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VA INTENDS TO TREAT AGENT ORANGE THAILAND CLAIMS DIFFERENTLY

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VA INTENDS TO TREAT AGENT ORANGE THAILAND CLAIMS DIFFERENTLY

In its May 2017 Service Center Bulletin, the VA has again demonstrated that it intends to treat Vietnam Era veterans who served in Thailand differently. Specifically, VA is setting up a special review process that requires each Agent Orange Thailand claim to undergo a Compensation Service review. We read this bulletin to mean that if a veteran was not security MOS/dog handler, the Compensation Service will direct the Regional Offices to deny the claim. VA previously tried to accomplish the same thing when they issued a change to the M21-1MR, VA adjudicators' guide to processing claims. [Learn more about Agent Orange in Thailand here.](#)

THE EXACT LANGUAGE OF THE SERVICE CENTER BULLETIN IS AS FOLLOWS:

"Compensation Service has seen an increase in Agent Orange (AO) exposure-related claims from Veterans who served in Thailand during the Vietnam era, but who do not qualify for AO exposure under the current policy in M21-1 (that specifically includes perimeter security personnel and guard dog handlers). Many Veterans are providing a lay statement that they were "near" a Thailand military base perimeter as evidence for their claimed exposure.

Based on questions and comments received from regional offices (ROs), it appears that such claims are not being evaluated and adjudicated in a consistent manner nationwide. As a result, we have determined that all AO exposure-related disability claims from Thailand Veterans, which do not clearly fall under the M21-1 current policy and/or are based on a claim of being "near" a perimeter, must be forwarded to Compensation Service for review. Claims that are in NWQ may be forwarded to Compensation Service through referral to RO 388, by use of a tracked item and special issue (Compensation Service Review- Opinion (this will be updated to Compensation Service Review -Agent Orange outside RVN & Ships in the near future)). Only claims that are outside the NWQ need to be referred to the Agent Orange mailbox (please see NWQ Playbook for additional guidance on this issue). Tracked items should be utilized in these instances. A brief memo documenting the following information should be included in the referral to Compensation Service (either in VBMS or in the email): date of the alleged exposure(s) (month and year); location of the alleged exposure(s); type of activity the Veteran was engaged in at the time of each exposure; and, MOS."