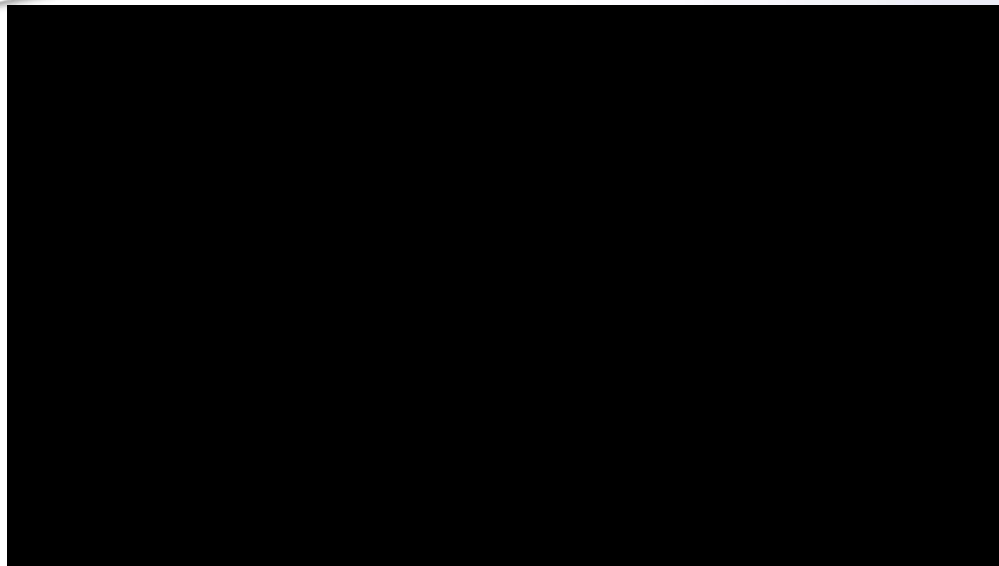
In 2020, a federal law was passed to implement a **988 suicide/crisis communication phone number** led by the Federal Communications Commission. The FCC rules required all phone service providers to direct all 988 calls to the existing National Suicide Prevention Lifeline by July 16, 2022.



Current/Future Steps for “Alabama’s Challenge” on Veteran Suicides



- New Full-Time Program Manager for Veteran Well-Being
- 2022 Townhall meetings around Alabama; first ones held in Dothan on February 16; Mobile on May 23; Tuscaloosa on August 10; Huntsville on September 28; **next is Montgomery on November 2.**
- Statistical analysis of veteran suicides by University of Alabama
- Identification of additional public and private sector partners
- Requests for legislative assistance (both fiscal and substantive)
- Information Campaigns (e.g., Public Service Announcements, billboards, etc.)





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Extra slides





Nehmer v. U.S. Department of Veterans Affairs

712 F.Supp. 1404 (N.D.Cal.1989)

- A class action lawsuit in U.S. District Court for Northern District of California to challenge a VA regulation, former 38 C.F.R. § 3.311a, stating that chloracne was the only disease that scientific evidence shows is associated with exposure to herbicides like Agent Orange used by the United States in Vietnam.
- Class members were all Vietnam veterans and their survivors who had been denied VA benefits for a condition allegedly associated with herbicide exposure or who would be eligible to file a claim for such benefits in the future.
- In an order issued on May 3, 1989, the court invalidated the portion of the regulation providing that no condition other than chloracne is associated with herbicide exposure and voided all VA decisions denying benefit claims under that portion of the regulation.



Nehmer (continued)

- In 1991, a Consent Decree was reached, requiring VA, whenever it recognizes that the emerging scientific evidence shows that a positive relationship exists between Agent Orange exposure and a new disease, to:
 - (a) identify all claims based on the newly recognized disease that were previously denied, and then
 - (b) pay disability and death benefits to these claimants, retroactive to the initial date of claim.
- During the period from 1991-2010, VA recognized that scientific studies show that there is a positive association between Agent Orange exposure and diabetes, ischemic heart disease, Parkinson's disease, and more than a dozen different types of cancer. As a result of the Nehmer consent decree, over the last three decades, VA has paid an aggregate of more than \$4.5 billion in retroactive disability and death benefits to hundreds of thousands of Vietnam veterans and their surviving family members. VA has already reviewed more than 140,000 past claims for these diseases and is in the process of reviewing more than 40,000 additional past claims.



Nehmer (continued)

- In an effort to secure retroactive benefits for thousands of “Blue Water Vietnam veterans,” on July 10, 2020, a motion for enforcement of the 29-year old class action Consent Decree in Nehmer was filed.
- On November 5, 2020 the U.S. District Court for the Northern District of California ruled in favor of thousands of those Blue Water Navy Vietnam Veterans and their survivors. The Court ordered the VA to automatically readjudicate thousands of benefits claims that the Court found had been wrongly denied under the Consent Decree. The Court also ordered the VA to pay retroactive compensation if it finds the veteran served in the territorial seas of Vietnam.