



# PACT Act Palliative & Hospice Care

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U.S. Department  
of Veterans Affairs





# Objectives

- Define PACT Act & toxic exposure
- Identify key components of the PACT Act
- Review progress related to the PACT Act over the past year
- Discuss VA Health Care Enrollment Eligibility
- Define Toxic Exposure Screening at the Veterans Health Administration
- Define presumptive condition & review PACT Act presumptive conditions and locations
- Review how providers can support Veterans and survivors applying for VA benefits
- Respond to questions from the participants



# What is the PACT Act?



Vietnam



Gulf War Era



Post-9/11 Afghanistan and Iraq



## The Sergeant First Class Heath Robinson Promise to Address Comprehensive Toxics (PACT) Act of 2022

is a law that expands VA health care and benefits for Veterans exposed to burn pits and other toxic substances during their military service. This law helps us provide generations of Veterans—and their survivors—with the care and benefits they've earned and deserve.

### The PACT Act :

- Expands and extends eligibility for VA health care for Veterans with toxic exposures and Veterans of the Vietnam era, Gulf War era, and Post-9/11 era.
- Expands eligibility for benefits for Veterans exposed to toxic substances.





# What is Toxic Exposure?

<b>Chemicals</b>	Herbicides (Agent Orange and others) used during Vietnam era, sulfur fire in Iraq, Camp Lejeune water supplies, pesticides used during Gulf War, chromium, industrial solvents
<b>Air Pollutants</b>	Burn pits, oil well fire during Gulf War, sulfur fire in Iraq, Atsugi (Japan) waste incinerator, sand, dust, and particulate matter
<b>Occupational Hazards</b>	Asbestos, industrial solvents, lead, radiation, vibration, noise, fuels, polychlorinated biphenyl (PCBs), and special paint used on military vehicles
<b>Radiation</b>	Nuclear weapons and testing, depleted uranium
<b>Warfare Agents</b>	Chemical warfare agents, nerve agents and mustard gas, Project 112/Project Shipboard Hazard and Defense (SHAD)



# PACT Act Key Components



The Act **expands and extends eligibility for VA health care for Veterans with toxic exposures** and Veterans of the Vietnam era, Gulf War era, and Post-9/11 era.



VA **will improve the decision-making process** for determining what medical conditions will be considered for presumptive status.



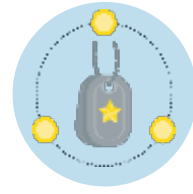
Every enrolled Veteran **will receive an initial toxic exposure screening** and a follow-up screening every five years. Veterans who are not enrolled, but who are eligible to enroll, will have an opportunity to enroll and receive the screening.



VA health care staff and claims processors will receive **toxic exposure-related education and training**.



The Act **requires research studies** on the mortality of Veterans who served in Southwest Asia during the Gulf War; Post-9/11 Veteran health trends; and Veteran cancer rates.



The Act will help VA **build a stronger, more skilled workforce** to meet the growing demand for benefits and services.



The Act **authorizes 31 new facilities** across the country, providing greater access to VA health care.







# The PACT Act Year in Review





# Health Care Enrollment Eligibility

Veterans who served in the following locations and time periods can enroll in VA health care **NOW**:

- **Republic of Vietnam** (between January 9, 1962 and May 7, 1975)
- **Thailand at any US or Royal Thai base** (between January 9, 1962 and June 30, 1976)
- **Laos** (between December 1, 1965 and September 30, 1969)
- **Certain Provinces in Cambodia** (between April 16, 1969, and April 30, 1969)
- **Guam or American Samoa or their territorial waters** (between January 9, 1962 and July 31, 1980)
- **Johnston Atoll, or a ship that called there** (between January 1, 1972 and September 30, 1977)



Vietnam-era Veterans are now able to apply for two new Agent Orange presumptive conditions:

- **Monoclonal gammopathy of undetermined significance (MGUS)**
- **Hypertension (high blood pressure)**

**Special Enrollment Period – October 1, 2022 – September 30, 2023**

for Post-9/11 combat Veterans who separated or discharged **between September 11, 2001 and October 1, 2013**. Enrollment is free, there are no annual costs, and care may be free as well!



Veterans can call 1-800-MY-VA-411 to apply for healthcare or learn **NOW**



# Toxic Exposure Screening for Veterans

**WHO:** All Veterans enrolled in VA health care

**WHAT:** A quick (5-10 minute) series of questions to identify and document any potential exposures to toxins during military service

**WHEN:** At least one every 5 years

**WHERE:** VA medical centers and clinics, including virtual and phone encounters. Find the closest VA at <https://www.va.gov/find-locations> or call 1-800-MY-VA-411.

**WHY:** Supports Veteran long-term health plans and ensures they receive exposure informed whole-health care and linkages to resources.

**HOW:** Veterans can request a toxic exposure screening at their next VA appointment or contact their medical team using My HealthVet secure messaging.







# Gulf War Era and Post-9/11 Eligibility

If a Veteran served in any of these locations and time periods, they are eligible for the new Gulf War-related presumptions. This includes the airspace above any of these locations.



## On or After August 2, 1990:

- Bahrain
- Iraq
- Kuwait
- Oman
- Qatar
- Saudi Arabia
- Somalia
- The United Arab Emirates (UAE)



## On or After September 11, 2001:

- Afghanistan
- Djibouti
- Egypt
- Jordan
- Lebanon
- Syria
- Uzbekistan
- Yemen





# New Radiation Presumptive Locations



If you were called to respond to one of the listed cleanup and response missions below, you may be eligible for radiation exposure presumptives under the PACT Act.

Response Effort	Dates
Cleanup of <b>Enewetak Atoll</b>	January 1, 1977-December 31, 1980
Cleanup of the Air Force B-52 bomber carrying nuclear weapons off the coast of <b>Palomares, Spain</b>	January 17, 1966-March 31, 1967
Response to the fire onboard an Air Force B-52 bomber carrying nuclear weapons near <b>Thule Air Force Base in Greenland</b>	January 21, 1968-September 25, 1968





# Conditions Presumed to be Service-Connected

As of August 10, 2022, a long list of new conditions are presumed to be service-connected due to various in-service toxic exposures. **APPLY NOW** at [www.VA.gov/PACT](http://www.VA.gov/PACT) to expedite your claim and benefits.

- Asthma (diagnosed after service)
- Brain cancer
- Chronic bronchitis
- Chronic obstructive pulmonary disease (COPD)
- Chronic rhinitis
- Chronic sinusitis
- Constrictive bronchiolitis or obliterative bronchiolitis
- Emphysema
- Gastrointestinal cancer of any type
- Glioblastoma
- Granulomatous disease
- Head cancer of any type
- High blood pressure (hypertension)
- Interstitial lung disease (ILD)
- Kidney cancer
- Lymphoma of any type
- Melanoma
- Monoclonal gammopathy of undetermined significance (MGUS)
- Neck cancer
- Pancreatic cancer
- Pleuritis
- Pulmonary fibrosis
- Reproductive cancer of any type
- Respiratory (breathing-related) cancer of any type
- Sarcoidosis





# Filing Claims to Receive Benefits

Veterans can file a claim for the new presumptive conditions:

- **New Claim**—Veteran has never filed for the presumptive condition
  - **Supplemental Claim**—the presumptive condition was previously denied but is now considered to be presumptive
- 
- If VA denied one of the new presumptive conditions in the past but the Veteran may now be eligible for benefits, VA will try to contact them and the Veteran is encouraged **to file a supplemental claim (form 20-0995.)**
  - VA prioritizes the claims of Veterans with cancer to ensure they get timely access to the care and benefits they need.
    - Veterans can include medical documentation of terminal illness to further expedite their claim.\*
  - **Pending Claims:** If a Veteran's condition was added to the list of **presumptive conditions\*** after the claim was filed, VA will consider it on a presumptive basis.



**APPLY NOW!**





# Sample Medical Documentation\*



**DEPARTMENT OF VETERANS AFFAIRS**  
**Medical Center**  
1670 Clairmont Road  
Decatur GA 30033

Date:

RE: Veteran with terminal illness and presumptive condition related to toxic exposure / PACT Act

To Whom It May Concern:

\_\_\_\_\_ is an established patient of the Atlanta VA Palliative Care Clinic with medical diagnosis of \_\_\_\_\_, which is listed as a presumptive condition related to \_\_\_\_\_ exposure. This Veteran has a terminal illness and I greatly appreciate your consideration for prioritizing and expediting the processing of this Veteran's claim for service-connection, as this Veteran's condition is terminal and timely processing of the claim could greatly benefit the Veteran and the Veteran's family.

Thank you in advance for your consideration.

Sincerely,

Provider Name, title/credentials  
404-321-6111 x





# Other Affected Veterans and Survivors

What about additional benefits and care for other Veterans and their survivors?



Under the PACT Act, survivors may be eligible for VA benefits, including Dependency and Indemnity Compensation and Burial benefits.

- [Dependency and Indemnity Compensation](#)
- [Burial Benefits](#)



Get the care and benefits you EARNED and DESERVE!  
Apply at [www.VA.gov/PACT](http://www.VA.gov/PACT) today.





# Support Veterans with Health Conditions Related to Military Exposures By:



**ENCOURAGE/  
COMPLETE TOXIC  
EXPOSURE  
SCREENING**

Encourage Veterans to complete a Toxic Exposure Screening at their respective VAs and if Veterans aren't already enrolled in VA healthcare, encourage them to contact VA eligibility and register for healthcare today at 1-877-222-8387 Or enroll in person <https://www.va.gov/find-locations/>.



**LINK  
VETERANS TO  
BENEFITS**

Familiarize yourself with the presumptive conditions associated with toxic military exposures and encourage Veterans with these diagnoses to apply for benefits and reapply if they have been denied in the past. Provide Veterans with documentation of terminal illness. Veterans can call 1-800-827-1000 or go online for an appointment: [vets.force.com/VAVERA/s](https://vets.force.com/VAVERA/s). Veterans and survivors can also apply online at <https://benefits.va.gov/benefits/> or contact a Veterans Service Organization to assist with their claim: <https://www.va.gov/ogc/recognizedvsos.asp>



**PROVIDE  
EXPOSURE-  
INFORMED  
CARE**

Encourage Veterans to discuss their history of potential environmental exposures and share openly about medical concerns or and symptoms that they think may be related to environmental exposure(s). Remain up to date regarding illnesses related to toxic environmental exposures and participate in ongoing training activities.



**ENCOURAGE  
VETERANS TO  
SIGN UP FOR  
A REGISTRY  
EXAM**

VA's health registry evaluation is a free, voluntary medical assessment for Veterans who may have been exposed to certain environmental hazards during military service. The evaluations alert Veterans to possible long-term health problems that may be related to exposure to specific environmental hazards during their military service.

The VA has six registries: Agent Orange, Airborne Hazards and Open Burn Pits, Depleted Uranium, Gulf War, Ionizing Radiation, and Toxic Embedded Fragments. Learn more at: <https://www.publichealth.va.gov/exposures/benefits/registry-evaluation.asp>



# Resources

- PACT Act Website: [www.va.gov/PACT](http://www.va.gov/PACT)
- VA insider <https://vaww.insider.va.gov/pact-act-vha/>
- PACT Act Performance Dashboard: <https://www.accesstocare.va.gov/healthcare/pactact>
- VA Public Health Military Exposures Website : <https://www.publichealth.va.gov/exposures/index.asp>
- Toxic Exposure Screening Toolkit (Internal VHA staff only): [Toxic Exposure Screening Toolkit \(sharepoint.com\)](#)
- VA Benefits for Spouses, Dependents & Survivors: <https://www.va.gov/family-member-benefits/>
- Download Exposure ED on any IOS or Android Device <https://mobile.va.gov/app/exposure-ed>



- VHA Staff Trainings:
  - PACT Act TMS Overview Training (TMS ID 131004853)
  - Completing the Toxic Exposure Screening (TES) Reminder in CPRS (TMS ID 131006048)
  - Completing the Toxic Exposure Screening (TES) Recommendation in Oracle (TMS ID 131006049)
  - WRIISC MOD 1- Assessing Deployment Related Environmental Exposures (TMS ID 33195)



# The 2022 PACT Act



*For more information,  
please visit  
[www.VA.gov/PACT](http://www.VA.gov/PACT) or call  
1-800-MyVA411*



**Veterans  
Crisis Line**  
DIAL 988 then **PRESS 1**



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# Camp Lejeune Justice Act (CLJA) of 2022

- You may have seen advertisements from lawyers, law firms, or others seeking to represent Veterans and others in litigation related to the PACT Act or the CLJA. These lawyers, firms, and private parties are not connected with VA benefits or services.
- Seeking relief under the CLJA will not influence VA's decisions and will not affect the amount of the benefits or health care VA can provide.
- Relief awarded by the court in a lawsuit brought under the CLJA must be offset by the amount of any disability award, payment, or benefit VA provided to you or your legal representative due to exposure to water at Camp Lejeune.
- Learn more at [www.publichealth.va.gov/exposures/camp-lejeune/index.asp](http://www.publichealth.va.gov/exposures/camp-lejeune/index.asp) or call 1-800- MyVA411 (1-800-698-2411).
- For questions on the status of cases filed in federal court under the CLJA, contact the Department of Justice at [camplejeune.pactact@usdoj.gov](mailto:camplejeune.pactact@usdoj.gov) or call 202-353-4426.







# Avoiding PACT Act Scams

There's been an increase in PACT Act-related [phishing \(email\)](#), vishing (phone), and [social media scams](#) targeting Veterans to access their PACT Act benefits or submit claims on their behalf.

To report suspected scams, please contact the VA Office of Inspector General (OIG) Hotline at [VA.gov/oig/hotline/](https://www.va.gov/oig/hotline/).



## Do's

- Securely submit your application directly to VA online at [benefits.va.gov/benefits/applying.asp](https://benefits.va.gov/benefits/applying.asp) or in person at any VA Regional Office. VA will assist in gathering supportive evidence at no cost to you.
- Be cautious of companies that (1) claim to be contacting you on behalf of VA, (2) advertise VA benefits can only be obtained with their help, or (3) attempt to pressure you into signing a contract.
- If you're interested in working with a Veterans Service Organization, agent, or attorney, use the VA Office of General Counsel (OGC) accreditation tool at [VA.gov/ogc/apps/accreditation/index.asp](https://www.va.gov/ogc/apps/accreditation/index.asp) to confirm their credentials.

## Don'ts

- Don't sign a contract agreeing to pay an unauthorized company a percentage of your benefit payment in exchange for assistance with your VA claim.
- Don't sign forms that are not VA generated or a blank form for someone else to complete later.
- Don't be fooled by companies that advertise special relationships with medical professionals and say they can guarantee your benefits award.
- Don't provide personal information (such as your social security number) to anyone offering claims assistance.