From: Dennis Lurvey
To: "Don Poss"
Subject: all of our vets should look at this
Date: Sunday, July 27, 2014 3:26:52 PM

It's at the DRO now.

I think all the members should know if you left the service w what you found later was PTSD and didn't make a claim then, you can still get paid all the way back.

This is what all members should know:

If when you came back from Vietnam,

You were targeted by your unit commander for discipline over and over
Maybe you were reduced in rank to e-3 or below for minor violations.
Your honorable discharge was threatened if you didn't go along with being released early.
You may or may not have been diagnosed with anxiety and/or depression by a doctor before your release.

If you were chaptered out early you may be able to get your discharge changed to honorable and your benefits restored.

This article was from 2006 but they started this during vietnam: the article goes on…

Once there, Jensen told America Tonight that WTU commanders seemed bent on getting rid of him. He said they wrote him up for minor infractions, like showing up late to a medical appointment, or making an incomplete stop at a stop sign.

Then, on a routine urine test, Jensen came up positive for amphetamines. He had been prescribed the decongestant pseudoephedrine and narcotics for his injuries, which can cause a false positive, so he asked to be re-tested. Instead, WTU commanders told him they were kicking him out of the Army for what they called a pattern of misconduct.

Not only did the Army want to discharge him without benefits like unemployment or access to GI Bill money, said Jensen, they also wanted to give him a discharge that was other than "honorable." That would likely keep him from getting any benefits for the rest of his life.

"They looked at me and told me that I didn't deserve to wear the uniform now,

nor did I ever deserve to wear it," Jensen told America Tonight. "And that I was a disgrace and I should be ashamed of myself for letting my family down and my wife, and everyone else."

It's called being "chaptered out." Soldiers may be discharged for reasons ranging anywhere from tardiness to substance abuse, and more serious crimes like assault. Many have been diagnosed with post-traumatic stress disorder (PTSD), and some also have traumatic brain injuries (TBI), both of which can influence behavior and judgment.

Philips said the number of soldiers getting kicked out for misconduct has gone up every year since the war in Iraq began. Since 2006, 76,000 soldiers have been chaptered out, Philips calculates.

"These commanders are stuck in this position where if they try to get them out medically, they are still stuck with them, maybe for a long time," he said. "If they decide to kick them out for misconduct instead, they could be out in weeks."

http://cdn.csgazette.biz/soldiers/day3.html

Dennis Lurvey
American Veteran
Phoenix, AZ

From: Don Poss [mailto:dposs@dposs.com]
Sent: Sunday, July 27, 2014 2:11 PM
To: Dennis Lurvey
Subject: Re: va claim

Dennis,

I haven't heard that phrase before, but I do know the VA's mindset leans favorably toward appeals. Of course appeals may take a couple of years, and the clock ticks on for us.

Like before, get and consult an advocate who is on top of these things today.

Thank you,

Don Poss
Sent from my iPhone

On Jul 27, 2014, at 2:03 PM, Dennis Lurvey <dennis.lurvey@live.com> wrote:

I had my original claim approved in 1999 and am now at full benefits. But I have filed back to 1972 because I was diagnosed w depressive and anxiety reaction (the former name for PTSD) before I was chaptered out early. I used to think it would be impossible but now I believe I can get retroactive pay to then. Courts have decided in the favor of veterans on this before.

Have you heard of being ‘chaptered out?
Do you know anyone who was successful at this?

Dennis Lurvey
American Veteran
Phoenix, AZ