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Attorney with story of his own advocates for vets

BY CAMILLE TARICS
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Bob Goss was a highly decorated Air Force pilot who flew B-52's and was a combat veteran of Desert Fox, Desert Thunder and Desert Storm. But when he was injured after 21 years of service and lost his vision, he had to fight with the local Veterans Administration office to get the two operations which partially restored his sight.

Today, he is an attorney helping other veterans through his legal practice, the Law Office of Robert B. Goss PC (www.attorneyforveterans.com). Goss is one of the first attorneys to be accredited in veteran law by the VA under the provisions of the Veterans Benefits and Health Care and Information Technology Act of 2006, which repealed a Civil Warera law that prohibited anyone who was an attorney from representing a veteran.

"I understand what it's like to be healthy one day and disabled the next," he says. "I've gone through it, and I understand what veterans are going through."

READING LAW

When he was no longer able to do his old job in the military, Goss was legally entitled to vocational rehabilitation. He wanted to become a lawyer, but the local VA office said that a visually challenged person could not attend law school. They asked for the title to his home.

"They were going to sell my house and use the proceeds to pay for my care in a home for veterans," he says, "I told them I don't like Jello."

Eventually they agreed to allow him to attend law school, and he graduated from Cumberland School of Law in Alabama.

"It takes me a little longer to read things," he says of studying law with impaired vision, "but eventually I get it."



DAVID A. FARIAS/HBJ

Bob Goss, attorney for veterans: 'It takes a lot of effort to get people to cooperate.'

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Law Office of Robert B. Goss

Only 10 percent of graduating attorneys are eligible for master's of law programs, but Goss was admitted to two such programs at the University of Houston Law School — health law and information law — and graduated from both in May.

Goss understands better than most how much red tape can be involved in getting payments from the VA.

“At one time, they owed me \$9,000,” he says. “It once took me from January ’07 to April of ’08 to get paid for a book I needed.”

He knows of a person in the VA regional office payment section whose motto is “all veterans lie.”

“It takes a lot of effort to get people to cooperate,” Goss says.

PRESENTING THE CASE

Veterans often do not understand how much having an attorney can help them with the early stages of their appeals, he says. Under the new law, the veteran first puts in a claim with the Regional VA office. If it is denied, he files a Notice of Disagreement and can then hire an attorney. Previously, he could have legal representation only after his appeal to the next level, the Board of Veteran’s Appeals, was denied.

But after the Board of Veteran’s Appeals issues its decision, explains Goss, “you cannot submit more evidence. You can only work with what’s in the record.”

Veterans were previously forced to rely

on pro bono service organizations, such as AmVets, Disabled American Veterans, or Veterans of Foreign Wars to help them with their claims.

Service reps are “good at filling out paperwork,” notes Goss, “but they may count on the decision review officers at the VA to check it, which is a mistake. The decision review officers have about 1,200 cases each, and a single case file may have more than 1,100 pages, so they are very overworked.”

The VA sometimes makes coding errors that lead to a disability claim being denied, and it has been known to claim that the veteran has not submitted evidence when actually no one at the VA has read it.

An attorney can make sure the evidence necessary to prove the veteran’s claim is in his file. He can prepare the veteran for his evaluation by the VA doctors, have a nurse practitioner go through the veteran’s file and then send him to a private physician for evaluation.

Veterans often do not realize how important it is to have an outside medical doctor submit evidence that an event, injury or

disease during the veteran’s active duty is connected with a current disability, Goss says. Veteran’s disability claims are not time-barred, he explains, and a disability may be service-related even if the veteran had a pre-existing condition. It is essential, however, to prove a connection between the disability and an event, injury or disease during active duty.

Another recent law increases the educational benefits available under the GI Bill. Payments were previously capped at \$800 a month. The new bill will cover the actual costs of tuition and books, and the veteran will have 10 years to use his benefits. He can even assign part of his benefits to his spouse or child.

“Now we’re back to where we were in World War II,” Goss says, “where the GI Bill benefits actually put you through school.”

Compensation for veterans is, in general, improving, he says, “but there are not a lot

CAMILLE TARICS is a Houston-based freelance writer.