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Washington Update

Check out the <u>PVAction Force</u> page to view legislative campaigns and a list of key legislation.

HVAC HOLDS FULL COMMITTEE MARKUP

On July 23, the House Veterans' Affairs Committee (HVAC) held a markup session to discuss and approve 25 veteran-related bills for the full House of Representatives to vote on when they return in the fall. Earlier this year, PVA testified on some of the bills considered at this markup, including the Service Dogs Assisting Veterans Act (H.R. 2137). PVA supported this legislation, which requires the VA to establish a competitive grant program to fund nonprofit organizations that provide service dogs to veterans with a variety of disabilities, such as mobility or vision impairments or PTSD. The bill was amended slightly, prior to the committee's approval, to clarify eligible organizations.

HVAC also reviewed and approved the Veterans' Assuring Critical Care Expansions to Support Servicemembers (ACCESS) Act of 2025 (H.R. 740), which would establish existing community care access standards as the baseline for veterans seeking care in the community, increase access to life-saving treatment programs for veterans with mental health conditions or addiction, and expand the list of criteria VA is required to take into account when determining whether it is in a veteran's best medical interest to make a community care referral. We were disappointed that language addressing the access of Mental Health Residential Rehabilitation Treatment Programs (RRTP) was not

included in the bill they approved. This type of care is non-existent for veterans with spinal cord injuries and disorders within VA and the community and we have been advocating for greater access to it.

HVAC also approved the Veteran Caregiver Reeducation, Reemployment, and Retirement Act (H.R. 2148), which aims to support family caregivers of veterans by providing them with additional assistance as they transition out of caregiving roles. Provisions in the bill would provide former caregivers with bereavement counseling, funding to renew their professional certifications, and the ability to participate in employment assistance programs, like Military OneSource or the Department of Labor's, Veterans' Employment and Training Service. It also directs studies on the possibility of allowing caregivers to make contributions to Social Security and other types of existing retirement accounts, and the possibility of the VA incorporating former caregivers into the VA workforce as personal care attendants, enabling the VA to lessen staff shortages. Lastly, it gives caregivers who are not Medicare eligible the option to keep their CHAMPVA coverage for 180 days, if they need it.

A fourth bill, the Review Every Veterans Claim Act of 2025 (H.R. 2137), would limit the VA's authority to deny a veteran's claim solely based on the veteran's failure to appear for a medical examination associated with the claim. Thousands of veterans' claims for service



connection, claims for increase, and for other benefits, like Total Disability Individual Unemployability and Aid and Attendance, have been denied solely due to a missed examination. There are many legitimate reasons why a veteran may not be able to attend a scheduled exam. We are also aware of numerous instances where VA contractors erroneously record the veteran as a "no show." Passage of this legislation will ensure that a missed exam isn't the only basis for denying a veteran's claim.

You can see the full list of bills that were reported out of committee and watch a recording of the hearing here.

ECONOMIC OPPORTUNITY SUBCOMMITTEE HOLDS VR&E OVERSIGHT HEARING

On July 16, the House Veterans' Affairs, Economic Opportunity Subcommittee held another Veteran Readiness and Employment (VR&E) oversight hearing. Ms. Margarita Devlin, acting Principal Deputy Assistant Secretary for Benefits for the Veterans Benefits Administration (VBA), testified on behalf of the VR&E program. Ms. Devlin was the only hearing witness. Members of the subcommittee immediately noticed the absence of the VR&E director and pushed Ms. Devlin to explain his absence. She noted that as the second in charge at the VBA, and as the principle overseeing the VR&E program, she wanted to be the person to represent the program for the hearing.

The current wait times and the national VR&E counselor to veteran ratio were common topics discussed by subcommittee members. Current law states that the VR&E counselor to veteran ratio must be 1:125, a number that VA has struggled to maintain due to increased program enrollment because of the PACT Act. Currently, the national ratio is 1:175, which shows a dramatic need for additional VR&E counselors.

Another issue discussed was the need for program modernization and an updated client management system. The VR&E program has been working on an updated platform for the past few years which is currently in beta testing at several regional offices. Once

the roll out of the platform is complete it should greatly reduce the administrative burden that counselors currently experience.

You can watch the hearing <u>here</u>.

PROGRESS MADE TO EXPAND ACCESS FOR FERTILITY TREATMENTS FOR SERVICEMEMBERS THROUGH THE NDAA

Language expanding access to fertility treatments has been added to the base text of this year's National Defense Authorization Act (NDAA) for both the Senate and the House. This is the second year that both the House and the Senate NDAA included language expanding access to in vitro fertilization (IVF), however, the provisions were dropped from last year's final bill.

The provisions in this year's NDAA would authorize TRICARE to cover fertility treatments, including IVF, for active duty servicemembers. If passed, it would mean that servicemembers have the same coverage as members of Congress and federal civilian employees. Blue Star Families conducted a survey in 2021 that showed 67 percent of respondents reported challenges when trying to build a family, which is more than double the rate experienced by civilians. An estimated 25 percent of servicemembers struggle with fertility and advocates have been attempting to expand access to IVF for years.

In February, the President issued an Executive Order (EO) that sought to expand access to IVF for all Americans. Advocates are hopeful that the EO will help eliminate any opposition to the expansion included in the NDAA.

VA HOME LOAN LEGISLATION SIGNED INTO LAW

On July 30, President Trump signed a critical piece of legislation that will help veterans who are behind on their mortgages after the sunsetting of the VA Servicing Purchase (VASP) program earlier this year.

H.R. 1815, the VA Home Loan Program Reform Act, will allow VA to create a partial claims program as a step in







the loss mitigation "waterfall." Over the past few years, it has become apparent to advocates that the VA home loan lacked similar protections to those available in other federally-backed loan products for individuals who experienced financial hardships. This legislation modernizes the program and creates parity with other similarly backed loan products. Additionally, the bill increases the amount available for the VA's Grant and Per Diem program within the VA's homelessness prevention program for stakeholders who provide services to veterans experiencing homelessness.

GAO REPORT ON VA AND DOD SHARED SERVICES AGREEMENTS

The Government Accountability Office (GAO) has published a report highlighting the VA's and the Department of Defense's (DOD) shared services agreements. There are 185 sharing agreements between the two agencies which authorize some veterans to receive care at DOD facilities for services like surgery, orthopedics, and mental health. The agreements are intended to increase access to care for veterans while also creating cost savings for the federal government.

According to the report, VA and DOD have not evaluated the effectiveness of the established agreements, nor have they developed a system to identify new or expanded opportunities for eligible veterans. In addition, many veterans struggle to access DOD facilities due to inadequate training for staff maintaining security on DOD bases. GAO made five recommendations to improve the shared agreements, including for DOD and VA to finalize procedures and guidance, implement a process for evaluating the effectiveness of the agreements—such as through goals, performance measures, and data collection—and work to identify opportunities for new agreements.

You can read the report <u>here</u>.

U.S. Access Board Holds Town Hall in New Orleans

The U.S. Access Board held a board meeting in early July in New Orleans, Louisianna, where they heard directly

from residents and visitors about accessibility concerns faced by the disability community. Several concerns were raised by the residents of the "Big Easy," ranging from a lack of accessible transportation, inaccessible sidewalks that force people to use their wheelchairs in the streets, a lack of curb cuts, and a general lack of safety for the disabled community that calls the city home.

There were also several participants who traveled from across the country to urge the Access Board to update its 508 recommendations that can assist in a technologically connected world. Attendees argued that the regulations are out of date and out of touch with the current needs of people with disabilities.

The board meeting can be watched <u>here</u>.

News of Note

VA to Extend PCAFC Eligibility for "Legacy" Veterans, Caregivers

VA recently announced it would soon propose a rule extending Program of Comprehensive Assistance for Family Caregivers (PCAFC) eligibility for the program's legacy participants. In the simplest terms, legacy participants are Post-9/11 veterans and caregivers who were enrolled in PCAFC before it was expanded to veterans of other eras in 2020, and legacy applicants are veterans, servicemembers, and their family caregivers who applied for PCAFC before October 1, 2020, and were accepted into the program on or after that date. The new rule, which will extend PCAFC eligibility for these individuals through September 30, 2028, gives the department additional time to finalize an ongoing rulemaking process to refine the program. You can read VA's official announcement about the planned extension here.

House Passes Veterans Legislation

On July 21, the House passed two pieces of PVAsupported legislation. The Aviator Cancer Examination







Study (ACES) Act (S. 201), which seeks to lower military aviation cancer rates by directing the VA Secretary to study cancer incidences and mortality rates among aviators and aircrews who served in the Navy, Air Force, and Marine Corps, passed unanimously after being passed in the Senate last month. This bill now goes to the President for his signature. The second bill, the Veterans Employment Readiness Yield (VERY) Act (H.R. 2625), which would update outdated terminology by replacing the term "employment handicap" with "employment barrier," passed unanimously out of the House and now goes to the Senate for consideration.

VA Announces Plan to Reestablish Key Advisory Committee

VA recently signaled its intent to reestablish the Veterans' Family, Caregiver, and Survivor Advisory Committee. This extremely important committee advises the VA Secretary on all matters related to veterans' families, caregivers, and survivors. That includes the use of VA care and benefits services by veterans' families, caregivers, and survivors as well as recommending adjustments to them. The panel is typically comprised of members from various sectors, including family members, caregivers, survivors, veteran-focused organizations, military history and academic communities, and research experts. You can find the official announcement here.

DOL VETS Launches Online Toolkit to Improve Disabled Veterans' Rates of Employment

The Department of Labor's (DOL) Office of Disability Employment Policy (ODEP) has partnered with DOL's Office of Veterans' Employment and Training Service (DOL VETS) to create an online toolkit aimed at increasing awareness for workplace resources. The toolkit has focused modules for disabled veterans, employers, apprenticeship sponsors and trainers, and for participants in the state workforce system. This is the first time the agency has made workplace accommodation information for employees, employers,

and other stakeholders in the employment space available in one place.

You can explore the toolkit here.

U.S. Attorney's Office Enters Settlement with Nashville Hotel to Resolve Discrimination Allegations

On July 18, the U.S. Attorney's Office, Middle District of Tennessee announced that it had reached an agreement with Knights Inn Nashville to resolve allegations that the hotel violated the Americans with Disabilities Act (ADA). On August 15, 2024, an individual with a disability reserved a room at the hotel and noted her need for a service animal in the reservation. When the complainant's husband attempted to check in to the hotel, hotel staff argued with him about the service animal. The hotel staff then informed him that his family could not stay in the hotel with a service animal because it was against hotel policy. The complainant explained to the hotel staff that it is against federal and state law to deny them a room because of the service animal. It was not until after hotel staff had the complainant print her service animal's registration (which is not required under the ADA), did the hotel staff allow them to stay.

Under the settlement, Knights Inn Nashville will post a large sign in a conspicuous area of the hotel accessible by the public that reads, "Service Animals Welcome." Additionally, the owner of the hotel will establish and implement a written policy specifically addressing the provision of services to individuals with disabilities who require a service animal for all hotels that he owns, including the Knights Inn Nashville. The hotel must also provide ADA training to all hotel staff who will make guest reservations or have contact with guests.

COMMITTEE ACTIVITIES

Veterans' Committee Activities

Please visit the <u>House</u> and <u>Senate</u> Veterans' Affairs Committee webpages for information on previous and upcoming hearings and markups.



