

VETERANS OF FOREIGN WARS

DEPARTMENT OF PENNSYLVANIA

Serving Veterans. Protecting Benefits. Strengthening Pennsylvania.

STATEWIDE MEMBERSHIP BENEFITS UPDATE | February 2026

A Message to Our Membership

Comrades and Auxiliary Members,

Across the Commonwealth, the VFW Department of Pennsylvania continues to lead the way in ensuring veterans and their families receive the benefits they have earned. Through Act 66 funding, accredited representation, and strong post-level outreach, we are bringing federal VA dollars back into Pennsylvania at no cost to our veterans and their families.

This month's update highlights important changes affecting survivor benefits and key state programs that every member should be aware of.

VA Update: Survivor Benefits Streamlined

Effective February 23, 2026, the Department of Veterans Affairs finalized a rule change designed to speed up survivor benefit decisions. Announced by VA Secretary Doug Collins, this change ensures eligible surviving spouses and children receive the higher payable benefit without unnecessary processing delays.

- What This Means for Families:

VA will automatically award the higher benefit between Dependency and Indemnity Compensation (DIC) or Survivors Pension when eligibility exists.

DIC will generally be awarded first, as it typically provides the higher monthly benefit.

In limited circumstances (no dependents, Medicaid, nursing home residence), Survivors Pension may be paid first. Claims filed within one year of eligibility changes may preserve retroactive effective dates.

Rescinds Rule on Disability Ratings and the Impact of Medication

The Department of Veterans Affairs (VA) has officially rescinded its Interim Final Rule titled *Evaluative Rating: Impact of Medication*. The proposed rule would have allowed VA to rate many disabilities based on how a condition appears while controlled by

medication, which raised concerns that veterans could receive lower disability ratings simply because treatment was effective.

By withdrawing the rule, VA maintains current legal standards established through case law. In general, when rating a disability, VA must consider the underlying severity of a condition — not just how well it is controlled by medication — unless the specific diagnostic code explicitly includes medication as part of the rating criteria. Key court decisions such as *Jones v. Shinseki* reinforce that symptom improvement with medication alone should not automatically result in a lower rating.

This rescission is significant for veterans with conditions such as migraines, mental health disorders, gastrointestinal issues, and many musculoskeletal disabilities, where medication often masks the full impact of symptoms. However, for some conditions — like hypertension — rating criteria do allow VA to consider medication use.

Veterans and advocates should remain alert to examination reports that emphasize phrases like “controlled with medication” or “stable on treatment,” as these can influence rating decisions if not properly addressed. If a rating appears undervalued due to medication effects, veterans may request reconsideration or submit additional evidence documenting the condition’s severity.

For assistance, veterans are encouraged to contact an accredited VFW Service Officer.

PACT Act & Toxic Exposure Presumptives

The PACT Act continues to expand eligibility for veterans exposed to toxic substances in Southwest Asia, Afghanistan, Iraq, and other designated locations.

- **Important Reminders:**

Veterans previously denied should reapply if new presumptives apply.

Survivors may qualify for DIC if a newly recognized presumptive caused death.

Intent to File protects effective dates — call 1-800-827-1000 or reach out to an accredited service officer.

Protecting Pennsylvania Veterans from Claim Sharks

Pennsylvania continues to see an increase in unaccredited companies charging illegal or excessive fees for VA claims assistance.

- **Know the Facts:**

VFW Accredited Service Officers charge ZERO dollars.

Act 66 funding supports this representation across Pennsylvania.

Only VA-accredited representatives may prepare or file claims.

No one can guarantee 100% or faster results.

Do not sign a contract with any agency helping with claims.

Pennsylvania State Veterans Benefits

- Property Tax Exemption Program:

100% Permanent & Total service-connected veterans may qualify for full real estate tax exemption if income guidelines are met.

- Amputation & Paralyzed

have been a resident of Pennsylvania upon entering the military;
have received Honorable or Under Honorable Conditions discharge;
and have a service-connected disability rating of 40% or higher in each of two or more limbs (arms/hands or legs/feet) as determined by the United States Department of Veterans Affairs.

Some County Specific Help

- Allegheny County has a small grant for emergency assistance, reach out to Director of Veteran's Affair
- Westmoreland County \$200 towards funeral expenses for passing of an eligible Veteran, reach out to Director of Veteran's Affair

Mental Health

- Call the crisis line by *988 press 1
- Walk into any VA behavioral health
- Find a Vet center near you by calling 1-877-927-8387

Statewide Call to Action

Every VFW Post plays a role in protecting earned benefits. Share this information at meetings, post it on bulletin boards, and ensure members know where to turn for assistance.

- ✓ Host quarterly benefits outreach events.
- ✓ Post Department Service Officer contact information visibly.
- ✓ Refer all claims to accredited VFW representatives.
- ✓ Educate members and Auxiliary on survivor benefits changes.

For assistance, contact the VFW Department of Pennsylvania Service Office. We serve veterans. We charge zero dollars. We protect earned benefits.