

News Release

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New federal regulation adds three more presumptive diseases in connection with Agent Orange exposure

RICHMOND—On August 31, Vietnam veterans exposed to Agent Orange won a significant victory. The final regulation was posted adding three new diseases to the list of illnesses presumed by the VA to be linked to Agent Orange exposure: Parkinson's disease, ischemic heart disease, and all chronic B cell leukemias such as hairy cell leukemia.

Other diseases already presumed to be service-connected as a result of exposure to Agent Orange include: acute and subacute transient peripheral neuropathy, AL Amyloidosis, Chloracne, Chronic Lymphocytic Leukemia, Diabetes Mellitus (type 2), Hodgkin's Disease, Multiple Myeloma, Non-Hodgkin's Lymphoma, Porphyria Cutanea Tarda, Prostate Cancer, Respiratory Cancers, Soft Tissue Sarcoma (other than Osteosarcoma, Chondrosarcoma, Kaposi's Sarcoma, or Mesothelioma).

During the war, Agent Orange (Dioxin) and other toxic chemicals were sprayed throughout Vietnam in an attempt to defoliate the jungle which provided cover for the Vietcong. For decades, Vietnam veterans have experienced debilitating and often deadly effects from Agent Orange exposure.

The Agent Orange Act of 1991 identified 11 illnesses presumed to be service connected as a result of Agent Orange exposure. In other words, veterans with these illnesses who served in Vietnam between January 9, 1962 and May 7, 1975 are presumed to have developed the illness as a result of Agent Orange exposure. As a result, veterans are not required to provide the detailed documentation usually required to establish a connection between the veteran's service and a disease or injury.

Vietnam veterans who have developed any of these illnesses should submit a claim to the U.S. Department of Veterans Affairs (VA). If approved, the claim will result in a disability rating which will provide the veteran with a monthly payment as well as access to medical care from the VA for the illness. Vietnam veterans whose claims were previously denied by the VA for Parkinson's disease,

ischemic heart disease, and any chronic B cell leukemia should resubmit their claims. Veterans filing a claim, whether for the first time or resubmitting a previous claim, will need to provide a diagnosis or medical records, their form DD214, as well as the claims application.

For new claims, the VA may pay benefits retroactive to the effective date of the regulation or to one year before the date the VA receives the application, whichever is later. For pending claims and claims previously denied, the VA may pay benefits retroactive to the date the VA received the claim. If approved, the veteran could receive a basic monthly payment, plus additional payments for a spouse and/or dependent children and possible aid and attendance if the veteran is a patient in a nursing home or requires the regular assistance of another person, or if he or she is permanently housebound

Spouses of veterans who died from one of the presumptive illnesses associated with Agent Orange may be eligible for Dependence and Indemnity Compensation (DIC). If approved, surviving spouses receive a basic monthly payment, plus additional payments for dependent children and possible aid and attendance if they are patients in a nursing home or require the regular assistance of another person, or if they are permanently housebound.

To file a claim, spouses will be required to provide the veteran's death certificate, medical records, form DD214, and the claims application.

Since preparing a claim for benefits can be complicated, veterans and their spouses are encouraged to work with representatives at the Virginia Department of Veterans Services (DVS). The agency has 20 offices statewide and assists veterans and their families with preparing and submitting claims. There is no cost for this service. DVS office locations are posted on the agency's website, www.VirginiaforVeterans.com. Click Locate Your Benefits Office in the right column.

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