



Montana Veterans Disability Claims Landscape & Legislative Briefing

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VA Disability Claims Process (Overview)

VA Disability Claims Process



The VA process consists of three phases:

1. Initial Claim Submission

- Veteran identifies conditions
- Files intent and claim
- VA requests service records & medical evidence
- Compensation & Pension (C&P) exams scheduled

2. Rating Decision

- Service connection determination
- Disability rating assigned (0–100%)
- Effective date set
- Reasons & Bases provided

3. Appeals Process

If Veteran disagrees, they choose one of three lanes:

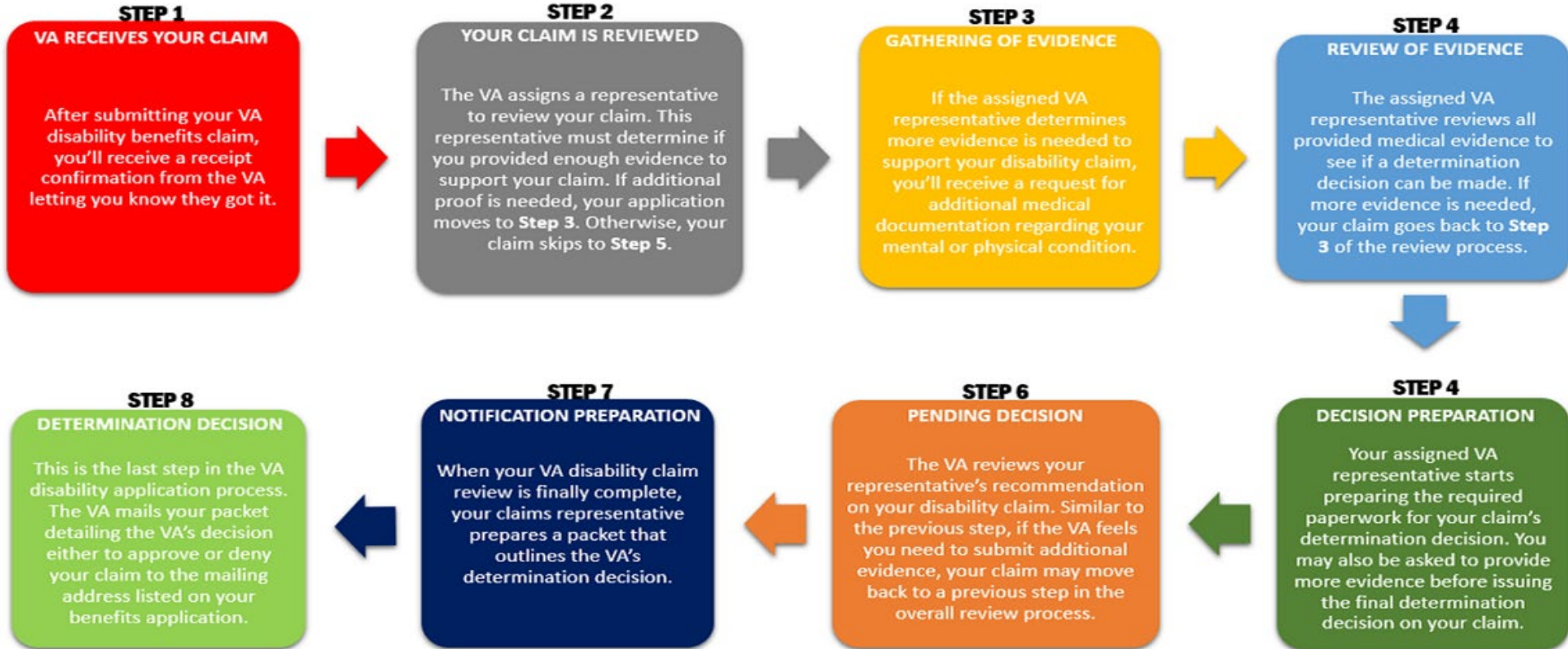
- Higher-Level Review
- Supplemental Claim
- Board Appeal (Veterans Law Judge)

Why the Initial Claim Matters

- **Determines effective date (financial impact)**
- **Missing evidence → lower ratings, partial approvals, or denials**
- **Incorrect initial filings often require years of appeals**
- **Secondary and connected conditions frequently overlooked**
- **Strong initial evidence dramatically reduces time to benefits**



VA Disability Claims Process Flowchart





Montana Veteran Claims Landscape

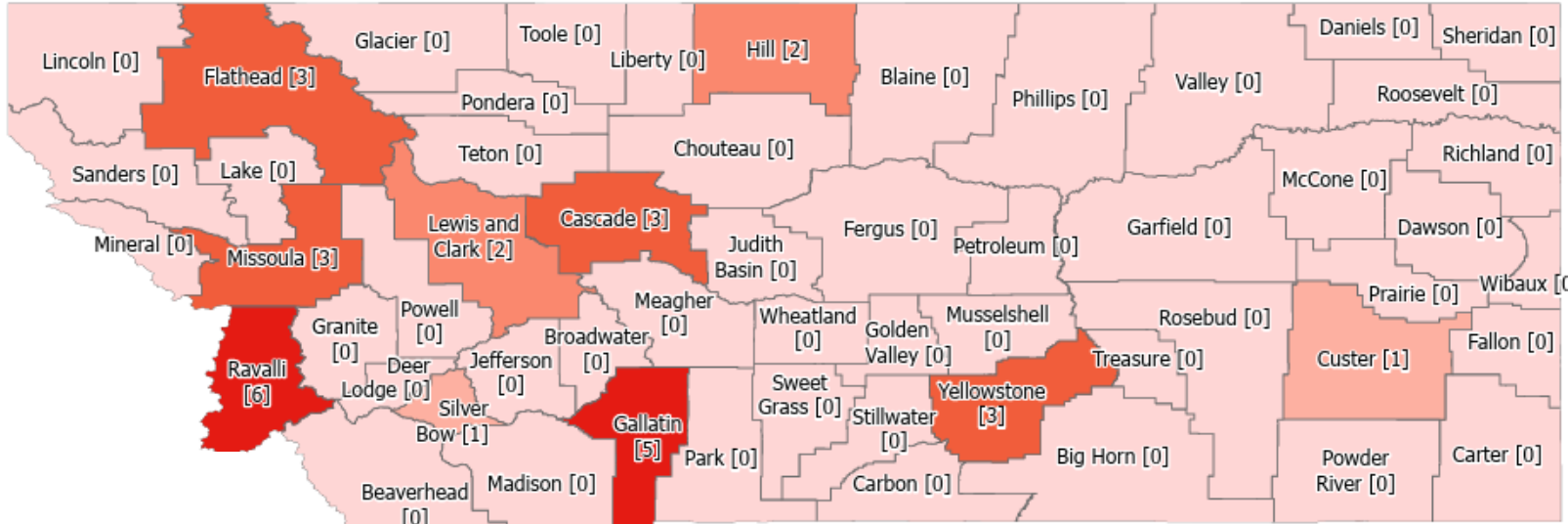
Montana VSO Capacity



- Estimated Veterans: 89,243
- Actual VSO Representatives: 29*
- Reported VSO Representatives: 75*
- 1 VSO per 3,077 Veterans creates a strain on the Veteran and the VSO

*Source: US Department of Veterans Affairs

Montana VSO Capacity

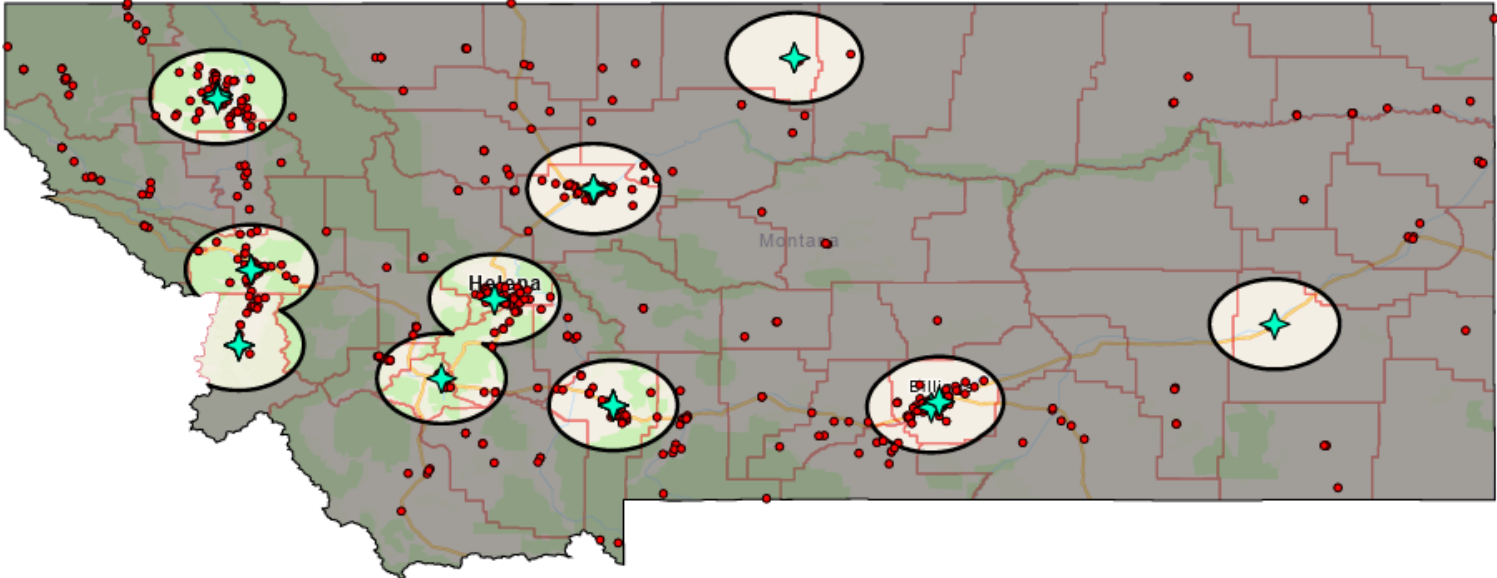


Montana

VSO Representatives per County

- 0 [46]
- 1 [2]
- 2 [2]
- 3 [4]
- 4 - 6 [2]

Montana VSO Capacity



Montana

◆ VA Accredited Representatives

• Veterans Guardian Clients

■ > 25 Miles from Representative [86.86%]

□ County Divisions

- Only 29 VSO representatives statewide
- Each supporting roughly 3,077 Veterans



Legislative Context



Legislative Intent: Why We Are All Here

We fully support the intent of any legislation that:

- **Protect Montana Veterans**
- **Ensure Veterans know about free resources**
- **Prevent predatory or deceptive practices**
- **Promote transparency and ethical conduct**

Any legislation that reflects a genuine desire to safeguard Veterans is legislation we can all get behind.

Areas of Concern

Prohibitive legislation would:

- Prohibit compensated assistance on initial claims
- Allow help only after VA issues a decision
- Remove Veteran choice
- Funnel all Veterans exclusively into an overwhelmed VSO system
- Disproportionately harm Veterans in rural Montana



Real-World Impact in Montana

- **Montana's 29 VSO representatives cannot meet statewide demand**
- **Veterans would effectively lose access to help when they need it most**
- **Rural & elderly Veterans would be hit hardest**
- **Veterans with complex medical histories (TBI, PTSD, MST, chronic pain) require structured preparation**
- **Delays in initial claims harm mental health, financial stability & family wellbeing**
- **Claims consulting is here to compliment the VSOs, not replace**

Idaho S. 1286: Model Legislation



S. 1286 aligns with Veteran-protective legislation nationally.

1. Common Sense Pro-Free Market Consumer Protection Legislation

- Empowers Veteran's choice in how they process their disability claim.

2. Required Consumer Disclosures

- Clear statements that free services exist (VSOs, VA, VSO orgs).

3. Contingent-Only Fee Structure

- No up-front fees.
- No fees unless benefits increase.
- Fee caps (5× monthly increase).

4. Privacy & Compliance Standards

- Background checks
- No VA logins used
- No overseas call centers



Prohibitive Legislation vs. Veteran Need

Prohibitive legislation would:

- Restrict—not protect—Veteran rights
- Increase delays
- Remove choice
- Overload a system already at its limit

Common sense consumer protection legislation:

- Constitutionally sound
- Veteran-protective
- Modernized
- Balanced and enforceable



Key Takeaways



Summary for Vermont Policymakers

1. **Montana's VSO system is overwhelmed (29 reps for the entire state).**
2. **Strong initial claim preparation is critical.**
3. **Veterans need options, not fewer.**
4. **Model consumer protection legislation would allow Montana to protect Veterans without limiting rights or choice.**



Questions?