

Military Discharge Upgrade

[Source: Military Times | January 26, 2018]

Veterans Affairs and Defense officials this week released new online help for veterans applying for a discharge upgrade, the latest in a series of outreach efforts to so-called "bad paper" veterans who may have been unfairly deprived of federal benefits.

The new tools, available through the VA's web site, provide veterans with downloadable forms for the appropriate VA or military officials and detailed instructions on the upgrade request process. Veterans cannot submit forms through the site, but officials said the goal is to give clearer directions on how to navigate the complex requirements for upgrade petitions VA officials said they launched the tool after fielding more than 5,000 calls related to upgrade procedures in 2017, most complaining the instructions available were too confusing or complicated to be useful.

Robert Wilkie, undersecretary of defense for personnel and readiness, in a statement praised the joint collaboration and said it will help "individualize the guidance" in an effort to simplify the process. Military officials estimate that tens of thousands of veterans with less than honorable discharges could be eligible for upgrades. **Vietnam Veterans of America** has put the number at over 300,000. While most individuals with criminal charges and court-martial dismissals aren't eligible, veterans discharged because of incidents relating to undiagnosed post-traumatic stress disorder, traumatic brain injury, sexual assault or their sexual orientation may be. An upgrade to a higher discharge status can also bring with it eligibility for a host of veterans health and education benefits. Last year, VA officials expanded their emergency medical care policies to include 90 days of mental health care for veterans with other-than-honorable discharges. That period includes a review of veterans' records to determine if they should be eligible for additional medical services. Military officials in 2016 changed the rules surrounding upgrade applications to allow for more "liberal consideration" of undiagnosed health claims by veterans.

Kris Goldsmith, assistant director for policy and government relations at VVA, called the work done so far "heartening" but said more work needs to be done. "The tool helps veterans understand what needs to be done to be brought back into the fold, but discharge upgrade requests and characterization of discharge reviews historically have negative outcomes for the overwhelming majority of applicants," he said. "The denial of an appeal is in itself traumatic for a veteran with PTSD. I know this because I've experienced it personally three times in the last decade. Congress and the Administration need to make fixing bad-paper a top priority, and take more proactive measures to helping our most vulnerable population of veterans." VVA is pushing legislation on Capitol Hill dubbed the "Leave No Veteran Behind Act" that would provide more services to bad-paper veterans, and has been working towards public hearings on the issue to raise awareness