



RENSSELAER COUNTY VETERANS NEWSLETTER

KATHLEEN M. JIMINO
County Executive

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COMP & PEN EXAMINATION...

The C & P Exam

The Ratings Veterans Services Representative (RVSR) is a primary decision maker of the outcome of your claim for VA disability compensation benefits. Once the veteran has filed for the compensation benefit a folder or file is created and data...evidence...is added to the file for consideration by the RVSR.

The condition claimed will likely have some past evidence in the form of a Service Medical Record (SMR) or records of diagnosis and treatment from civilian providers. No matter the amount of evidence you have, it's likely that the Veterans Service Representative (VSR) or the RSVR will request that a VA contractor perform a C & P exam on you. The examiner is usually a physician or registered nurse practitioner or a physician's assistant. The examiner will not treat you or order any medications. Lab work, x-rays and other such studies may be ordered by the C & P examiner.

The depth of the examination is determined by order of the VSR or the RSVR and is included in the request for examination. The examiner has no authority to go beyond what is requested. Frequently the examiner will not have your medical records or any other history available. That is often the case when the VSR only wishes to determine the degree of function of a joint, as in a knee injury. This is sometimes referred to as a "nexus statement" and may connect the condition you allege today with an event that happened many years ago.

It's important to know and remember that the examiner does not make the decision of an award of disability compensation. The report that the examiner makes will be considered by the RSVR along with all the other accumulated evidence in the file.

As you ready yourself for your examination, you may take copies of any notes or other documents that you believe are relevant. Then you may offer those to the examiner. Don't be surprised or offended if the examiner refuses to accept or review such paperwork. If their orders don't include that as a part of their assignment, they aren't allowed to accept it and won't be able to do anything with it in any case.

Whether or not you should carry copies of files with you is often the topic of intense debate. Examiners are not generally required to review your records or and files you may have with you. Their assigned task is to provide a snapshot of the moment. How far does that joint move? Do you walk with a normal gait? How large is the scar that troubles you? They only report on the degree of the disability at that moment, not anything about how it may have happened.

However, it often pays to be prepared and take anything with you that you think is relevant. Offer it to your examiner. If it's refused, don't argue with that and move on. If the examiner accepts and uses your paperwork, then you may have advanced your case a bit. Be prepared and go with the flow.

(Continued Page 2)

Van Transportation...

- * **Don't drive** and need to get to the VA Medical Center or the Troy VA Clinic!?
- * We offer complimentary van transportation to and from the VAMC and Clinic for **most morning** medical appointments. Call our office for more details, to included hours of operation and rules/regulations 270-2760.



Services offered...

- Compensation: service-connected.
- Pension: non-service connected.
- Death Pension
- Federal Grave Markers
- VA Insurance Claims
- Medical Van Transportation

C&P Exam continued from Page 1.....

Be cooperative with your examiner. Your goal is to have the examiner write a report that agrees with your own conclusion about your condition. Expressing hostility, complaining about how terrible you're being treated or otherwise acting out your frustrations isn't going to help your cause.

If you're asked to perform maneuvers that cause you pain, for example; actively extending your arm out straight in front of your body, you should politely inform the examiner that the nature and severity of the pain will prevent you from completing that act. If the examiner attempts to assist you with the motion and you are positive that it will cause you pain, you should again politely tell the examiner that you can't allow that due to the harm it may cause you. It isn't the time or place to argue about it, a courteous explanation is all that's needed.

Your examiner may or may not welcome family or friends to accompany you as you're being examined. You do not have absolute rights to be accompanied unless you've established that beforehand with the VA Regional Office that scheduled your exam. If you would like to have your spouse in the room with you, ask the examiner for approval. If the examiner denies your request, don't argue the point. It isn't one you're going to win and it may cause the cancellation of your exam.

As you are examined, pay close attention to what the examiner does during the process. Later, if you don't agree that you had a complete examination of the relevant issues, you'll want to be precise in detailing all you can about your exam. The examiner should follow guidelines that are established on worksheets. If you're sure that your examiner didn't follow those guidelines and your claim is later denied, an inadequate examination may be a point of appeal.

VA may require a C & P exam at any time. "Where there is a claim for disability compensation or pension but medical evidence accompanying the claim is not adequate for rating purposes, a Department of Veterans Affairs examination will be authorized." You may not refuse a C & P exam or reexamination. "Individuals for whom reexaminations have been authorized and scheduled are required to report for such reexaminations."

Although you may feel that you have provided more than adequate evidence from private physician sources, VA will usually insist on a C & P exam by one of their own examiners.

Failure to report for Department of Veterans Affairs examination may result in an interruption or even termination of your benefits.

TITLE 38 PART 4 SCHEDULE FOR RATING DISABILITIES

Subpart B

Sec. 4.70 Inadequate examinations.

If the report of examination is inadequate as a basis for the required consideration of service connection and evaluation, the rating agency may request a supplementary report from the examiner giving further details as to the limitations of the disabled person's ordinary activity imposed by the disease, injury, or residual condition, the prognosis for return to, or continuance of, useful work. When the best interests of the service will be advanced by personal conference with the examiner, such conference may be arranged through channels.

Note: The VA may claim an examination is inadequate for the purposes of rating and the veteran may make the same claim. If you believe your examination was less than perfect, you may appeal that.

Honor-A-Deceased Veteran Ceremony

Every second Monday of the month, Rensselaer County honors a deceased veteran in a very moving and respectful ceremony in the County Legislative Chambers.

If you have loved one, who was a veteran and a resident at one time or another of Rensselaer County, and you would like to have them honored, please contact the Rensselaer County Veterans Service Agency at 270-2760 for an application.

The following criteria applies to the honorees:

- Must be from Rensselaer County (born, raised or resided in);
- Must have been discharged under honorable conditions and discharge must accompany application;
- May only be honored once;
- Submitted application must be legible and have a family contact (name, address and telephone number);
- List of all medals, campaigns, and battles;
- Include civilian history (all community services and organizations);
- Be as detailed as possible, the entire ceremony is dedicated to this veteran and it is their life story.

**CHINA BEACH
LZ-18**

**Saturday, 13 August 2011
11 a.m. till Dusk**

**Local 190 Training Center
666 Wemple Rd., Glenmont**

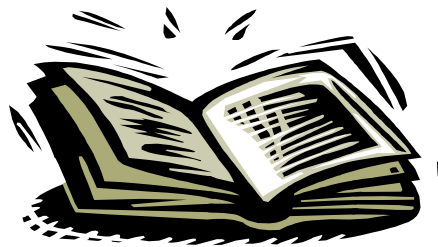
*Couples \$30
Adults \$20
Under 16 FREE
More Info call (518) 465-6829*

Place Your Ad...

Our 13th Annual Veterans Day Brunch will be held on November 6th. You may place your ad in our program at the following rates:

- Full Page.....\$100**
- 1/2 Page.....\$ 60**
- 1/4 Page.....\$ 30**
- Booster.....\$ 10**


Please send your ad layout and payment by **October 14, 2011- NO EXCEPTIONS.**



We need this lead time in order to get the program "press" ready and would appreciate it if every effort would be made to adhere to this deadline.

Please make your check payable to the Rensselaer County Veterans Fund, 1600 Seventh Avenue, Troy, NY 12180.

If you have any questions you may contact our office at 270-2760.



MEDAL CEREMONIES...

Rensselaer County hosts a medal ceremony for veterans who never received the medals that they earned while honorably serving their country.

It is an honor to be able to present these military decorations and awards to those who sacrificed unselfishly. You may contact our office to initiate an order for your personal or a family members medals. When they arrive, we will present them to you at the next ceremony.

CAPITAL REGION VETERANS STAND DOWN

Saturday, October 1, from 8:00 am until 1:00 pm will be the annual Veterans Stand Down for veterans who are homeless or at risk of being homeless and their families.

Free help will be available for employment, food, clothing, medical screening, legal assistance, as well as information on programs and services. Day care will be available throughout the day.

This event will take place at the **Colonie BPO Elks, 11 Elks Lane, Latham, NY.**

If you are interested in going and can not get transportation to the Stand Down, you can contact your local Veterans Service Agency to inquire about transportation at the following county VA numbers:

- Albany..... (518) 447-7713**
- Columbia..... (518) 828-9511**
- Rensselaer..... (518) 270-2760**
- Saratoga..... (518) 884-4115**
- Schenectady.... (518) 377-2423**
- Washington..... (518) 746-2470**
- Saturday only... (518)785-3557**

FLY THE FLAG

On Sunday, September 11, 2011, we encourage you to fly an American flag on displayed outside every home, apartment, office, and store in the United States. Every individual should take pride and display an American flag on this tenth anniversary of one of our country's worst tragedies.

We do this to honor those who lost their lives on 9/11, their families and loved ones who continue to endure the pain, and those who today are fighting at home and abroad to preserve our cherished freedoms.

In the days, weeks and months following 9/11, our country was bathed in America flags as citizens mourned the incredible losses and stood shoulder-to-shoulder against terrorism. Sadly, those flags have all but disappeared.

Our patriotism pulled us through some tough times and it shouldn't take another to galvanize us in solidarity. Our flag is the fabric of our country and together we can prevail over terrorism of all kinds.

Message from our County Executive...

Kathleen M. Jimino

I have always felt that the programs and services provided by Rensselaer County can make a profound difference in the lives of our residents. Whether it is those offered through our Veterans Services Agency, the Health Department, Aging, or the many other County agencies, day in and day out your County government works to make Rensselaer County an even better place to live, work, and raise a family.

To help shine a spotlight on some of those services Rensselaer County will once again have a number of informational tables and representatives at the Schaghticoke Fair which runs from August 31st through September 5th.

So if you are taking part in some of the family fun the fair offers, I hope you will stop by to visit us in our traditional location in the Hoosic Valley Fire Department building

Hope to see you soon and a sincere thank you for your service!

Sincerely,

Kathleen M. Jimino



JOIN US FOR THE UNCLE SAM PARADE...

September 17th & 18th our community will celebrate Samuel Wilson's birthday (9/13/1766). This event includes a graveside ceremony on Saturday at Oakwood Cemetery at 10:00 am. Followed by a brunch at the Veterans of Lansingburgh, tickets can be purchased at the door. On Sunday the festivities begin with a parade at 12:45 p.m. followed by family fun and entertainment in Knickerbacker Park and a fireworks show. For more info call John Rustin at 235-0615 or Jim Gordon At 365-2270.

The RCVSA office always participates in this parade. It is our desire to have a large representation of veterans. If you would like to join our marching contingent, (line-up at noon) you may contact our office for more details at 270-2760.

Upcoming events...



Call us by the 15th of the month and we will list your event.

August 8th...Honor-A-Deceased Veteran Ceremony in Legislative Chambers, 8:15am **Everett L. Emery, US Army, WWII POW**

August 31st—September 5th ...Schaghticoke Fair **COME VISIT OUR BOOTH!** (Office Closed)

September 12...Honor-A-Deceased Veteran Ceremony in Legislative Chambers, 8:15am **Stephen A. Corina, US Army, Vietnam Era**

September 17... Uncle Sam Gravesite Ceremony at 10:00 a.m., followed by a brunch at the Veterans of Lansingburgh

September 18..... **Uncle Sam Parade** (see above article)

October 1... Capital Region Veteran's Stand-Down (see Page 3)