

New Healthcare Laws Both Hurt and Help the Disabled

Helpful new acts, but Medicare changes

The recently passed healthcare legislation contains many healthcare program additions and changes aimed at giving all Americans a better chance of obtaining affordable medical insurance coverage. Many of the new laws call for reviews and adjustments of funding and program restructuring to allow for new coverage.

Changes to Medicare Advantage (Part C Plans)

The Medicare Advantage program allows patients to receive their Medicare benefits through private health insurance plans. **The new laws cut Medicare Advantage funding, freezing the payment rates starting in 2011.** Gradually over time, these rates will be reduced, giving the private companies time to adjust to the cost of traditional Medicare benefits.

This was done to favor traditional Medicare coverage and allow for its expansion to more eligible patients. A majority of the other healthcare reform laws focus on expanding and improving traditional Medicare A and B plans, giving reason to reduce the Advantage plan.



Two Important Acts: HCERA & PPACA

The Health Care and Education Reconciliation Act (HCERA) **offers increased subsidies to lower income groups and discounts on brand-name and generic prescription drugs.** The Part D prescription drug coverage gap will also be eliminated as part of the 10-year reform plan.

The Patient Protection and Affordable Care Act (PPACA) provides many improvements to current plans and expanded funding. **One of the major improvements is prohibiting the denial of coverage/claims based on pre-existing conditions. This is great news for Social Security disability claimants who are awaiting approval of their application or appeal.** Often, these individuals cannot afford healthcare coverage and forgo treatment and/or the prescription drugs necessary to cope with their condition. Know that this can be detrimental to your case. Social Security will not waive their requirement of seeking continual medical treatment because you can't afford it. You can stay compliant however; you can visit your local emergency room for treatment or seek out free healthcare through a social worker.

This act will also help the thousands of disabled individuals who are currently receiving Social Security disability payments but are under the age of 65 and do not qualify for Medicare. The act will not only make it easier for these beneficiaries to afford their medical care but also to adhere to Social Security's requirements thereby protecting their disabled status.

To learn more, [request your free copy of our ebook, Disability Benefits: Secrets Social Security Won't Tell You.](#)

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VA System Backlogged By Disability Claims

Dept. of VA overwhelmed, underpowered

If you have recently applied for Veterans' Disability Benefits you may be shocked to learn that you are now in a queue that may be as long as 1 million other disabled veterans.

The Department of Veterans Affairs (VA) reports that **somewhere between 500,000 and 1 million disability claims are waiting to be processed.** Almost half of the current claims take over 120 days to process, some up to 2 years.

The backlog was created by numerous reasons including the increased amount of claims over the last 7 years from veterans of the Vietnam and Persian Gulf Wars. This backlog will only continue to worsen with the almost 200,000 new veterans from the Iraq and Afghanistan Wars.

Another major factor in the delay of processing claims is the antiquated computer systems and heavy reliance on physical paperwork. In an attempt to increase the amount of claims processed, Congress gave the VA hundreds of millions of dollars to hire new employees whose sole job would be to process claims.

New Disabilities and Veterans Mean More Claims

Many new disabilities are being diagnosed in veterans from the Vietnam and Persian Gulf Wars due to advances in medical technology and conditions that took time to manifest. Many veterans suffering from Agent Orange exposure are now finding the cancerous effects taking their toll, and mental health issues are becoming more evident.

Further studies of Gulf War Syndrome are showing increases in veterans' disability claims due to symptoms that have taken time to appear in affected soldiers. The chemical exposure during these two wars, combined with mental trauma and new psychological illness diagnoses, means more claims are being submitted from these wars.

The other increase in claims comes from the current two wars in Afghanistan and Iraq. When the US invaded Iraq in 2003, the estimate for veterans' disability claims was only 50,000. To date, the claims for the current wars are already at 500,000.

Unfortunately, the solution to the backlog of claims has not been found with the additional resources hired to process claims. The outdated system, lengthy paperwork, delays in medical diagnoses, and difficulty in verifying veterans' deployment are all still hindering the claims process. **The best advice we can give you is to file**

NEW ADVANCES IN LONG-TERM DISABILITY AILMENTS

NEW DRUG FOR MULTIPLE SCLEROSIS

The Food and Drug Administration (FDA) has recently approved a new drug that may help regain some normal muscle activity in patients suffering from Multiple Sclerosis.

The new drug Ampyra was found to increase the speed that trial patients could walk, as well as allowing them to walk longer distances, stand longer, climb stairs better, and improvement in other walking-related functions. The drug is not a cure, but it does enhance nerve function to provide better quality of life.

There are some drawbacks, however, including a higher risk of seizure and renal diseases. Ampyra will also not work for patients with advanced walking disabilities or complete loss of leg function. The price tag is also considerable, at about \$1,000 per month.

HOSPITALIZATION HELPS IN PERSONALITY DISORDER REMISSION

A new study published April 15th in the American Journal of Psychiatry revealed 86% of participants who were hospitalized achieved remission of their symptoms. The study has prompted researchers to suggest rehabilitation that focuses on work skills and socialization as treatment for Personality Disorder (PD).

209 patients were hospitalized for an undisclosed period of time and evaluated every 2 years for their PD symptoms, which included irrational thoughts, mood swings, chronic unhappiness, difficulty with relationships and impulsiveness. By the 10th year of follow-up, over ¾ of the participants maintained remission of these symptoms.

PSYCHEDELICS HELP MENTAL OUTLOOK

The psychological benefits of once shunned psychedelic drugs such as LSD, MDMA and psilocybin are now coming to light in the treatment of cancer patients and those suffering from Post Traumatic Stress Disorder.

Researchers at New York University have found significant improvements in mental health and a lasting, happy impression from patients' experiences. The psychedelic therapy is being used in conjunction with NYU's psychotherapy program, designed to give cancer patients a better state of mind during the time they have left.

quickly and be thorough in your paperwork. The more detailed and complete your application is, the less worry you will have when you make it to processing.

To learn more about the veterans' disability compensation process – from application to appeal – request a FREE copy of our guide, [Don't Panic: Win Your VA Disability Claim.](#)

If you have questions or need assistance with your veterans' disability claim, contact us at 1-888-234-5758.

CALENDAR OF EVENTS

MOTHER'S DAY – SUNDAY, MAY 9, 2010

Celebrated on the 2nd Sunday of May, Mother's Day is a day to honor the women in your life whom you consider mothers. Carnations are a traditional gift on mothers' day since the founder of the holiday, Anna Jarvis, delivered 500 of them at the first celebration in 1908. Wearing a red carnation signifies your mother is still living, while a white one signifies she has passed away.

Armed Forces Day – Saturday, May 15, 2010

The 3rd Saturday in May is designated to celebrate the service of the 5 divisions of the US military – Army, Navy, Marines, Air Force, and Coast Guard.

MEMORIAL DAY – MONDAY, MAY 31, 2010

This US federal holiday is celebrated the last Monday of May and preceded by what is known as "Memorial Day Weekend." This day is set aside to remember all soldiers who gave their lives in service of our country. Many cities hold parades over the weekend honoring our armed forces, and national and private cemeteries often hold special services and mark soldiers' graves with fresh American flags.

Some observances still keep to the May 30th date as was originally passed in the official order back in 1868. When declared a national holiday in 1971, the last Monday in May date was established. American flags are to be flown at half-mast in remembrance from dawn until dusk. A national moment of remembrance also takes place at 3 PM local time.

SIGN OUR PETITION FOR FREE MEDICAL RECORDS!

LaVan & Neidenberg is sponsoring a petition to change medical records fees in the State of Florida. Currently, patients are required to pay up to \$1 per page to obtain a copy of their own medical records. The Firm's legislative initiative proposes to **make medical records FREE for all individuals applying for disability benefits.**

Please join us in our fight and [sign our petition](#) today! Thank you for your support!

New Advances for Treatment of Prostate Cancer

According to the American Cancer Society, prostate cancer is the second most commonly diagnosed cancer in men. Estimates for 2009 predicted over 190,000 new cases would be diagnosed with over 25,000 men dying from prostate cancer.

There is good news in the fight against this disease, however. A new investigational drug, MDV3100, has been shown to decrease levels of Prostate Specific Antigen (PSA) which when elevated is a key indicator of prostate cancer. This may open up new therapy choices to men who experience failure with standard hormone therapies, and negate the need for chemotherapy.

The FDA is also researching another new drug, Abiraterone, which has also shown promise in decreasing PSA levels in prostate cancer patients, as well as a shrinking of tumors. The drug has shown to also improve quality of life by decreasing the need for pain medication. On average, progression-free survival rates were increased by nearly 8 months in patients with no chemotherapy treatment.

Another new treatment making headlines is the recently FDA-approved Provenge therapy. Provenge involves training the body's own immune cells to identify and attack the existing prostate cancer cells. While early studies provide only moderate results in prolonging life, it has given hope to many that further trials will result in more of these positive outcomes.

One trial patient, Edwardo Garcia, has been a Provenge trial patient for 4 years now. He still has prostate cancer, but the tumor isn't growing, thanks to the Provenge therapy.

Provenge is being considered a "cancer vaccine" in the sense that it boosts the immune system to attack the disease once it has manifested in the body. It is not a cure, but it is a great step in the right direction. Researchers say studies show little to no side-effects, only mild flu-like symptoms, and are looking into using the treatment with other cancer types.

If you or someone you love are dealing with prostate cancer and are unable to work as a result of your condition, we can help. Start by requesting a [FREE copy of our Social Security disability guide.](#)