



Department of Florida May 2019 Newsletter



Top Left: Hooked on Heroes Fishing Derby supported by DAV Chapter 158
Top right: Memorial Day Picture
Bottom Left: Senior Vice Commander Thomas Ayala installing officers at Crestview Chapter 57
Bottom Right: National Adjutant Burgess presents National Commander Nixon with his National Commander's Ring

Department Commander Mary Ann Keckler



Spring has sprung and it's no April fools. My year as your Department Commander is winding down. As they say—Out with the old—in with the new. I still have a lot of work to do.

Thank all membership recruiters for your efforts in recruiting new members. Without your commitment to ensuring DAV continues to recruit new members, we would have not met our membership goal. Keep up the good work and continue your membership recruitment efforts next year. Perhaps we can be the first Department in our division to reach its membership goal.

I began the month of April by attending/observing the DSO Certification Training held in Gainesville. I felt it necessary that I attend and personally than them for a job well done. Although we had our paid full/part time employees in attendance, the majority of our DSO's are volunteers. Unfortunately, some of our former volunteer DSO's have left since their prior training held in October. Many of them were long time volunteers such as Past Department Commander Jack Johnson, Robert Kobac, Larry Grzanich who were all volunteers at the Villages. We also lost part-time DSO Mary Barrett and in May losing full-time DSO Shelia Sanders from our Jacksonville Office. A big heart felt thanks to our DSO volunteers for your efforts to Build Better Lives for our Nation's veterans. Thanks to NSO Supervisor Michael Michelotti and our Adjutant Andy Marshall for their training in April.

It is that time of year when elections for chapter officers has been or going to be held in the near future. Please send your Chapter Officers Report Form to National Headquarters, Department Headquarters and third copy to the St. Petersburg National Service Office as so indicated on the Officer's Report. **A reminder that our National Constitution & Bylaws state that Chapter Officer Reports are due at both headquarters within 10 days following installation of new officers.**

The Chapter Officer Report and Chapter Financial Report are the two main reports that must be completed timely. The **Department Directory cannot be completed until all Chapter Officer Reports are received.**

I attended meetings in April at Central Florida Chapter 16 in Orlando and C Gustafson Chapter 94 in Ft. Myers. I hope to visit a few more chapters this month.

Chapters have received their convention packages which includes delegate registration forms and criteria and nomination for Department Awards, i.e., Chapter Adjutant Award, Chapter Service Officer Award, Member of the Year Award, etc. Please complete them timely and forward to Department Headquarters with check for registration and Commander's Ball. Our new Department Adjutant has changed the Commander's Ball and Department Commanders' Testimonial Dinner to a more fun atmosphere by having themed dinners with entertainment. This upcoming Convention theme will be Roaring 20's with a Charleston Dance Contest with prizes to the best male and female dance contest winners. See you there!!!!





Department Senior Vice Commander Thomas Ayala

This month was a busy one. I had the honor of installing new Chapter Officers at W. Washington #7, Sgt. Bradley Crose #38, Crestview #57 and attended Chapter 38's renaming ceremony. I will be visiting several more chapters in May. If you want a Department Line Officer to install your new Chapter Officers, please email or call our Department Adjutant Andy Marshall.

On April 2, I installed the newly elected Chapter Officers at W. Washington Chapter 7 in Jacksonville. W. Washington Chapter 7 hosts a coffee and pastry continental breakfast every Friday morning at the Jefferson Outpatient Clinic in Jacksonville. Congratulations to the new Chapter Officers and I look forward to assisting your chapter in any way I can.

On April 9, I traveled to Sgt. Bradley Crose Chapter 38 in Orange Park to install the newly elected officers. I also attended their Chapter Renaming Ceremony. Sgt. Bradley Crose was a hometown hero who paid the ultimate price for this great Nation. He was an Army Ranger attached to the 1/75th Ranger Battalion and was killed in Afghanistan March 4, 2002, at the age of 22. It was a great honor to attend this ceremony. I would like to thank Past National Commander Joseph Johnston, who also attended the ceremony and gave a great speech about Sgt. Crose and DAV.

On April 16, I traveled to Crestview Chapter 57. This is one of our small chapters, but they are well known in their community. They now have five Chapter Service Officers and one in training. I want to thank Chapter Commander Bill Kelly, Adjutant Mark Brown, and the rest of the Chapter Officers for inviting me to their chapter.

Several reminders I would like to put out: 1) If you haven't signed up for the Commander's Action Network (CAN), please do so. DAV has Legislative News every week. 2) DAV has a new volunteer website, which can be counted on your LVAP. Volunteerforveterans.org is a great way to help local veterans in need from shopping, yard work or to just have some company. Click on the website above and register. 3) Please visit DAV.org, under the Membership Tab – go to Member Advantages. We have several new partners who offer DAV members discounts. I have personally used four of our partners discounts. Most recent one was Ford, which has the X-Plan Pricing. This is an excellent discount program.

I would like to thank the Chapters who have met their goal of 100% and those chapters are still working on meeting their goal. Below are the list of chapters working hard to meet their goal:

Chapter	Need
5	8
7	23
42	7
73	1
97	9
113	2
119	1
126	1
150	11
159	4

The top 3 Chapters who have the highest percentage over goal are: Polk County 160 with 114.67 % of goal; Manatee County 18 with 103.43% of goal and, Crystal River 158 with 103.27% of goal.

I look forward to seeing you at our 92nd Department Convention where I will ask for your support to be next Commander of the greatest Department in the DAV.





Department Junior Vice Commander Duane Godfrey

This month has been a slow month for me for travels and chapter visitations. Hope to be available for visiting chapters this month.

One function I did participate in was Hooked on Heroes which involved free fishing for veterans. Hooked on Heroes is a 501(c)(3) organization and provides free fishing trips to all veterans in the Steinhatchee area of Florida. They furnish the veteran with everything needed for him or her to enjoy a day of fishing and comradery including lunch. They even take pictures of the catches and post them on their website. Following the event, the local sheriff prepared lunch featuring chicken and rice. Approximately 125 veterans participated in this outing and a good time had by all.

Their next event will be held in the fall. If you wish to participate or need additional information call Captain Ron Cadle at (386) 364 9589 or email at yesu812@windstream.net. There is plenty of room as there are numerous boats with 2-3 veterans per boat along with boat captain and mate.

I visited Church Without Walls in Hernando for one of their food give-aways. These free food give-aways provide people who need the food with items such as milk, eggs, fruits and some vegetables and orange juice.

This month and next will be time to elect new and or same chapter officers to lead your chapter. Please ensure your report is legible and contains an e-mail address to receive chapter mail as almost all Department correspondence is via e-mail except for registration packets for Department Conventions and CSO Certification/Midwinter Conference.

If you look at our Adjutant's column, you will see that your Department Officer's are clearly following instructions from him to visit as many chapters as possible. I would bet that this year, your Department Officer's have visited more chapters this year than in any past year. To date, we have visited approximately 40 chapters between our Commander, Senior Vice and Junior Vice Commanders and Adjutant. Again, we are visiting chapters to say hello and answer any questions you may have or assist with installation of officers, fundraisers, etc.

Past National Commander Joseph Johnston will attend a ceremony at Orange Park Chapter 38 when the chapter under goes a name change to naming their chapter after a fallen hero.

Please ensure you forward your Chapter Officer Report as soon as possible to Department Headquarters. If emailed, send to andy@davfla.com. Also, please return your award nominations and registration form listing names and membership code number of chapter delegates as soon as possible and don't forget to purchase your 50/50 tickets and support our Auxiliary.

The room block for the DAV 2019 National Convention is full. Please call the hotel directly to make reservations at the Rosen Shingle Creek's sister property, the Rosen Center @ (407) 996-9939 or (866) 996-6338 using the Group Name: Disabled American Veterans or DAV.

In addition to making your reservation for the overflow hotel at the DAV rate of \$137.00 Single/Double rooms, the Rosen Shingle Creek staff will place you on a wait list and will contact you as rooms become available. It is our hope that prior to your arrival, rooms will become available and the Rosen staff will be able to move most, if not all reservations to the convention hotel.





Department Chaplain Chip Hanson

This month I am going to discuss the importance and meaning of outreach.

Outreach—Wikipedia

Outreach is an activity of providing services to any populations who might not otherwise have access to those services. A key component of outreach is that the groups providing it are not stationary, but mobile—in other words, they are meeting those in need of outreach services at locations where those who are in need of services are in addition to delivering services. Outreach also has an educational role, raising the awareness of existing services. It includes identification of underserved populations and referral to services.

According to a website [Showers of Blessings](#)

Objectives include:

- To analyze the local veterans community to determine the breath and scope of needs.
- To access our strengths and abilities for outreach.
- To determine appropriate responses within our abilities, strengths and interests.

Compassion—involves addressing the immediate needs of veterans, families and communities i.e., food, shelter, employment, etc.

Assistance—involves addressing changes in local communities related to welfare. Long-term housing,

Education, community economic development, health services, etc.

Assistance—involves addressing changes in local communities related to above.

To offer encouragement and support for those participating in outreach programs.

To track the activities of all we do through sponsored events, activities and the actions of individuals.

And we urge you, brothers and sisters, warn those who are idle and disruptive, encourage the disheartened, help the weak, be patient with everyone. *1Thessalonians 5:14*

Activity	Number	Hours
Completion Form 180	25	
Survivor Program	33	
Training	1	
Meetings	1	
Triage	23	
Hospital visits	6	6
Nursing Home Visits	3	3
Funerals	7	28
Total driving distance	1, 223 miles	
Total hours	92	





John Markiewicz Department Judge Advocate

Federal Charters: What do they mean?

DAV is one of roughly one of 100 organizations that have been granted a “Federal” or “Congressional Charter”. This concept is somewhat puzzling to the public and sometimes even mystifies government agencies.

Who came up with the idea of a “federal charter”? The federal charter as it exists in the United States appears to be a direct descendent of the so-called European “royal charter”. Some charters were granted simply for the creation of necessary institutions, such as British East India Company. However, some were granted to honor existing institutions and to acknowledge their “pre-eminence, stability and permanence”. The varied uses of the royal charter made their way into the practices of the earliest American colonies.

What is the purpose of the “federal” or “congressional” charter as we know it? The practice of the chartering by Congress of patriotic, charitable and other organizations of civic value was most prominent in the middle third of the last century. Typically, the chartered organizations originally existed as state corporations (or unincorporated associations) and subsequently sought the Congressional recognition. This was the case, for example, with DAV. Founded a dozen years before the grant of its federal charter in 1932, the organization had been incorporated in Ohio. That incorporation was superseded by the Congressional enactment, which was signed into law by President Herbert Hoover on June 17, 1932. It had been amended on a few occasions over the years, but, in essence, remains very much as

originally enacted. The House and Senate agreed sometime later to a joint statement of policy under which federal charters were to be reserved to organizations “organized and operated for the primary purpose of conducting activities which are of national scope and responsive to a national need”. The result of this has been a dramatic decline in the number of newly-issued charters.

How and why would a charter ever be amended? It is difficult to amend a federal charter. It requires—literally an Act of Congress. Typically, an amendment is made so that the charter more accurately reflects the character of the organization. For example, as originally chartered in 1932, DAV was named Disabled American Veterans of the World War. Geopolitical circumstances changed rapidly in the next decade so that in 1942, President Franklin Roosevelt signed into law an amendment to the DAV Charter changing the name of the organization to Disabled American Veterans. What about the last proposed amendment to DAV’s Charter? That proposed amendment to the DAV Charter was intended to reflect clearly two undeniable facts: One is that the organization’s charitable activities now dwarf everything it does. The other is that DAV has long been the primary institution educating the American people about the sacrifices and needs of injured and ill veterans.





Andy Marshall Department Adjutant

Legislative Report

Upcycled Shipping Container- Living for Homeless Veterans

Boca Raton-based shipping container firm Containers in Motion is launching a crowd funding campaign on Indiegogo on Tuesday, April 30, at 9am PST to help further expansion of the upcycled-home initiative for the homeless.

BOCA RATON, Florida, April 30, 2019 -- Allowing fellow humans to sleep outside in the cold, harsh weather simply due to their lack of resources is inhumane. [Containers in Motion](#) offers premium shipping container-homes that are modified for use by residential, recreational, agricultural or commercial sectors, with a client base ranging from individuals and farmers to corporations and government agencies -- And, now, these 100% American-made container homes will be provided to help the thousands of homeless American veterans living throughout Florida and the US.

The crowdfunding campaign will debut on the crowdfunding website [Indiegogo](#) on Tuesday, April 30, at 9am PST.

Fifteen years ago, Pat Tillman, the Arizona Cardinals safety who walked away from the NFL to join the United States Army was killed in Afghanistan. After graduating from Ranger School in November 2003, Pat Tillman was deployed to Afghanistan and Forward Operating Base Salerno. Less than five months later he was killed defending his country. He was posthumously awarded the Purple Heart and Silver Star for his service.

In May 2002, Pat Tillman turned down a \$3.6 million contract from the Cardinals for an \$18, 000 salary with the Army Rangers.

Editor's Note:

Clearly he would have stood for playing of the National Anthem!!!!!!!!!!!!

The American Soldier does not fight because he hates who is in front of him: he fights because he loves who is behind him.

Free Root Beer Float Day

Starting in early July, A&W restaurant locations nationwide will collect donations on DAV's behalf, culminating on Tuesday, August 6 when customers will receive a free root beer float at participating locations from 2 to 8 p.m. and will be invited to make a donation to DAV.

We're seeking help from all commanders and adjutants to make this year's campaign even more successful. Connecting individual A&W restaurant locations with local chapters will give A&W team members opportunities to express their gratitude to our nation's veterans and develop connections with their communities. This also gives chapters opportunities to connect veterans with DAV's resources, recruit volunteers, enlist prospective members, foster relationships with A&W team members and thank them for their support.



Chapters visited by Department Line Officers & Adjutant Since Department Convention

4, 7, 11, 12, 16, 18, 23, 30, 32, 38, 42, 57, 63, 70, 78, 82, 83, 84, 85, 86, 87, 90, 94, 97, 98, 101, 109, 112, 113, 122, 123, 125, 129, 133, 144, 148, 150, 155, 158, 160.

Adjutant's Column Continued



VA could help veterans access medical marijuana where legal, if bill passes.

A bill in the House and Senate would allow veterans to use medical marijuana in states where it is legal and would let the VA help them get it.

The “[Veterans Medical Marijuana Safe Harbor Act](#)” would “allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by a State or Indian Tribe, and for other purposes.”

As of the bill's filing, 33 states permit medical marijuana use. “This bill gives VA doctors in these states the option to prescribe medical marijuana to veterans, and it also promises to shed light on how medical marijuana can help with the nation's opioid epidemic,” Sen. Brian Schatz, D-Hawaii, one of the bill's primary sponsors, said in a statement. “In 33 states, doctors and their patients have the option to use medical marijuana to manage pain — unless those doctors work for the VA and their patients are veterans.”

The bill also would allocate \$15 million to study marijuana's effectiveness in treating chronic pain in veterans and whether access to marijuana can reduce opioid abuse in veterans.

Research has shown that marijuana can be beneficial for treating “a wide range of diseases and disorders, including pain management,” the bill reads.

Nearly 60 percent of veterans returning from serving in the Middle East and more than 50 percent of older veterans receiving care at the VA are living with some form of chronic pain, according to the bill.

Opioids, typically prescribed to treat chronic pain and other illnesses, account for about 63 percent of all drug deaths in the U.S., the bill reads. In 2011, veterans were twice as likely to die from accidental opioid overdoses as civilians, the bill reads.

States that have legalized medical marijuana have a nearly 25 percent lower mean annual opioid overdose death rate compared to states that have not legalized the substance.

“Medical marijuana in states where it is legal may serve as a less harmful alternative to opioids in treating veterans,” the bill reads.

The bill also calls for the VA to study the effects of medical marijuana on veterans in pain and on whether access to medical marijuana cuts down on opioid abuse among veterans, within the first two years of the bill passing and present reports on its findings within the first six months after that the studies are completed.

The bills are sponsored by Rep. Barbara Lee, D-Calif., and Schatz, and are both in committees.

“As the daughter of a veteran, I am committed to ensuring that our veterans have access to the quality and comprehensive medical care they deserve — including medical marijuana. The current federal prohibitions on cannabis are unnecessary, harmful, and counterproductive,” Lee said in a statement. “The federal government should never stand between our veterans and their medicine. This critical legislation is a long overdue step to empower veterans and their doctors to make informed health care decisions, without political interference.”

Calendar of Events

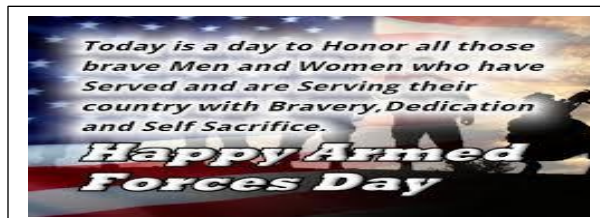
May 10 Military Spouse Appreciation Day



May 12 Mother's Day



May 18 Armed Forces Day



May 27 Memorial Day



Adjutant's Column Continued

The bill was endorsed by the American Academy of Pain Medicine, American Pain Society, Iraq and Afghanistan Veterans of America, Veterans Cannabis Coalition, Veterans Medical Cannabis Association, NORML, National Cannabis Industry Association (NCIA), Americans for Safe Association, Marijuana Policy Project, Drug Policy Alliance and Multidisciplinary Association for Psychedelic Studies, according to a news release from Lee and Schatz.

"Our members have spoken loud and clear on this issue," Tom Porter, legislative director for Iraq and Afghanistan Veterans of America, said in a statement. "Eighty-three percent of respondents to our recently-released member survey approved of cannabis use for medicinal purposes. With such overwhelming support, we need to be removing barriers to care for veterans, not maintaining them."

"When nearly one in four veterans report that they are consuming cannabis for therapeutic purposes, the Veterans Medical Marijuana Safe Harbor Act would provide crucial medical and civil protections for the men and women who put their lives on the line to serve this country," Justin Strekal, political director for NORML, said in a statement. "It is unconscionable that these brave individuals who stepped up to protect our nation's freedoms would be treated as criminals when they return home simply for treating their medical ailments with a safe and effective option under state law."

Another bill in the House, the "Veterans Cannabis Use for Safe Healing Act," would prohibit the Secretary of Veterans Affairs from denying a veteran benefits because they use medical marijuana in states where the substance is legal.

Veterans should be allowed to use medical marijuana without losing VA benefits, bill says

For Your Information

VA Facilities as of 9/30/2017

	Florida	National
Number of inpatient care sites	9	154
Number of outpatient care sites	69	1,029
Number of Vet Centers	24	300
Number of VBA Regional Offices	1	56
Number of National & State Cemeteries	9	246

VA Expenditures FY 2017 (in thousands)

Compensation & Pension	\$6,371,816	\$84,138,460
Construction	\$57,522	\$1,467,395
Education/VR&E	\$988,717	\$13,182,263
General Operating Expenses	\$145,493	\$9,222,998
Insurance & Indemnities	\$132,806	\$1,700,374
Medical Care	\$5,709,770	\$69,709,570

Veteran Population

Number of Veterans	1,525,400	19,998,799
% of Adult Population that are Veterans*	9.70%	6.60%
Number of Women Veterans	144,229	1,882,848
% of Women Veterans*	9.46%	9.41%
Number of Military Retirees	200,509	2,156,647
% of Veterans Who Are Military Retirees*	13.14%	10.78%
Number of Veterans Age 65 or Older	807,597	9,410,179
% of Veterans Age 65 or Older*	52.94%	47.05%

VA Healthcare and Benefits

Number of Veterans Receiving Comp.	348,567	4,552,819
Number of Veterans receiving Pension	23,266	276,570
Number of DIC Recipients	34,160	411,390
Number of Education Beneficiaries	70,539	987,577
Number of Enrollees in VA Healthcare	733,037	9,116,200
Number of Unique Patients Treated	513,010	6,035,183

*Florida leads the Nation in this category

If you have pictures for publication in newsletter please email to andy@davfla.com with caption.

NSO Supervisor's Column Michael Michelotti

We have been receiving numerous questions with regards to disagreeing with and or appealing decisions in the new Appeals Modernization Act (AMA), so this article is dedicated to answering the top 3 questions.

How Does the new Appeals Modernization Act (AMA) Work?

To Answer this question, we must first look at the pre-February 19, 2019, appeals process. In the past VA used a single docket appeals system (the Legacy system). In the legacy system, claimants only had one option if they disagreed with a VA Rating Decision... file a Notice of Disagreement (NOD) and wait several years for the VA to review their prior decision. If the review resulted in a continuation of the denial, the claimant was issued a Statement of the Case and provided 60 days to file a substantive appeal (VA9) to the Board of Veterans Appeals (BVA). The VA9 provided the claimant with the options of a review with a hearing or a review without a hearing. Claimants who did not request a hearing were stuck in the same docket line with those claimants who requested a hearing. This system created a backlog for everyone, whether a claimant requested a hearing or not.

AMA allows claimants to choose from three different review options, or "lanes", when they disagree with a VA Decision:

Higher-Level Review Lane. This review is conducted by a more experienced rating specialist at one of the two Decision Review Operations Centers (DROC). One DROC is located here at Bay Pines FL, and the other DROC is in Seattle, WA. In this lane, claimants are not allowed to submit additional evidence in support of their claims. Instead, the DROC will issue a new decision based on the same evidence of record that was available at the time of the prior decision. The reviewer will evaluate the claim *de novo* (i.e. a fresh new look). The reviewer can overturn the previous decision based on several factors, including a clear and unmistakable error.

Supplemental Claim Lane. This lane allows for the submission of new and relevant evidence. Claimants can also submit a supplemental claim with new and relevant evidence after receiving an unfavorable decision from the higher-level review process, or after receiving a denial from the BVA.

If claimants do so within one year of the decision, their effective date will be preserved.

Notice of Disagreement Lane (Appeal Directly to the BVA). Claimants can appeal their cases directly to the BVA following an initial decision from the RO, or any unfavorable decisions from the higher-level review lane or supplemental claim lane. There are three dockets at the BVA for claimants to choose: the direct docket, the hearing docket, and the evidence docket.

Direct Docket – In this docket the claimants are not allowed to submit additional evidence in support of their appeal. The BVA will only look at the evidence that was in the claimant's file when the appealed decision was made. The direct docket option will most likely result in the fastest decision among the three docket options.

Evidence Docket – In this docket, claimants can submit additional evidence to the Board with their Notice of Disagreement (NOD) or up to 90 days following their NOD submittal. The evidence docket option will most likely result in the 2nd fastest decision among the three docket options.

Hearing Docket – In this docket, claimants will have the opportunity to submit new evidence either at the hearing or within 90 days following the hearing. Since the hearing docket option will most likely result in the longest wait for a decision among the three docket options, careful consideration should be given to determine if this is the right option for you.

Can I opt-out of the Legacy system and opt-into the new AMA?

If you're stuck in the out dated Legacy system it is possible to opt-into the AMA System, however, you can only do so after receiving a Statement of the Case or a Supplemental Statement of the Case.

What VA Forms are used in the AMA?

20-0995 Decision Review Request:
SUPPLEMENTAL CLAIM

20-0996 Decision Review Request: HIGHER-
LEVEL REVIEW

10182 Decision Review Request: BOARD
APPEAL (Notice of Disagreement)