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Report shows veterans' disability claims languish for up to eight and a half years.

Staff at the Department of Veterans Affairs' Oakland office regularly made incorrect decisions when evaluating disability claims and failed to inform veterans returning home from Iraq and Afghanistan that they are entitled to free mental health care, according to a [report released today \[PDF\]](#) by the agency's inspector general.

The report also found that the office, which handles all disability claims for veterans who live from Bakersfield to the Oregon border, had failed to close claims that, at the time of an inspection last December, had languished for up to eight and a half years.

"Processing delays occurred because of unclear guidance," the inspector general wrote. "As a result, veterans did not receive timely benefit payments."

The inspector general also found several instances of veterans' mail being misplaced, which the report said further contributed to delays and mistakes in deciding disability claims.

The report comes at a time of increasing scrutiny for the VA, which has seen the backlog of disability claims increase to 864,000 nationally under the Obama administration.

Over 45 percent of the more than 1.5 million veterans of the wars in Iraq and Afghanistan have returned home and filed a disability claim. The most common claims granted have been for tinnitus, back pain and post-traumatic stress disorder.

The problem is particularly acute in Northern California, where returning soldiers must wait an average of 320 days for a decision, according to figures provided by the VA to Rep. Jerry McNerney, D-Pleasanton. Nearly 35,000 Northern California veterans are currently waiting for the department to issue a ruling on a disability claim; 82.5 percent have been waiting for at least 125 days.

The inspector general performed a limited review of 90 cases as part of its report and found the Oakland office failed to process 39 percent of them correctly. For cases related to traumatic brain injury, a signature wound of the wars in Iraq and Afghanistan, the inspector general found 57 percent of claims were mishandled.

The errors in processing claims often led to delays and payments that were either too large or too small, the inspector general found.

“Each individual veteran has to go up against this error-ridden institution,” said Amy Fairweather, policy director at Swords to Plowshares, a San Francisco veteran services nonprofit. “The bottom line is poverty, untreated mental illness and obviously we see suicides.”

The numbers cited by the inspector general paint a starker picture than VA officials have previously acknowledged. In testimony before the House Committee on Veterans' Affairs on April 18, Tom Murphy, head of the VA's Compensation Service, said claims adjusters at the VA Oakland office made mistakes on 26 percent of claims.

The “audit throws into question (the) VA's ability to honestly and accurately tell Congress how bad the situation in Oakland has deteriorated,” said Paul Sullivan, who serves as managing director of public affairs and veterans outreach for the Washington law firm Bergmann & Moore. Sullivan also testified at the hearing.

A VA spokeswoman did not immediately respond to a request to comment for this story. In his written response to the report, the director of the Oakland office, Douglas Bragg, concurred with the inspector general's findings.

In an e-mailed response to questions, Rep. Wally Herger, R-Marysville, said it was “appalling” that the inspector general found that the Oakland office failed to follow a department policy prescribing a monthly review of all claims older than one year.

Herger, who met in March with VA Under Secretary for Benefits Allison Hickey to discuss the claims backlog, said he would “continue to closely monitor the situation to ensure our veterans receive timely service.”

Bragg and Willie Clark, the agency’s western regional director, have agreed to answer questions on the backlog from the California congressional delegation at a public event at San Francisco’s War Memorial Building on May 21.

Veterans with pending claims have also been invited to attend the meeting and speak about their experience with delays. According to Rep. Jackie Speier, D-San Mateo, VA staff will be available to help resolve claims in a separate meeting room.

In a statement responding to the inspector general’s report, Rep. McNerney, who sits on the House Committee on Veterans’ Affairs, called the delays at the Oakland office “inexcusable.”

“The delays and inaccuracies we have seen are disturbing,” he said. “The veterans who are being subjected to these problems cannot wait for another report from the IG to shed light on the issue. The VA needs to take steps now to right these wrongs.”

[In a separate report \[PDF\]](#) also released today, the inspector general found the VA’s San Diego regional office made errors in 53 percent of the 79 claims sampled as part of its inspection. According to the VA, the San Diego office has a backlog of more than 30,000 claims, with 62.5 percent of veterans waiting more than four months for a decision:

“With today’s release of VA’s Inspector General’s audits for San Diego and Oakland, a reasonable person can conclude nearly all of the Veterans Benefits Administration remains

deeply mired in crisis, with little chance of recovery unless President Obama and Congress act immediately," Sullivan said.