

Graham, Gordon A., VBASEAT

From: Graham, Gordon A., VBASEAT
Sent: Monday, December 29, 2025 2:59 PM
To: [REDACTED]
Cc: Collins, Doug; [REDACTED]
Subject: Veteran [REDACTED]

Re: [REDACTED]

EP 930 Claim ID: 114500712 Days Pending: **652**
EP 020 Claim ID: 122710640 " " : 53
EP 040 Claim ID: 122712018 " " : 52

Dear Sir(s),

Mr. [REDACTED] has begged me to take over his claim because he has languished for the last three or more years attempting to make himself heard. His Disabled American Veterans (DAV) representative should have his/her accreditation revoked by the OGC. Other VA accredited attorneys have declined to help- sadly because Mr. Stone is already permanent and total and they see no value in helping him.

My preadjudication meeting with Mr. [REDACTED] regarding the EP 930 has only identified part of the delay. Disturbingly, Mr. [REDACTED] was not aware the claim was deferred in the August 2024 RD and still a "live" claim- hence the 652 days pending. However, Mr. [REDACTED]'s medical situation has been deteriorating all the while and is now rapidly increasing.

He is desperate for help because he is unable to articulate his case and is severely disabled. His DAV representative is AWOL and hasn't returned his calls in over a year. He is homeless as well and in a nursing/rehabilitation home. He has been sent numerous texts, mail and phone calls which he either doesn't get or cannot comprehend. He confuses regular, scheduled appointments to the Long Beach VAMC (with appropriate transportation) with VA c&p examinations. He has no legal training and nurses think he is demented.

He cannot attend c&p exams because he's virtually bedridden and has no transportation assets. He is estranged from his family and divorced. Nevertheless, each time he fails to show up for a c&p exam, he's marked down as a no show resulting in endless denials. As an inpatient, the nursing/rehabilitation home makes him a virtual prisoner and unable to litigate his claims.

I have called Loyal Health and talked with their specialty case personnel and explained this to them. They have begun doing ACE Reviews in the interim. I'm hoping you in VBA344 will recognize this as an emergent situation and do everything in your power to expedite his case. Mr. [REDACTED] now has diagnosed Stage IV Chronic Kidney Disease and, in addition, his IHD Heart score is 1-3 METs. His emergent atypical Parkinsonism is worsening and he unable to ambulate. His latest DBQ Psyche Review shows total occupational and social impairment. Reasonable minds can only concur his situation is not going to improve.

Because of this interminable delay already and the lackadaisical pace of the various claim streams, and a desire not upset anyone, I'm elevating this to the Secretary. There is no reason I am aware of that would require a sixteen-month delay in determining entitlement to a&a under §§3.350(b)(3); 3.352(a). By simply being in a nursing home, Mr. Stone clearly and unmistakably qualifies for aid and attendance. The additional herbicide-presumptive severe disease processes and his current higher level of care also mitigate for an immediate reconsideration of his claims posture. Yet nothing happens.

In closing, I might add it took me from 1989 to 2008 to complete my own original Agent Orange claim due to administrative error. Fortunately, it only took another 8 years (2016) to correct the effective date and the correct amount of SMC. I'm hoping we, as mutual stakeholders, can vastly improve on that in Mr. [REDACTED]'s case.

The Secretary has tasked us with conserving scarce judicial resources better spent on other, equally deserving Veterans. As a VA Agent, I am also a *de facto* VA employee as well as a mutual Stakeholder. After 36 years in this "business", I eagerly share in Secretary Collins' desire to improve the Agency. Mr. [REDACTED]'s circumstances should be a learning experience on how *not* to accomplish this process. Please remember this is not about you, the VA and its employees, and my client and myself. It's about the Veterans we serve.

Please examine this situation and let's see what resources we can bring to the table and streamline the process for our most severely injured Veterans in the future. My work focuses solely on these brave men and women, their surviving spouses, and the many who die before they complete their claims. Please feel free to reach out if there is anything whatsoever I can do hasten this to completion.

Very Respectfully,

Gordon A. Graham
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Counsel for [REDACTED]
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