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Author

Corporate Author Veterans Administration, Office of Public and Consumer

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Agent Orange

Information for Veterans Who Served in Vietnam

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MEDICAL CARE AUTHORIZED

Although a concerted research effort has been under way for some time to resolve questions relating to the health-care issues raised by Agent Orange, many of these questions remain unanswered. Good research of this type cannot be accomplished quickly and, therefore, results may not be available for a few years to come. In the meantime, in recognition of the need to provide concerned eligible Vietnam veterans with appropriate medical care and treatment for illnesses or disabilities possibly related to exposure to this defoliant, Public Law 97-72, the "Veterans' Health Care, Training and Small Business Loan Act of 1981," was signed on November 3, 1981.

Essentially, Public Law 97-72 authorizes the Veterans Administration to "provide certain health care services to any veteran of the Vietnam Era (August 5, 1964 - May 7, 1975) who, while serving in Vietnam, may have been exposed to dioxin or to a toxic substance in a herbicide or defoliant used for military purposes. Health care services may not be provided, under this law, for the care of conditions which are found to have resulted from a cause other than exposure to these substances."

Interim guidelines for carrying out the provisions of this law have been furnished to all VA health care facilities. Final guidelines, based on consumer comments on the interim guidelines published in the Federal Register, will be provided to these same facilities in the near future.

HEALTH-CARE SERVICES

Health-care services authorized under this provision of the law are limited to hospital and nursing home care in VA facilities. Outpatient care may be provided at a VA facility: (1) in order to prepare a veteran for hospitalization, (2) in order to complete inpatient care which was initiated in a VA hospital, or (3) in order to provide care which would make unnecessary the need for hospitalization. These services will be provided without regard to the veteran's age, service-connected status or the ability of the veteran to defray the expenses of such care.

Veterans are furnished outpatient care under this authority within the limits of VA facilities' capacity to provide such care. Outpatient services may be provided on a fee-basis only in connection with post-hospital care and then only where VA or other government facilities lack the capability to provide the needed care or cannot do so economically because of geographical inaccessibility.

In providing outpatient care under this authority VA is charged with assuring that veterans will be accorded priority ahead of other nonservice-connected veterans and equal to former POWs.

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MEDICAL EXAMINATION

VA guidelines provide that a complete medical history, physical examination and appropriate diagnostic studies will be developed for each veteran who served in the Republic of Vietnam and who requests VA medical care. For those who have been examined within the prior six months, only those procedures which are medically indicated by the current circumstances will be repeated. Where the findings reveal a condition requiring treatment, the responsible staff physician must determine whether the condition resulted from a cause other than the exposure to Agent Orange.

HEALTH CARE EXCEPTIONS

Health care services may not be provided under this law for the care of conditions which are found to have resulted from a cause other than the specified exposure. The physician will consider that the following types of conditions are not ordinarily considered to be due to such exposure:

- a. congenital or developmental conditions, e.g., spina bifida, scoliosis;
- b. conditions which are known to have pre-existed military service;
- c. conditions resulting from trauma, e.g., deformity or limitation of motion of an extremity;
- d. conditions having a specific and well-established etiology, e.g., tuberculosis, gout;
- e. common conditions having a well-recognized clinical course, e.g., inguinal hernia, acute appendicitis.

A physician may believe that a veteran requires care for any of these conditions and presents a complicating circumstance that makes the provision of care under this authority appropriate. He may decide to provide it following consultation with the facility chief of staff and the environmental physician.

OTHER

This law provides for health care only. A determination that a veteran is eligible for care under this law does not constitute a basis for service-connected disability or in any way affect determinations regarding service-connected disability.

Individual veterans should contact the nearest VA medical center to determine their eligibility. Any military records which the veteran has should be brought to the medical center in order to speed the process of eligibility and care and ensure a more complete medical history. Veterans who are not provided needed medical care under Public Law 97-72 may be furnished care if they are eligible under any other statutory authority.

AGENT ORANGE REGISTRY

The VA has a continuing program for examining Vietnam veterans who are concerned about the possible health effects of Agent Orange. The findings of these examinations are entered into the Agent Orange Registry. Vietnam veterans are encouraged to request an examination at their nearest VA health care facility. A veteran who participates will receive a comprehensive physical examination and be asked to complete a questionnaire about his service in Vietnam. Following the examination, the veteran will be advised of its results. The examination could help to detect any illness or injury the veteran may have, regardless of origin, and may provide a basis for treatment. The examination may also serve as a basis for a possible future claim for VA benefits.