



Expectations of Post & District SO's /PSO report



Agenda

- Code of Procedures
 - Professionalism
 - When can a Power Of Attorney (POA) be accepted, denied changed, or revoked
 - Dual representation
 - Contested claims
- Post Service Officer (PSO) Expectations
 - PSO Reports
 - It's The Law
- Legal Liabilities



PSO & Veterans Affairs Voluntary Service Program

- In FY 2009 American Legion had 6,307 members that volunteered
- Savings to VA in hours worked \$18.4 Million
- ‘Volunteers don’t get paid - not because their worthless, but because they’re priceless’
- State of Michigan
 - 18 of 52 (includes Puerto Rico and D.C)
 - \$452,142.00 in savings as service to Veterans



Code of Procedures - Professionalism

- Face of the American Legion
 - Representing the oldest Servicing Organization assisting Veterans
 - May be the only link between Veteran and Accredited Service Officer (ASO)
- Professionalism - One bad deed can undo a thousand good intentions
- Set the Example - Your role to assist the Veteran only Accredited Service Officer (ASO) can Advise
 - May be found legally / monetarily liable
 - When in doubt



Code of Procedures - Power of Attorney

- Who can AL Accept POA from
 - Veteran
 - If incompetent Vet's legally appointed guardian
 - If deceased Veteran's dependents or designated beneficiary
 - Person(s) entitled to reimbursement
- Dual Representation
 - Veteran goes and gets Private Attorney
 - New 21-22 not submitted to VA
- **NOTE: Only Accredited Service Officer CAN sign 21-22**



Code of Procedures - POA

- When can a POA be Changed
 - AL VA&R Commission does not desire to accept POA if Veteran is in Appeal (Notice of Disagreement, NOD)
 - Case by case basis
- When can a POA be Denied
 - AL will Deny any POA which runs counter to Veteran's interest
 - Even court ordered apportionment
- When can a POA be Revoked
 - Reserve the right to withdraw at any time
 - Refusal to cooperate, harassment, threat of harm
 - Tampering of evidence / willfully making false statements



Code of Procedures Contested Claim

- Contested claims

- AL Policy - At no time will AL personnel participate in a contested claim
- Contested - There are two or more claimants of one benefit
- AL does not take any action counter to Veteran's best interest
- Any time you come across contested claim consult Detroit Regional Officer / Any Accredited Service Officer



**Duties
Responsibilities
Authority
Of the Post**



Expectations of a PSO

1. Shall assist members of the Post, their widows and orphans as well as any worthy case brought to their attention
2. Shall perform their duties in accordance with the instructions contained in the American Legion Guide for Service Officers
3. Shall perform their duties under the general supervision of the Post Commander and the guidance of the Department Service Officer
4. Must route claims with out delay as well as all supporting evidence, and any inquires to the Department Service Officer
5. Is not allowed to request or accept remuneration for their services



Expectations of a PSO

6. Shall not refuse to assist any claimant unless it is clear that the claim is fraudulent in which case the Department Service Officer will be the final authority as to whether the American Legion will provide representation
7. Shall not refuse to assist any claimant because they do not feel the claimant is eligible for the benefit sought
8. Shall not make direct contact with any office or representative of the Department of Veterans Affairs
9. Must make all efforts to attend all training conducted within the Department in service work by the Department Service Officer



Expectations of a PSO

We expect that he will establish a working relationship with key community service providers and agencies.

- Hospital Chairman
- Chaplain
- MAP Chairman
- National Home Chairman
- Churches
- Shelters
- Funeral Directors
- State & County Social Workers
- Hospital Social Workers
- County Veteran Service Offices



Legal Liabilities

- Note: Public Law 93-579 restricts the release of confidential information to parties other than the claimant, an accredited representative of a Veterans Service Organization may release only information necessary for development of a specific claim to a local Post Service Officer
 - When assisting a veteran in completing VA forms the Post SO may act as a recorder only, not as an advisor
 - This is an important issue due to potential liability
- Any American Legion member may offer their assistance to a potential claimant However, only an Accredited Service Officer may present themselves as such to either a claimant or government department or agency
- Any American Legion member offering their assistance to a claimant must accept the responsibility to act under the same rules as an appointed Post Service Officer



Legal Liabilities

- Accreditation is awarded by the VA
- American Legion Policy:
 - Individuals must be full time employees of the Department recommending accreditation
 - or under certain circumstances a Department may recommend a state or county employee for accreditation
- Accreditation requires annual training certified by the organization and approved by the VA
- PSO cannot represent a claimant but CAN assist them



PSO Report

THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN POST SERVICE OFFICER REPORT

DATE: _____ DISTRICT#: _____ POST#: _____

PREPARED BY: _____ (Please Print)

ADDRESS/City/Zip: _____

1. Number of Veterans assisted by your Post? _____

2. Does your Post have medical equipment to loan to Veterans? Yes ___ No ___ Dependents? Yes ___ No ___

3. Does your Post have activities/programs to help homeless Veterans? Yes ___ No ___

4. Number of veterans for whom you have found employment: _____

5. Number of veterans for whom you have found training opportunities: _____

6. Does your post provide military funeral honors? Yes ___ No ___

7. The number of regularly scheduled (RS) volunteers and RS hours contributed to VA Voluntary Service (VAVS) programs within your Post: #RS Volunteers _____ #RS Hours _____

8. The number of occasional volunteers and occasional hours contributed to VAVS programs within your Post: #Occasional Volunteers: _____ #Occasional Hours: _____

9. Number of new VAVS volunteers and assignments within the past year: _____

10. Give a short report of your Posts activities within the VAVS program at local VA, State Veteran Homes or community locations: _____

What does your Post do to encourage and support Youth volunteers? _____

11. Does your Post contribute to General Post Funds at local VA health care Facilities?

If yes, Amount: _____

12. Does your post have any special rehabilitation projects that regularly aid veterans and their dependents? _____

13. Number of Temporary Financial Assistance (TFA) applications? _____

14. Number of Family Support Network referrals? _____

17. List the Post funds expended in rehabilitation-related activities: \$ _____

18. Does your post have a regular rehabilitation publicity program to acquaint veterans as to Federal and State benefits? Yes ___ No ___

19. Number of referrals to Department Service Officers: _____

20. Number of referrals to County Services: _____



PSO Report

- PSO Report not a report card as much as a “Highlight Reel”
- Must be completed annually
 - Keep a working copy
 - Prevents from trying to recall
- Refer to your hand-outs
 - Standardize reporting
 - Remarks / Suggestion



Questions

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