

**Veterans
Administration**

APR 11 1985

In Reply Refer To: 343/213B
CSS 537-44-5070

Mr. George P. Ojala
P.O. Box 2195
Weaverville, CA 96093

Dear Mr. Ojala:

Your award of Veterans Administration benefits has been (approved) (amended).

You will receive a computer-generated letter informing you of the rates and effective dates in the very near future.

The attached form(s) furnish additional information concerning your award. It is important that you note their contents, as they may affect your right to continue to receive payment.

Sincerely yours,

A handwritten signature in blue ink that reads "T. A. Verrill".

T. A. VERRILL
Adjudication Officer

Enclosure:
VA Form 21-6754

cc:
Swords to Plowshares

Encl.

IMPORTANT - SEE REVERSE SIDE FOR PROCEDURAL AND APPELLATE RIGHTS.

KEEP THIS LETTER AND ANY ATTACHMENTS FOR FUTURE REFERENCE.

NOTICE OF PROCEDURAL AND APPELLATE RIGHTS

We have based our decision on the evidence of record in your case and the applicable law. This explains your procedural and appellate rights in connection with this decision.

REPRESENTATION. You may be represented, without charge, by an accredited representative of a veterans organization or other service organization recognized by the Administrator of Veterans Affairs, or you may employ an attorney to assist you with your claim. Typical examples of counsel who may be available include attorneys in private practice or legal aid services. The services of a recognized attorney are subject to a maximum fee limitation of \$10, set forth in 38 U.S.C. 3404(c). Expenses incurred in the prosecution of a claim must be approved in accordance with 38 C.F.R. 14.650 prior to demanding or receiving reimbursement from the claimant. If you desire representation, let us know and we will send you the necessary forms. If you already designated a representative, no further action on your part is required.

NEW EVIDENCE. You may submit additional evidence to strengthen your claim. It is in your interest to send us any new evidence as promptly as possible. We will carefully consider it and let you know whether it changes our decision.

PERSONAL HEARING. If you desire a personal hearing to present evidence or argument on any point of importance in your claim, notify this office and we will arrange a time and place for the hearing. You may bring witnesses if you desire and their testimony will be entered in the record. The VA will furnish the hearing room, provide hearing officials, and prepare the transcript of the proceedings. The VA cannot pay any other expenses of the hearing, since a personal hearing is not required.

APPEAL. You may appeal our decision to the Board of Veterans Appeals at any time within one year from the date of this letter if you believe the decision is not in accord with the law and the facts now of record. You can start the appeal process by filing a Notice of Disagreement. You may do this by writing a letter to this office stating that you wish to appeal. If more than one benefit is involved, you should identify the benefit or benefits for which you are appealing. If you decide to appeal, we will advise you further as to your procedural rights as your claim progresses through the several stages of the appeal process.

FL 21-822
Sep 1979(R)

INCREASED DISABILITY COMPENSATION

The item(s) checked below apply to you:

1. The evidence establishes that your service-connected condition has increased in severity. The rating for your disability has been increased from 50 % to 100 %.
2. Due to the increased severity recently recorded in your physical condition, the following evaluations and combined rating have been assigned for your disabilities:

<u>Condition</u>	<u>Prior %</u>	<u>New %</u>
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Combined

The combined rating is not arrived at by adding the percentages of your disabilities but is computed in accordance with a combined rating table.

3. The evidence establishes that the severity of your service-connected condition(s) although not totally disabling prevents you from following a substantially gainful occupation. You are entitled to receive compensation at the 100% disability rate.
4. DEPENDENCY INFORMATION - Veterans having a 30% or more service-connected condition may be entitled to additional compensation for a spouse, dependent parents, or unmarried children under 18 (or under 23 if attending a school that has been approved by the VA) or where prior to age 18 the child has become permanently incapable of self-support because of mental or physical defect. The additional benefit for a spouse is payable in a higher amount when the spouse is a patient in a nursing home or so disabled as to require the regular aid and attendance of another person.

In order that additional benefits may be payable from the earliest possible date, the evidence indicated below by check mark should be submitted within one year from the date of this notice. (NOTE: If you are unable to secure a certified copy of any record requested, please let us know as other types of proof may be permitted.)

- a. A certified copy of your marriage certificate.
- b. Your certified statement showing the date, place and circumstances of the dissolution of your and your spouse's prior marriages, if any.
- c. VA Form 21-686c, Declaration of Marital Status.
- d. Certified copy of birth certificate of children meeting any of the above requirements.
- e. A certified copy of your birth record on which the names of your parents are shown.
- f. VA Form 21-509, Statement of Dependency. This form should be completed by your parent(s).
- g.
5. VA Form 21-674, Request for Approval of School Attendance, must be completed and returned to VA to claim the additional compensation for (Name(s) of Student(s)), _____, school child(ren) between the ages of 18 and 23.
6. VA Form 21-674b, School Attendance Report, must be completed and returned to VA within 30 days from the date (Name of Student) _____ begins the course. If it is not returned, benefits payable because of school attendance must be discontinued.
7. Please note that the diagnosis of your condition has been changed to post traumatic stress disorder. (PLEASE SEE ATTACHED.)

IMPORTANT - SHOW YOUR FULL NAME AND VA FILE NUMBER ON ALL CORRESPONDENCE OR EVIDENCE SUBMITTED

Encl. VA Forms

21-686c

21-509

21-674

21-674b

IMPORTANT INFORMATION

VA HOSPITALIZATION AND OUTPATIENT TREATMENT. You are entitled to priority admission to a VA hospital or to outpatient treatment for all service-connected conditions. If you have a service-connected disability or disabilities evaluated at 50% or more, you may also qualify for outpatient medical treatment for conditions not due to military service. Although the enclosed award letter is not an authorization for treatment, it will help you establish your entitlement and should be presented at any VA office, or station with medical facilities, if the need for treatment or care arises.

GOVERNMENT LIFE INSURANCE. If you are paying premiums on Government life insurance (GI insurance) and are unable to work, you may be entitled to certain benefits as provided for in your policy. For complete information contact the Veterans Administration office where you pay premiums.

NONASSIGNABILITY AND EXEMPT STATUS OF BENEFITS. Compensation payments are exempt from taxation; the payments are not assignable; are exempt from claims of creditors, are not subject to attachment levy or seizure except as to claims of the United States.

CHANGE OF ADDRESS NOTICE. Please notify this office immediately, in writing over your signature, of any change of address.

AID AND ATTENDANCE BENEFITS FOR SPOUSE. The additional amount payable for a spouse to a veteran having a 30% or more service-connected condition may be increased if the spouse is a patient in a nursing home or so disabled as to require the regular aid and attendance of another person. The best evidence to submit is a doctor's statement containing a complete diagnosis and describing in detail the nature and extent of limitation of activities, or a statement from a nursing home administrator indicating the date the spouse was admitted as a patient to the nursing home and describing the condition(s) requiring such care.

CONDITIONS AFFECTING RIGHT TO PAYMENTS

1. Your award of disability compensation is subject to future adjustment upon receipt of evidence showing any change in the degree of your disability.
2. Your payments may also be affected by any of the following circumstances which you should promptly call to our attention.
 - a. Re-entrance into active military or naval service.
 - b. Receipt of armed forces service retirement pay, unless your retirement pay has been reduced because of award of disability compensation.
 - c. Receipt of benefits from the Office of Federal Employees Compensation.
 - d. Receipt of active duty or drill pay as a reservist or member of the Federally recognized National Guard.
3. If you have a disability rating of 30% or more, you should advise us of any change in the status of your dependents.
4. If your award includes special monthly compensation due to need for aid and attendance, this additional allowance is generally subject to reduction from the first day of the second calendar month of admission to hospitalization, nursing home or domiciliary care at VA expense.
5. Your monthly payments may be stopped, if you fail to furnish evidence as requested; fail to cooperate or submit to a Veterans Administration examination when requested; or if you furnish the Veterans Administration, or cause to be furnished any false or fraudulent evidence.
6. The law provides severe penalties which include fine or imprisonment, or both, for the fraudulent acceptance of any payment to which you are not entitled.

2.

OJALA, George P.

This allowance was made without appellate review. Please let us know whether this decision satisfies the purpose of your notice of disagreement or whether you wish to continue with your appeal. In the absence of a reply within 30 days, it will be assumed that this allowance meets your contentions, and your notice of disagreement will be considered withdrawn. Such withdrawal would be subject to your right to reactivate the appeal any time during the remainder of the appeal period.