

## Still Soldiering On



**A LITTLE FRIEND** Rick with a puppy that slept under his tent

### Telling His Story To Help Himself And Others

Andy Davis

On September 1, 2006, Sergeant Rick Yarosh's life changed forever. The Windsor, New York native was a gunner on a Bradley Fighting Vehicle on the outskirts of Baghdad, Iraq when a blast from an improvised explosive device (IED) tore through his vehicle, leaving him burned over much of his body. But this life-changing event is only the beginning of Ricky's amazing story of perseverance and strength.

It was a mission like any other on the day that Rick and his crew set out from Camp Liberty in Baghdad. Rick, Sergeant Luis Montes and Specialist Andrew

Loe mounted their Bradley and started their patrol mission. After two hours, the patrol halted and some of the vehicles changed their movement order. Rick's vehicle became the fourth vehicle in the convoy. Two minutes after resuming movement, an explosion rocked Rick's world.

The blast hit the fuel cell on the vehicle, which ignited both the crew and vehicle. While jumping off the Bradley, Rick broke his ankle and severed the artery in it. It was at this point that he realized he was on fire. Through quick thinking, Rick was able to stop, drop and roll and eventually roll into a canal

to put out the blaze. After his buddies rushed to his rescue, Rick was eventually evacuated to a medical station in Balad and then flown to Landstuhl, Germany and finally ended up at Brooke Army Medical Center.

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### Inside This Issue

A chance to learn about the VA's decision to include more diseases associated with Agent Orange Exposure



## Director Jim McDonough

### Director's Corner

**VA EXPANDS PRESUMPTIVE CONDITIONS STEMMING FROM EXPOSURE TO AGENT ORANGE TO INCLUDE PARKINSON'S DISEASE, CERTAIN TYPES OF LEUKEMIA'S AND ISCHEMIC HEART DISEASE**

The United States Department of Veterans Affairs (the "VA") recently announced that, Parkinson's disease, ischemic heart disease, as well as hairy cell and other B-cell leukemia's, will be added to the list of "presumptive conditions" associated with exposure to certain herbicide agents.

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## « Director's Corner, continued

Do you know a veteran who served in Vietnam who may have been exposed to Agent Orange? Are you a family member of a veteran who served in Vietnam who may have been exposed to Agent Orange? Are you a veteran who served in Vietnam who was exposed to Agent Orange and is now battling leukemia, Parkinson's disease or ischemic heart disease? These are questions I'm asking you to answer this month as we begin to do our best to ensure the more than 310,000 Vietnam Veterans in this state are aware of Secretary Shinseki's recent decision to include hairy cell and other B-cell leukemia's, Parkinson's disease, and ischemic heart disease on the list of diseases presumptively associated with exposure to Agent Orange.

If you or anyone you know fits this category, have them contact the Division so we can help them determine whether they're eligible for compensation and/or VA health care stemming from that exposure. We can be reached via our toll free number, 1-888-VETSNYS (838-7697), or our website, [www.veterans.ny.gov](http://www.veterans.ny.gov).

### Background

According to the recent VA Fast Letter issued on this subject (#09-50, dated November 19, 2009):

"The Agent Orange Act of 1991 established a procedure for adding diseases to the list of disabilities presumptively associated with herbicide exposure. The procedure requires the Secretary of the Department of Veterans Affairs to consider reports received from the National Academy of Sciences' Institute of Medicine (IOM) and all other sound medical and scientific information and analysis on the health effects of herbicide exposure before making a decision on presumptive service connection. In its latest report, *Veterans and Agent Orange, Update 2008 (2009)*, IOM reviewed new studies and determined that there is "limited or suggestive" evidence of an association between herbicide exposure and the subsequent development of Parkinson's disease and ischemic heart disease. The IOM also determined that hairy cell leukemia and all chronic B-cell leukemia's belong in the category of "sufficient evidence of an association." This assessment by IOM contributed to the Secretary's decision to add these diseases to the presumptive list and publish the required notice in the Federal Register."

### Director's Assessment

Although the VA has released a public announcement concerning these new "presumptive conditions," the amendment to 38 CFR 3.309(e) (the VA regulation governing procedures associated with claims of this nature) will not become

effective for several months. In the interim, I want to stress the importance of informing our veterans who believe they may have been exposed to certain herbicide agents (including Agent Orange) and diagnosed with one of these diseases of the absolute need to file their claim for compensation as soon as possible.

While I (and others) anticipate that the Secretary's decision will generate a large number of new claims based on exposure to Agent Orange, rating evaluations of these claims under the new regulations cannot take place until the new regulations are adopted. According to the VA, their Regional Offices (ROs) have been instructed to hold (or stay) these claims and refrain from issuing rating decisions based on any of these "presumptive conditions" until the regulations become final.

To help the VA prepare for the projected increase in claims of this nature, I want our veterans and their families to know that they should see us immediately if they think they're eligible to file a claim for compensation under these circumstances – in short, see us now so we can better support your application for disability compensation under these new rules.

Our professional network of State Veterans Counselors have been trained and educated on the VA's new procedures – we're here to serve our veterans and their families. We continue to add new points of access/service throughout the state to provide veterans' benefits counseling services to our veterans and their families.

To help increase awareness of these new presumptive conditions, I'm including a "print-on-demand" flyer for you to pass to other interested parties or to post in appropriate high-traffic areas.

If you're a veteran yourself, or if you know a veteran who could benefit from a conversation with on this or any other topic, contact us so we can help. Our toll free number is 1-888-VETSNYS (838-7697) or you may contact us via our website at [www.veterans.ny.gov](http://www.veterans.ny.gov).

Thanks, I wish each of you a joyous holiday season as you spend time with families and friends. See you in 2010.

Jim 

## CONTACT

# 1-888-838-7697

# [www.veterans.ny.gov](http://www.veterans.ny.gov)

# LEGISLATIVE AGENDA

## "COLD WAR" PROPERTY TAX EXEMPTION

### William Brennan



New York State has provided some type of Real Property Tax exemption to its "wartime" veterans since the late 1940's. It is only recently that a statute was enacted to provide property tax relief for veterans of the "cold war" era.

In 2007, the Legislature passed, and the Governor signed into Law the first general exemption for real property owners who were veterans of the armed forces who did not serve during a period of war. A subsequent amendment to this exemption was made in 2008 that, among other things, provided the Cold

War veterans exemption to owners of cooperative apartments.

The following information regarding the Cold War Veterans property tax exemption is extrapolated from the New York State Office of Real Property Services website:

"The exemption provides a basic property tax exemption, of either 10 or 15 percent of assessed value (as adopted by the municipality) to veterans who served during the Cold War period. The law also provides an additional exemption to disabled veterans, equal to one-half of their service-connected disability ratings. The basic exemption is limited to 10 years, but there is no time limit for the disabled portion of this exemption. In both instances, the exemption is limited to the primary residence of the veteran, and is applicable only to general municipal taxes, not to school taxes or special district levies.

Where the exemption is offered by local option of the municipality, the veteran must file an application

(RP-458) with the assessor by "taxable status date." In most towns, this date is March 1, but please check the date with your assessor to be sure. The veteran must show a discharge or release from the U.S. Armed Forces under honorable conditions and that the service was during the Cold War period. If the veteran seeks the additional exemption available under the law, proof must be provided to show a service-connected disability.

The exemption is available to veterans who served on active duty (exclusive of training) in the United States armed forces between September 2, 1945 and December 26, 1991, and who are not currently receiving either the eligible funds or alternative veterans' exemption."

It is important that veterans who are eligible for this "new" benefit make application by the applicable deadline. Cold War veterans should contact their local assessor or State Veterans Counselor for assistance well before that deadline. For further information visit [www.veterans.ny.gov](http://www.veterans.ny.gov) ●

## VSO COUNTY PERSPECTIVE

### Montgomery County

#### Dan Roth



Dan Roth - Director

There is no better job than the one I hold. Being a veteran service officer is one of the most rewarding positions in public service. Helping veterans is what I do everyday.

After being released from active duty with the NY Air National Guard I accepted the position of Director of Veteran Services for Montgomery County. The previous Director had left suddenly due to health issues, so I came on board with little guidance and transition. Everyday was a new experience for me. Thanks to the New York State

Division of Veterans' Affairs (NYS DVA), I was able to attend a new counselor training event in Albany in May 2008, which greatly assisted in my day-to-day business.

Coming from the technology era, I was becoming frustrated with my agency's mismanagement of files and archaic systems. I was beginning to feel like a third party vendor for our veterans here at the local level. With a limited budget and staff I was put in a very difficult place to give veterans of Montgomery County the best possible service I could offer. I reached out to NYS DVA for what resources and counsel they could to offer.

I talked with Christine Tarnowski and Director Jim

McDonough about the county's lack of resources and what is available. They introduced me to an innovative program they had called VetCop. Being able to utilize claims electronically was the efficiency for which I was looking. An MOU to allow my office to take advantage of this program with the State was put together quickly. As we all know, fiscal restraints are constantly a threat to our efforts. Being able to enhance my Department at no direct cost to county taxpayers was good sound public administration.

In all I want to again thank the executive staff of NYS DVA for the sincere open arms they have showed my department.

# VIEW FROM THE FIELD

## Ed Simmons Dept. Director



Ed Simmons

Our mission is to provide quality service, advocacy and counseling for New York State veterans and their families to ensure they receive benefits granted by law for their service to New York and the Nation. My view is that our charge is simple: we are to be helpful to any and all seeking our services. We serve the best with the best service possible.

We have very good and dedicated staff who believe that nothing is too good for our veterans and their families. Each works in creative ways to address the challenges that veterans present, whether recently separated from service, or approaching the latter years of life. Simply stated, being a veteran is what we are and serving veterans is what we do.

Trying to pen this column was a challenge not taken lightly- I thought that it might be best-called "View from the Weeds," because details matter and where we need to spend a great deal of time to serve our veterans and their families properly. In the "weeds" is where we want, and need to be. This is where our veterans are - details matter to them - and my job as Deputy Director leading the efforts across thirty-one counties in Western New York is to ensure our services remain as accessible as possible and that we serve our state veterans well.

Let me briefly detail the creative ways we've started engaging our veterans and their families. To begin with, we conduct regularly-scheduled, monthly Veterans Benefits' Orientations at sites throughout this region with organizations as diverse as the New York State Department of Labor, Community Senior Centers, Unit mobilizations and demobilizations, Union Halls and with various Fraternal Organizations. We are fortunate in this region in that we work alongside our partners in the United States Department of Veterans Affairs. We have placed our Counselors in Medical Centers, Community-Based Outreach Clinics, Vet Centers to provide "one-stop" shopping for veterans - healthcare and benefits counseling at the same time.

Now let me introduce you to some of our highly trained and dedicated State Veterans Counselors:

Meet Mark Tamkus, State Veterans Counselor, Watertown:

Mark is a highly-decorated Marine Corps Veteran and served as a Forward Observer while attached to the 37th ARVN Rangers in Vietnam. Before coming to the Division he worked as a Disabled Veterans Outreach Program (DVOP) Specialist in the Department of Labor, where he assisted veterans in finding employment. Since 1993 Mark has been a State Veterans Counselor in the Watertown area providing benefits counseling in Watertown, on Fort Drum and at the Veterans Outreach Center.

Mark can be reached at:

**Dulles State Office Building (M-F)**  
**317 Washington Street, Room 208**  
**Watertown, NY 13601-3741**  
**(315) 785-2468**

**VA Outpatient Clinic (W)**  
**3 Bridge Street**  
**W. Carthage, NY 13619**  
**(315) 493-4180**

**Watertown Vet Center (Th p.m.)**  
**210 Court Street**  
**Suite 20**  
**Watertown, NY 13601**  
**(866) 610-0358**

Meet Mary Erin Blair, State Veterans Counselor, Utica and Herkimer

Mary is a retired Navy Chief Petty Officer who has worked with the Division since October, 1994. Mary works both in Utica and Herkimer. Mary is always one of our front-runners in providing quality benefits counseling and top-notch client satisfaction. Recently, Mary received the "Great Hero's Services" award from the Mohawk Valley of the Red Cross.

Mary, and Michelle Ricci, Agency Program Aide, can be reached at:

**Oneida County Office Bldg. - 800 Park Avenue**  
**Utica, NY 13501**  
**(315) 798-5828**  
**1-800-541-0151, ext. 5828**

Meet Arthur Lawson, State Veterans Counselor, Buffalo:

Art is one of our newest State Veterans Counselors, getting his start with the Division in September, 2008. Mark is an Operation Iraqi Freedom (OIF) veteran, having served as an Infantry Officer. Art is one of our newest and best; he works out of the Buffalo VA Medical Center and the Niagara Falls Community based Outpatient Clinic (CBOC).

Art can be reached by calling:

**VA Medical Center (M, T, F)**  
**3495 Bailey Ave, Room 602C**  
**Buffalo, NY 14215**  
**(716) 862-8902**

Meet Tracy Kinn, State Veterans Counselor, Williamsville:

Tracy is a Marine Corps veteran with extensive experience working with clients seeking disability compensation for service-connected Post Traumatic Stress Disorder (PTSD). Tracy also possesses significant experience working with aging veterans and their families, having been posted as a Counselor at the New York State Veterans Home in Batavia. Tracy's main office is at the Williamsville Town Hall in Western New York.

Tracy can be reached at:

**5583 Main St.**  
**Williamsville, NY 14221-5499**  
**(716) 632-4190**

At the core of every good organization lies its people, and I'm introducing a few of them to you this month. Behind each of them are dedicated Clerks, Secretaries, Program Aides and others providing top-notch benefits counseling and services for our veterans and their families.

As Deputy Director for the Western Region I take great pride in serving alongside them to serve the region's veterans and their families.

Have a blessed holiday, Ed.

## « Still Soldiering On, continued



**PORTRAIT** A portrait of Rick by artist Matthew Mitchell

Rick considers himself lucky to still have his life. However, he never forgets the man who he calls "One of the best friends and soldiers he has ever met" - Sergeant Luis Montes. Sergeant Montes succumbed to his wounds seven days after the attack. Rick has taken the sacrifice that Sergeant Montes made and has used it as inspiration to continue his life.

Rick Yarosh was born and raised in Kirkwood and Windsor, New York. He graduated from high school in 2000, and later joined the United States Army in June 2004. After months of recovery, and surgeries that will likely continue indefinitely, he has returned to New York, where he plans to stay at least part of the time.

"I definitely plan on staying in New York, at least for the summers. I love my friends, family and community. They've done so much for me through my whole ordeal that I could never see myself just walking away. Someday, I would like to travel to San Antonio for the winters where my second family is. My second family being the wounded troops and their families at Brooke Army Medical Center who I have grown so close to in the past three years."

Now that he is home, he has found that telling his story is extremely important to not only his well being, but for others as well. Rick has traveled the country talking to many, including fellow wounded warriors. He sees this as not only a continuation of his service, but as a part of his healing.

"I think telling my story has definitely been a huge help. The thing that really helps me is that when I tell my story and I see that someone is truly interested and really listening that they get a lot out of what I've gone through. Talking to someone that needs help from me, and they listen to my story and it helps them, but what they probably don't know is that it helps me, as well. I truly believe that I was left with a gift after my injury. Part of it was a voice. I was left with a voice, so you better believe I am going to use it. Our stories are nothing to be ashamed of, they are something to be absolutely proud of"

Rick has embraced his status as a Veteran, taking advantage of Vocational Rehabilitation to help deal with his disability. He also plans on building a house this spring and taking advantage of the VA Home Loan program. He credits the Veterans who came before him for the amazing programs and services that are out there.

"When I think of Veterans, I think of honorable people who served our great nation before me. A group of people who gave all and expected very little or nothing in return. I guess I'm still getting used to the fact that I am a Veteran."

When you hear Rick's story, you cannot help, but

be inspired by not only what he has been through, but what he continues to strive for. Rick hopes to work toward a degree in communications and continue to travel the United States, and eventually the world, telling his story. Beyond that, he wants to open a restaurant called The Purple Heart, which would feature menu items from wounded Veterans and would help their stories live on through food. Rick has always been a goal-oriented person, and even though his goals have changed because of his injuries, his tenacity has not. This is made apparent whenever Rick speaks.

"My goals are totally different from what they were before I was injured. I had the plan of serving in the Army for four years and then returning to school to get my degree in criminal justice. I wanted to become a New York State Trooper. This is a goal that I have had since I was very young. It was a good goal, but very one tracked. Now my goals are endless with so much opportunity. I truly believe that the opportunities have always been there. For me it just took something major to open my eyes to them. There are opportunities that present themselves every single day to people, it just depends on whether they see them or not. Everyone should always be looking for opportunities, because they are out there."

Amen Rick.



**SOLDIERS AND FRIENDS** Rick, Sergeant Luis Montes and Specialist Andrew Loe

# TAKING ACTION

## A Five Year Plan To End Homelessness Among Vets

Andy Davis



We all have seen them. You have heard them ask you for change on the streets of New York and Buffalo. You have seen them walking with their military-issued gear down the highway. If you are anything like me, you have found yourself asking, "Do you think that guy really is a Veteran?"

Maybe it would be worthwhile to answer the question "who are our homeless Veterans?"

A Homeless Veteran:

- Lacks a fixed, regular, and adequate nighttime residence; or
- Resides in a public or privately operated shelter or institution; or
- Resides in a place not designed for use as a regular sleeping accommodation for human being.

With an estimated 131,000 Veterans homeless on any given night, the Department of Veterans Affairs has now kicked off an effort to end homelessness in the next five years. This may seem like an unreachable goal. However, Secretary Shinseki and his staff have made it a priority to look at all offered programs and find a way to expand and develop them to assist these Veterans in need.

In order to assist these Veterans, the VA will look at several categories of benefits, including housing, health care, education and employment benefits. Some strategies moving forward include:

- Increasing the number and variety of housing options, including permanent, transitional, contracted, community-operated, and VA-operated.
- More supportive services through partnerships to prevent homelessness, improved employability, and increased independent living for Veterans.
- Improving access to VA and community based mental health, substance abuse, and support services.

### Strategy to End Homelessness Among Veterans



This effort will also include a significant outreach and education component targeted at shelter, soup kitchens, stand downs, and re-entry services. Additionally, the VA hopes to have in place a homeless Veterans registry containing at least 200,000 Veterans. This system will closely work with a National Call and Referral Center, currently nonexistent. This center can be an immediate resource for Veterans and advocates alike.

We, as a division, can see the need for these services at a more local level. The New York City Department of Homeless Services says that its own Multi-Service Center has assisted more than 4,800 homeless Veterans since opening in 2008. This paired with their success in reducing the homeless Veterans population visiting shelters by 62% is encouraging, but there is always room for improvement. NYC-DHS believes that New York City is well-positioned to serve as the first city in the country to reach President Obama's and VA Secretary Shinseki's goal to eliminate homelessness.

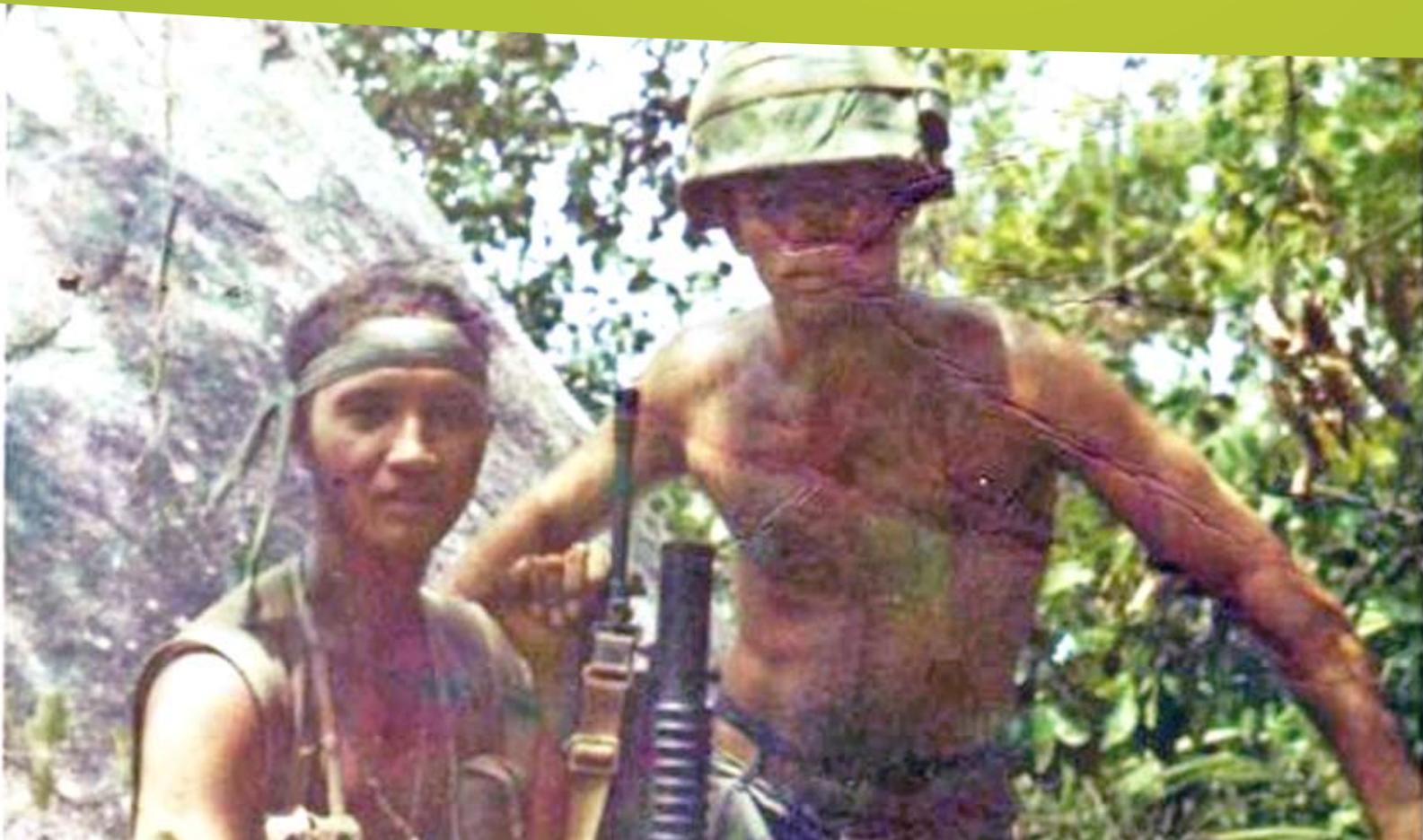
We applaud this effort and hope to do whatever we can to assist the Veterans of New York State affected by homelessness. We know that for every Veteran who seeks services, several fail to do so. The next time you see that man or woman with a sign that reads, "Homeless Veteran, please help!," try to get them the help they have earned. ●

### Three P's to Go Forward

1. **Prevention**- Providing services to prevent Veterans and their families from experiencing the first night of homelessness
2. **Expanding Partnerships**- Building on the successful strategy that has made it possible to reduce Veteran homelessness
3. **Perseverance**- Staying the course along with our community partners until the last homeless Veteran is off the street



# New Diseases Associated With Agent Orange Exposure



## VA Recognized Diseases

- **B CELL LEUKEMIA'S**  
Cancers which affect B cells, such as hairy cell leukemia.
- **ISCHEMIC HEART DISEASE**  
A disease characterized by a reduced supply of blood to the heart.
- **PARKINSON'S DISEASE**  
A motor system condition with symptoms that include trembling of the limbs and face and impaired balance.

## New Diseases Associated With Agent Orange Exposure

A veteran who served in the Republic of Vietnam between Jan. 9, 1962, and May 7, 1975, is presumed to have been exposed to Agent Orange and other herbicides used in support of military operations. Previously eleven illnesses are presumed by the VA to be service-connected for such veterans. On October 13, 2009 Secretary Shinseki announced

the decision to include B cell leukemia's, such as hairy cell leukemia; Parkinson's disease; and ischemic heart disease as presumptive conditions. Vietnam veterans with these diseases may be eligible for disability compensation and health care benefits.



# Contact Us To See If We Can Help You!

**For More Information:**

5 Empire State Plaza, Albany, NY 12223

Tel 1-888-VETSNEWS (1-888-838-7697)

[www.veterans.ny.gov](http://www.veterans.ny.gov)