

## **Community Legal Aid**

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio



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## **Giving veterans the benefits they deserve - PACT Act**

*A call to social service partners: educate veterans on the PACT Act*

By Kim Adams, law graduate

On August 2, 2022, the Sergeant First Class (SFC) Heath Robinson Honoring Our Promise to Address Comprehensive Toxics (PACT) Act of 2022 became law. The act is named in honor of SFC Robinson who died after a three year battle from lung cancer in 2020. His illness was attributed to exposure to smoke at burning trash pits during his deployment in Iraq. SFC Robinson left behind a young daughter, a wife, and extended family members who all advocated for this much-needed and overdue law.

The PACT Act provides improved and streamlined access to health care for all veterans who served in areas of known exposure from burn pits and other toxic substances\* regardless of whether they are currently able to prove a disability or illness related to military service. The groundbreaking law creates a new and expansive list of presumptive disabilities and concedes exposure for all veterans who served in certain areas. It addresses exposures for veterans across the generations - from those involved in the Vietnam War through the Gulf War through post-911 operations. The law also puts in place a new requirement that the VA provide a toxic exposure screening to every enrolled veteran. Under the PACT Act, surviving spouses may be able to access benefits, as may veterans with other-than-honorable discharges.

According to the Wounded Warrior Project, an estimated 3.5 million veterans have been exposed to toxic contaminants including burn pits, toxic fragments, radiation, and other hazardous materials during deployment.

This is enough people to fill about 50 football stadiums to capacity.

As a result, veterans exposed to toxic substances may be suffering an array of health conditions - many arising years after discharge. Illnesses may also impact biological children. The Veterans Administration lists these as including illnesses associated with burn pits like cancer, chronic bronchitis or sinusitis, and lung disease; Agent Orange-related illnesses like cancer and diabetes; Gulf War illness with unexplained symptoms like chronic fatigue syndrome and fibromyalgia; illnesses related to radiation exposure like cancer, thyroid conditions, and brain tumors; and conditions linked to toxic embedded fragments.

With the recent passage of the PACT Act, now is the time for action among community groups and social service entities who work with our veteran populations. Veterans are suffering and dying daily, as are their children and spouses.

The PACT Act is removing a lot of red tape - but there will still be many challenges spreading the word. Unfortunately, there are many reasons veterans won't access PACT Act benefits including:

- They may have a lack of trust in or be frustrated with the Veterans Administration after previous negative encounters.
- They may believe they are ineligible due to past restrictions.
- They may not understand the full scope of the new law and how many veterans it is designed to protect.
- They may have access issues around computer illiteracy, homelessness, age, or transportation.
- They may not trust the messenger.
- They may already feel disenfranchised as a certain subset of veterans.
- Nobody can take the time to listen to their stories and hear the truths hidden within them.

The solution to these barriers is widespread targeted outreach, education, and referral to trusted sources who are trained to communicate with and tailor services to our veteran population. Veterans should be referred to local organizations that assist with VA benefit applications to determine PACT eligibility. These agencies are working hard to educate and screen veterans daily.

Despite this win for veterans, the work continues.

The passage of the PACT Act is positive but also bittersweet.

So very many people died before we got here. Why must there always be a path of tragedy before we can help? Let's stop watching and start really listening to what people are telling us.

Let the PACT Act be a reminder to us of the depth of the sacrifice we receive from not just veterans but also their families and loved ones.

*\* The use of burn pits was a common waste disposal technique of the military in Iraq and Afghanistan. Everything from plastics, rubber, chemical mixtures, and medical waste was burned. Fires could cover acres, the smell wafting across entire bases as winds shifted.*

*Service people in the Gulf War breathed in many toxic chemicals while bombing Iraqi chemical weapons storage and production facilities.*

*Agent Orange, now known to be a toxic chemical, was a tactical herbicide used by the military to clear vegetation and kill food crops during the Vietnam War.*

### **Sidebar: Local organizations that help veterans apply for VA benefits**

Columbiana County Veterans Service Commission - (330) 424-7214

Mahoning County Veterans Service Commission - (330) 740-2450

Medina County Veterans Service Office - (330) 722-9368

Portage County Veterans Service Commission - (330) 297-3545

Stark County Veterans Service Commission - (330) 451-7457

Summit County Veterans Service Commission - (330) 643-2830

Trumbull County Veterans Service Commission - (330) 675-2585

Wayne County Veterans Service Commission - (330) 345-6638

Veteran's Haven, Mahoning - (330) 409-9139

*This article is part of Legal Aid's "Big Ideas" series.*

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