THE AMERICAN LEGION
DEPARTMENT OF FRANCE

SERVICE OFFICERS GUIDE
AND
PROCEDURES

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INTRODUCTION

The American Legion is the largest Veterans Organization in the United States. It was founded in 1919 and supports these Four Pillars - Americanism, National Security, Children & Youth and Veterans Affairs & Rehabilitation.

Under the National Veterans Affairs & Rehabilitation Pillar is the Veterans Service Officer. It is the Service Officers responsibility to assist Veterans in filing claims to the VA for any injury, illness or disease that occurred while on active duty, file for reevaluation for increase of VA Service Connected Disabilities, submit supporting documentation, be counsel at Appeals Hearing and other tasks not identified. The Service Officer also files claims for Surviving Spouses who’s Veterans spouse passed due to service connected injury, illness or disease. The Service Officer is involved in other Legion actives.

DEFINITIONS

Department Service Officer: Is an American Legion member that is certified by the Department of France and accredited by the American Legion National Veteran Affairs and Rehabilitation Office.

Assistant Department Service Officer: Is an American Legion Member, appointed by the Department Commander who must be certified by the Department of France.

Post Service Officer: Is an American Legion Member that is either elected or appointed by their local Post. A Post Service Officer may be already accredited but must work through the Department Service Officer. A non-accredited Post Service Officer is prohibited from obtaining and submitting Personally identifiable information (PII) information other than to the Department Service Officer or an Assistant Department Service Officer.

ORGANIZATIONAL INFORMATION

Within the Department of France, Post Service Officers (PSO) and appointed Assistant Department Service Officers (ADSO) report to the Department Service Officer (DSO).

The DSO reports to the Department Executive Committee (DEC).
The Department of France has cooperative agreements with other Veteran Service Organizations throughout Europe to support veterans and service members when an American Legion Service Officer (SO) is not locally available. These Veteran Service Organizations include the VFW, the DAV, Red Cross, Paralyzed Vets, and others. (https://www.va.gov/vso/VSO-Directory.pdf)

Department of France Service Officer Function Organizational Chart

The organization of the Service Officer function within the Department of France is depicted below. Post Service Officers have functional reporting responsibilities to the DSO which should go through their Commander and Adjutant for the annual Consolidated Post Report to have accurate information.

QUALIFICATIONS

Department Service Officer

The DSO will be an appointed position. The Department Commander is the appointment authority. The appointment will be ratified by the next DEC. The appointment is for a two-year period. The DSO in the American Legion must be certified by the Department and must be accredited by the American Legion.
The DSO will submit a copy of their DD 214-4 to the Department Adjutant for submission to National Headquarters.

The DSO will submit a copy of the accreditation letter issued by the National Veteran Affairs and Rehabilitation (VA&R) Office or the VA. The DSO will inform the Adjutant as to the corresponding accreditation number (published on Accreditation Letter from the Veteran Affairs Office of General Counsel (OGC)).

**Assistant Department Service Officer**

The ADSO will be an appointed position. The Department Commander is the appointing authority. The appointment will be ratified by the next DEC. The ADSO is not required to be an accredited representative. Non-accredited service officers may work under an accredited representative. The ADSO must submit all claims to the DSO.

The ADSO must have completed the certification level of the Department of France Service Officer Training program.

The appointed ADSO(s) shall sign the American Legion Code of Ethics and submit a copy to the DSO and the Department Adjutant.

**Post Service Officer**

The PSO will be an appointed or elected position from within the Post. The PSO does not have to be an accredited representative.

Should a PSO be accredited by another organization, the PSO will obtain a Power of Attorney for the American Legion and submit all files and claims to the DSO.

The appointed or elected PSO will sign the American Legion Code of Ethics and submit a copy to the DSO and the Department Adjutant.

**DUTIES AND RESPONSIBILITIES**

**Department Service Officer**

The DSO will address all matters pertaining to all Department Policies regarding Claims, Training, National VA&R Policies, and other policies related to the DSO position.
DOFR SERVICE OFFICERS GUIDE AND PROCEDURES

2. REPRESENTATIVES OF OTHER AGENCIES WHO ARE ACCREDITED TO THE AMERICAN LEGION

   i. TO FACILITATE THE ACTIVITIES OF THE VA&R DIVISION, KEY SERVICE OFFICERS MAY BE
      DESIGNATED BY THEIR DEPARTMENT AS THE ONE TO DEAL WITH QUESTIONS RELATING TO THE
      DEPARTMENT’S POLICY ON CLAIMS AND RELATED MATTERS. THE KEY PERSON, CERTIFIED BY THE
      DEPARTMENT, MUST BE ACCREDITED TO THE AMERICAN LEGION AND MUST BE LOCATED AT OR
      IN CLOSE PROXIMITY TO THE VARO.

   ONE KEY PERSON FOR EACH VARO WILL BE RECOGNIZED AND THEIR NAME, ADDRESS AND PHONE
   NUMBER INCLUDED ON THE LIST OF DEPARTMENT SERVICE OFFICERS MAINTAINED BY THE VA&R
   DIVISION.

   (Reference: Service Officer Code of Procedures: pg. 9, para 2, sub i.)

DSO and ADSOs should coordinate veterans’ service activities within their regional area of the Department. In doing so, the DSO would pass veterans service information along to Posts. The DSO will supply veterans’ service information on a regular basis by means of the Veterans Service Update report posted on the Department website within the DSO section and on other social media as maintained by the Department.

The DSO will present VA&R information at Department meetings and publish veterans’ service articles in the Department newsletter.

The DSO shall adhere to the established American Legion Service Officer Code of Procedures. Available at: https://www.legion.org/publications/236325/service-officer-code-procedure

The DSO will familiarize themselves with the Foreign Medical Program (FMP) and inform the Service Officers and the membership about the advantages of this program. The DSO will be the Point of Contact for all inquiries for the Foreign Medical Program.

The DSO has the responsibility to maintain their accreditation status. Should the accreditation be rescinded, the DSO must immediately inform the Department Adjutant and can no longer perform the duties as DSO. (The DSO must be accredited).

The DSO is responsible for ALL Service Officers in the Department.

The DSO will obtain access to the Stakeholders Enterprise Portal system. This will allow the accredited DSO to access Claim information through the Veteran Affairs. Website: https://www.sep.va.gov/

The DSO will take and complete the Training, Responsibility, Involvement and Preparation of Claims (TRIP) course offered at the SEP Website: https://www.sep.va.gov/ Upon completion of the TRIP training, the
DSO will submit the Training Certificate to the Department Adjutant for record keeping.

The DSO will attend one annual DSO Training session provided by National VA&R, either being physically present or via electronic media. This is a requirement from the VA to maintain the accreditation status.

The DSO will attempt to conduct two Service Officers Training courses per year.

**Assistant Department Service Officer**

The ADSOs shall, under supervision of the DSO, carry out the duties, which are usually incident to the office and act for the DSO in the DSOs absence.

The ADSOs shall carry out the assigned duties which are directed by the DSO.

A non-accredited service officer may work under an accredited representative. The ADSO must submit all claims to the Department of France DSO.

**Post Service Officer**

Due to the complicated nature of filing veterans’ claims, The Department of France does not endorse volunteer (non-accredited) PSOs to assist with completing claim forms. PSOs are not required to decide the merits of individual cases before advising veterans or their dependents about possible benefit entitlements. PSOs should simply have a basic knowledge of the benefit being sought and refer claimants to a DSO or ADSO to obtain additional information about benefits and for completing benefit claim forms. All PSOs should know when a veteran should apply for benefits and when referrals are appropriate. PSOs are required to maintain a record of veterans seeking the DSOs assistance. This form will be available on the Department of France website. The PSO will submit the PSO monthly report to the DSO /ADSO for record keeping. (Form available at Department website)

All PSOs will work directly with the DSO, or the designated ADSO(s).

PSOs are prohibited from contacting the Veteran Affairs or the Foreign Medical Program to obtain information about a Claim. Only accredited Service Officers have this authority. All questions will be directed to the DSO or ADSO. Should a PSO be accredited, they must submit a copy of all transmissions to the
DSO. All Claims, accomplished by the accredited PSO, must be submitted to the DSO for submission to the Veterans Affairs Intake Center.

PSOs are prohibited from submitting claims to the VA or other portals (i.e... Embassies, Consulates, etc...)

All PSOs must attend the mandatory Department of France Service Officer Training course, Level One, provide by the DSO. This training will be offered once a year.

The PSO will adhere to the “The American Legion Post Service Officer Guide” available for download at https://www.legion.org/publications/231348/post-service-officer-guide

The PSO should be knowledgeable about how to properly fill out the required forms. The PSO should keep himself informed as to current information published by the American Legion. (Brochures about Agent Orange, Traumatic Brain injury and more). It is important for the PSO to establish a working relationship with the accredited DSO and ensure that any paperwork submitted by the veteran is forwarded to the DSO in a timely manner.”

A PSO, who is not accredited, is prohibited by law from assisting claimants in the preparation, presentation and prosecution of claims before the VA. The PSO may inform the claimant as to which forms are needed to submit a claim.

BY LAW, AN INDIVIDUAL MUST BE ACCREDITED BY VA AS AN AGENT, ATTORNEY, OR REPRESENTATIVE OF A VA-RECOGNIZED VETERANS SERVICE ORGANIZATION TO ASSIST IN THE PREPARATION, PRESENTATION, AND PROSECUTION OF A CLAIM FOR VA BENEFITS. 38 U.S.C. §§ 5901-5902, 5904; 38 C.F.R. § 14.629. VA REGULATIONS PROVIDE A ONE-TIME ONLY EXCEPTION TO THIS GENERAL RULE, WHICH AUTHORIZES A PERSON TO PROVIDE ASSISTANCE ON A PARTICULAR CLAIM, BUT SUCH ASSISTANCE MUST BE WITHOUT COST TO THE CLAIMANT AND IS OTHERWISE SUBJECT TO THE LAWS GOVERNING REPRESENTATION. 38 C.F.R. § 14.630. AN INDIVIDUAL WHO IS NOT ACCREDITED BY VA IS OTHERWISE PROHIBITED BY LAW FROM ASSISTING CLAIMANTS IN THE PREPARATION, PRESENTATION, AND PROSECUTION OF CLAIMS BEFORE VA.

(REFERENCE: OFFICE OF GENERAL COUNSEL VETERANS AFFAIRS WEBSITE: WWW.VA.GOV/OGC/ACCREDITATION.ASP)

“No individual may assist claimants in the preparation, presentation, and prosecution of claims for VA (Department of Veterans Affairs) benefits as an agent or attorney unless he or she has first been accredited by VA for such purpose.”

38 CFR(Code of Federal Regulations)Ch 1 14.629 (b) (1);
When acting as a recorder, the PSO is simply transcribing information provided by the claimant. At no time should the PSO make suggestions on how to frame information to make it appear more favorable or less harmful to the claimant.

When acting as a Recorder, the PSO may transmit the Claimants documents to the DSO, should the Claimant not have the means for transmitting.

Under no circumstances will the PSO take possession of any form, record, or evidence furnished by a claimant for the purposes of filing the benefits claims with the Department of Veterans Affairs.

Under no circumstances will the PSO retain any personally identifiable information (PII) concerning the claimant or the claimants’ family. Any forms, records, or evidence furnished by the claimant must be immediately returned to the claimant with instructions on how to submit their benefits claim with the DSO or to the appropriate federal authority.

Under no circumstances should a PSO counsel a claimant on their individual claim. While a PSO provides information concerning various government benefit programs, he/she should not offer any guidance or opinion as to the individual claim itself. General statements about the types of evidence necessary to support a claim can be described; however, a PSO must never discuss the nature or merits of any particular claim.

SERVICE OFFICER ACCREDITATION

A Service Officer or VSO (Veteran Service Officer) is an accredited individual. The accreditation is issued through the Office of General Counsel Veterans Affairs. The Accredited Department Service Officer must endorse the applicant. The accredited DSO must submit the VA Form 21, Application for Accreditation as Service Organization Representative, along with the endorsement, to the Department. The Department must then submit the Department endorsement, along with the Accredited DSOs endorsement to the National Veteran Affairs and Rehabilitation Division for American Legion Certification.

Once the certification is issued, the National Veteran Affairs and Rehabilitation Division will submit the VA 21 to the Office of General Counsel Veterans Affairs for accreditation. American Legion National Veteran Affairs and Rehabilitation Division is the final authority before submission to the Office of General Counsel Veterans Affairs.
CODE OF ETHICS

AMERICAN LEGION
POST SERVICE OFFICER
CODE OF ETHICS

1. Maintain a reputation for honesty and integrity with claimants, other Service Officers, and government agencies, including the VA.

2. Always maintain confidentiality when providing veterans' services. Claimants' cases, claimants' physical or mental conditions, or anything else learned through the service officer/claimant relationship is never for publication and should never be discussed with other than authorized officials.

3. Service Officers have an obligation to their claimants to keep current with changing veterans' benefit programs and veterans service issues.

4. PSOs should never attempt to answer questions for which they do not know the answers. Veterans' benefits are too complex to expect PSO to know all the answers all the time. When faced with a difficult question, the PSO should simply inform the inquiring person that he or she will provide an answer following proper research through the DSO.

5. Do not ask a veteran to change his or her Power of Attorney from another organization to the American Legion. When other service organizations hold the Power of Attorney and the veteran has a claim pending, professional courtesy requires us to encourage the claimant to continue with the organization presently holding power of attorney -- at least until VA completes the processing of the pending claim or appeal.

6. American Legion Service Officers should never imply to a claimant that he or she may perform a better job than another American Legion Service Officer or imply to a claimant that another American Legion Service Officer is incompetent in his or her duties.

7. While performing official duties and while attending veteran’s events, American Legion Service Officers must remember that they are representatives of the organization and conduct themselves accordingly with the absence of any conduct that could damage the Legion's reputation.

8. At meetings and social functions, all the organization's guests should be treated with respect and
dignity regardless as to if their views are contrary to our own -- anything less would serve only as a bad reflection on this organization.

9. Service officers must show respect and courtesy to all claimants. A service officer may provide claimants with facts but should never engage in an argument with a claimant.

10. Service officers must never demand membership or accept money or any other form of gratuity for services. This does not mean that service officers are prevented from offering membership to qualified veterans; in fact, this is encouraged.

11. Under no circumstances will the PSO retain any personally identifiable information (PII) concerning the claimant or the claimants’ family. Any forms, records, or evidence furnished by the claimant must be immediately returned to the claimant with instructions on how to submit their benefits claim with the DSO or through ebenefits website.

12. PSO will adhere to the chain-of-command. They will not submit any VA Claims, directly, to the VA! All Claims must be submitted to the DSO (accredited) or through authorized ADSO. The ADSO will then submit the Claim to the DSO for transmittal to the VA.

Non-adherence to this Code of Ethics will be grounds for removal of PSO position! This will involve an Department of France Internal Affairs Review and will result in the removal of the individual PSO.

I, the undersigned, agree to comply with the established Code of Ethics stated above. I understand that non-compliance with the above Code of Ethics could result in the removal of my office.

Signed: ______________________________

PRINT NAME IN BLOCK LETTERS: ____________________________

Date: ______________________________

American Legion Post: ____________________________
ABBREVIATIONS / ACRONYMS

ADSO  Assistant Department Service Officer
CFR   Code of Federal Regulations
DOFR  Department of France
DSO   Department Service Officer
FMP   Foreign Medical Program
OGC   Office of General Counsel, Veteran Affairs
PHI   Protected Health Information
PII   Personally identifiable information
PSO   Post Service Officer
SEP   Stakeholders Enterprise Portal
TRIP  Training, Responsibility, Involvement and Preparation of Claims
USC   United States Code
VA    Veteran Affairs
VARO  Veteran Affairs Regional Office (DPT of PA / Pittsburg)
VA&R  Veteran Affairs and Rehabilitation
VSO   Veteran Service Officer OR Veteran Service Organization

Should you need any further clarification, please feel free to contact the Author, Frank Phillips at fdphillips59@gmail.com