

Submission for Proposed Legislation Reform

Background

On the whole I believe that the merging and simplification of the current Acts is a positive move and will be beneficial to most veterans and service families.

When the proposed changes were first raised I had concerns on how VEA veterans who have sufficient points for an Above General Rate pension who are not yet ready to leave work or will not be ready before the proposed implement date for whatever reasons would be treated.

My first issue was with the Extreme Disability Allowance (EDA) which simply does not exist under the MRCA, having read the correspondence now available this concern seems to have been adequately addressed.

Current Concerns

VEA – Special Rate

My main concern is now VEA - Special Rate (SR). I have read that grandparenting until 2026 is being considered however this timeframe may not be adequate. There are a number of veterans who may be currently at 70% of the General Rate or close to this level now who are still able to work but may need to leave work due to service related VEA conditions in the next few years.

When I raised this matter at one of the webinar sessions the “department man’s” answer was that to qualify for either VEA Special Rate (SR) or MRCA Special Rate Disability Pension (SRDP) was basically the same and that by removal of the Alone Test it would be easier to achieve TPI status, this is basically a false premise for two main reasons:

1. Currently if you only have VEA or a mix of VEA and DRCA conditions you are ineligible for MRCA InCaps which is an eligibility requirement under the MRCA, this in turn means you are ineligible for SRDP.
2. Also the requirement of 50 Impairments Points (IP) as opposed to a VEA 70% GR pension may be very hard for older veterans to achieve. 70% of the GR may be achieved with a raw score of 43 IP in accordance with GARP table 23.1 using the VEA round up / round down logic and option two for lifestyle. To get from 43 to 50 points would require any new conditions or clinical worsening of accepted conditions to achieve at least 13 new points using GARP table 18.1

Veterans Home Care v Household Services

The services available to veterans with either DRCA or MRCA accepted conditions and therefore eligible for Household Services far exceeds what is available to a veteran with VEA only conditions under the Veterans Home Care system. The current situation where we need to make a new claim to have VEA accepted conditions recognised under the DRCA to have access to Household Services a duplication of effort and creates work for both the advocate and DVA.

Suggested Solutions

VEA – Special Rate

To remedy this the easiest method would be to extend the proposed grandparenting clauses indefinitely so it will not disadvantage any veterans. The problem doesn't need an end date as any eligible service under the VEA ceased in 2004 that plus the Age test and natural attrition will solve the problem without any intervention. If the Alone test is deemed an important issue (I believe it is) all we need to change the logic of acceptance to is; an "accepted condition" to mean accepted under either the VEA, DRCA or MRCA.

Veterans Home Care v Household Services

Give access to Household Service to all disabled veterans regardless of what act the disabling condition is accepted under.

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