



Issue 13 • Volume 32

July 19, 2024

# Washington Update

Check out the **PVAction Force** page to view alerts and a list of key legislation.

# FOLLOW UP TO HVAC HEARING ON VA'S SCI/D SYSTEM OF CARE

On June 13, PVA National President Robert Thomas and CEO Carl Blake testified before the House Veterans' Affairs Committee (HVAC) in a hearing titled, "A Call to Action: Meeting the Needs of the Spinal Cord Injury and Disorders (SCI/D) Veteran Community." As a result of the hearing, HVAC Chairman Mike Bost (R-IL) sent a letter to VA Secretary Denis McDonough to express his disappointment in the department's failure to fully participate in the hearing. In the letter, the Chairman noted that VA's SCI/D units are chronically understaffed. He also stated that, "Regardless of whether the provider vacancy rate is 9%, as VA testified, or 30%, as PVA testified, VA Medical Centers' (VAMC) are allegedly pulling providers off the SCI/D units to fill staffing vacancies in other departments. That is unacceptable." The Chairman has requested a response by July 22. We will continue to work with the committee to ensure that the health care and benefit needs of PVA members are addressed.

#### HOUSE VA SUBCOMMITTEE HOLDS LEGISLATIVE HEARING

On July 10, the House Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs held a legislative hearing to examine nearly 20 pieces of pending and draft legislation. They included the Flowers for Fallen Heroes Act (H.R. 8792), which would allow those wishing to lay flowers on the graves of fallen heroes who are interred at American military cemeteries overseas to do so through the American Battle Monuments Commission (ABMC). The bill mandates the creation of a user-friendly website for friends and family members to find reasonably priced vendors in proximity to the gravesites. It also urges the ABMC to market the program and requires them to submit a yearly report to Congress on its progress.

Another bill, the Simplifying Forms for Veterans Claims Act (H.R. 8880), directs the VA to contract with an outside entity to study and provide recommendations on how to make VA forms easier to understand when veterans apply for disability benefits. It also requires the VA Secretary to report these findings to Congress and implement any recommendations.

Finally, the Rural Veterans' Improved Access to Benefits Act (H.R. 8881), would expand the categories of providers who can perform cross-state disability exams and make the authority to do so permanent. The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (P.L. 116-315) allowed only certain exam providers to temporarily practice across state lines. That authority would expire in January 2026. H.R. 8881 would also require the department to establish a mechanism for providers to



submit evidence that a veteran brings with them to the examination to the VA, a process which is currently not in place. The text of each bill examined and a video of the hearing can be found here.

## HOUSE COMMITTEE EXAMINES THE STRUCTURE OF VA'S **HEALTHCARE NETWORK**

On June 26, the House Veterans' Affairs Subcommittee on Health held an oversight hearing to assess the structure of the Veterans Health Administration (VHA). Currently, VHA is divided into 18 Veterans Integrated Service Networks (VISNs) across the country, which are regional systems of care working together to better meet local health care needs. VA's principal witness, Mr. Alfred Montoya, VHA's Deputy Assistant Under Secretary for Health for Operations, discussed the role of the VISNs and how they work to support VA's medical centers. He reminded the subcommittee that independent research shows VA medical centers consistently outperform non-VA medical facilities. Dr. Kenneth W. Kizer, former VA Under Secretary for Health, also discussed the VISN concept and indicated that while the current system remains sound, it might be worthwhile to consider whether the present configuration is ideal.

Dr. Julie Kroviak, MD, VA's Principal Deputy Assistant Inspector General for Healthcare Inspections, told the subcommittee that VA's Office of the Inspector General (VAOIG) has published a series of reports indicating serious problems and gaps in how VISN leaders interact with VA medical center leaders. VAOIG has also reported some VISN leaders cultivated hostile environments that prevented medical centers from operating as high reliability organizations (HRO). Employees' ability to report problems without fear of retaliation is a key element of an HRO, and in some VISNs, employees were afraid to report concerns out of fear of reprisal. She also said VAOIG has repeatedly discovered inconsistent practices and inefficiencies across the VISNs which run counter to the department's efforts to transform itself into an HRO. This issue came up again during the Q&A session and Dr. Kroviak reiterated that gaps in care and efficiencies would continue to exist until VHA roles and responsibilities are standardized.

Subcommittee Chair Mariannette Miller-Meeks (R-IA) said it was unacceptable that the department had not yet developed policies for standardization. Mr. Montoya committed to working toward having the policies in place by this October.

You can view a recording of the hearing <a href="here">here</a>.

### SENATE COMMITTEE OKS MILITARY CONSTRUCTION-VA SPENDING BILL

On July 11, the Senate Appropriations Committee approved its version of a bill to fund military construction projects and the VA in the coming fiscal year. The \$359.3 billion-dollar measure is \$3.5 billion higher than a similar measure approved by the full House on June 5. \$210.4 billion would go toward mandatory programs such as VA disability compensation and education programs. Another \$129.6 billion is designated for discretionary spending, money that goes toward VA medical care, medical research, and information technology, including the department's new electronic health care record system. Unlike the House bill, the Senate's measure does not include language addressing controversial policy and social issues. The next stop for the bill is the full Senate, but it is unclear if the chamber has enough time to consider the measure before the August recess. The final bill text, as approved by the committee, is available here, and the amended bill report is available here.

#### SENATE RELEASES TEXT OF ANNUAL DEFENSE POLICY BILL

The Senate Armed Services Committee recently released its version of the National Defense Authorization Act (NDAA). All totaled, S. 4638 would authorize \$919.9 billion for national security spending in fiscal year 2025, which includes \$875 billion for the Defense Department and \$33.4 billion for nuclear programs within the Department of Energy. While the NDAA primarily focuses on matters pertaining to military servicemembers, it has been used in recent years to advance important veterans-related provisions. The only such provision currently in the bill is an extension for the







joint Department of Defense-VA medical facility demonstration fund.

The bill's next stop is the Senate floor. Lawmakers in that chamber have already proposed over 800 changes to the bill, including one to adopt the language of the Major Richard Star Act (S. 344). This PVA-endorsed legislation would allow more military retirees to retain their full military retired pay and VA disability compensation without any offsets. Other amendments filed include the language of the Justice for ALS Veterans Act (S. 1590) and one that would eliminate the cap that prevents VA from spending more than 65 percent of what it would cost for a veteran to be in a nursing home on home care services. The House approved its version of the bill in June.

#### **NEWS OF NOTE**

### Reeve Foundation Expands Initiative to Spread Awareness on Accessible Water-Based Activities

Earlier this summer, the Christopher and Dana Reeve Foundation announced the expansion of their Outdoors for Everyone initiative to include a focus on water accessibility. The Outdoors for Everyone initiative launched in 2023 with the goal of increasing accessibility of outdoor trails and parks to people with disabilities, specifically those living with or impacted by paralysis. The initiative's expansion includes a partnership with the National Park Service to add programs and resources to the Foundation's resource map. As part of the expansion, the Foundation has created a water accessibility checklist for outdoor and community organizations to use as a resource in ensuring people with disabilities can access and enjoy water-based activities. PVA's Wisconsin Chapter partnered with the Foundation on this effort to break down barriers to water accessibility.

# Additional Federal Funding Awarded to Improve Legacy Rail Station Accessibility

The All Stations Accessibility Program (ASAP) was

created under the Bipartisan Infrastructure Law to provide federal grants to upgrade the accessibility of legacy rail stations for people with disabilities. The funds may be used to repair, improve, modify, retrofit, or relocate infrastructure of passenger stations or facilities to increase accessibility. The program can award up to \$350 million a year between 2022 and 2026. In mid-June, the first ASAP groundbreaking took place at a SEPTA station in North Philadelphia, Pennsylvania. Other recipients of the ASAP funds include the Metropolitan Transportation Authority in New York City, the San Francisco Municipal Transportation Agency, and the Greater Cleveland Regional Transit Authority.

## **House Veterans' Affairs Committee Hearing Highlights**

On June 26, the Disability Assistance and Memorial Affairs Oversight Subcommittee for the House Veterans' Affairs Committee (HVAC) held an oversight hearing that examined questions and concerns with the VA National Work Queue for the veteran benefits claims management system (VBMS). Members of Congress expressed concerns with timelines for veteran claims decisions and pressed the VA on areas they believe need improvement, including reducing redundancies, keeping claims within the same regional office, and improving the timeliness of critical claims such as those for terminal diagnoses and those related to military sexual trauma (MST). You can watch the hearing here.

The following day, the HVAC Economic Opportunity Subcommittee held an oversight hearing that explored the use of data-driven methods and community collaboration to reduce veteran homelessness. Several members of Congress pushed the Deputy Undersecretary for Health for Clinical Services at VA to explain how data has helped the department decrease the number of homeless veterans. The Executive Director of the U.S. Interagency Council on Homelessness also testified to share how the federal government is working with various agencies, including the VA, to reduce the number of homeless veterans, while increasing services and supports for those still in need. The second panel was comprised of local organizations that support homeless veterans in their areas. You can watch the hearing here.



#### **UPCOMING WEBINARS & HEARINGS**

#### July 23 Webinar on Different Facets of Advocacy

Join us for our first in a series of webinars on the different facets of advocacy.

On July 23 at 3:00 PM ET our Government Relations team will be diving into administrative advocacy through the discussion of regulations. "Protecting Disability Rights through Regulation" will cover ways to use administrative advocacy when it comes to the federal rulemaking process and how groups and individuals can participate. The webinar will highlight how PVA has successfully used this process for disability rights advocacy. Register for the webinar here.

We look forward to seeing you there.

#### **Upcoming Veterans' Committee Activities**

Please visit the **House** and **Senate** Veterans' Affairs Committee webpages for information on upcoming hearings and markups.

