



# Washington Update

Check out the [PVAction Force](#) page to view alerts and a list of key legislation.

## JUSTICE FOR ALS VETERANS ACT MARKED UP

On November 29, the House Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs marked up several pieces of legislation, including the Justice for ALS Veterans Act (H.R. 3790). This legislation would provide eligible survivors of veterans who died of service-connected ALS the additional monthly Dependency and Indemnity Compensation (DIC) benefit typically known as the DIC kicker. The next step is for the full committee to consider the legislation. To ask your member of Congress to support this legislation, please click [here](#).

## HVAC CHAIRMAN HONORED WITH MANSFIELD AWARD

On November 15, PVA National President Robert Thomas and Chief Executive Officer Carl Blake awarded the [2023 Gordon H. Mansfield Congressional Leadership Award](#) to House Veterans' Affairs Committee Chairman Mike Bost (R-IL). PVA established this award to recognize strong leadership and support of our legislative priorities in the areas of veterans' health care, benefits, and disability civil rights. Chairman Bost's support was instrumental in the passage of several pieces of legislation important to PVA members, like the Veterans Auto and Education Improvement Act of 2022, which provides additional automobile allowances to eligible veterans. He also played a key role in ending the requirement for disabled veterans to unnecessarily

reapply for VA clothing allowances year over year, thereby demonstrating his commitment to ensuring veterans get the benefits they earned.

## HISA BILL INTRODUCED IN THE SENATE

Senators Catherine Cortez Masto (D-NV) and John Boozman (R-AR) recently introduced legislation in the Senate that would help disabled veterans and their families make accessibility and safety improvements to their homes. S. 3290, the Autonomy for Disabled Veterans Act, seeks to establish a single grant rate of \$9,000 for VA's Home Improvements and Structural Alterations (HISA) grant program, and then tie that rate to the same index the department's other home modification programs use to calculate annual inflation-related increases. The new rate would be provided to future grant applicants, and be payable regardless of the disability status (service connected or not).

Currently, the lifetime HISA grant benefit is worth up to \$6,800 for veterans who need a housing modification due to a service-connected condition. Veterans who rate 50 percent service-connected may receive the same amount even if a modification is needed due to a non-service-connected disability. Veterans who are not service-connected but are enrolled in the VA health care system can receive up to \$2,000. These rates have not changed since Congress last adjusted them in 2010, even though the cost of home modifications has risen nearly 50 percent since that time. Years of inattention



have diminished the effectiveness of this program, and it is long past time to update grant rates to realistic levels. We appreciate the efforts of Senators Cortez Masto and Boozman to correct that by increasing grant rates and tying them to a formula, so they remain current for years to come.

### **VA RELEASES 2023 NATIONAL VETERAN SUICIDE PREVENTION ANNUAL REPORT**

The [2023 National Veteran Suicide Prevention Annual Report](#) has been released by the VA. The report provides suicide data among veterans and non-veteran U.S. adults. This year, the report includes the first full year of data that was impacted by the COVID-19 pandemic.

In 2021, 6,392 veterans died by suicide, which is an increase of 114 veterans above 2020. However, the report does highlight several areas of improvement. Suicide rates for men over the age of 75 fell by 8.1 percent and rates among men aged 18-34 fell by 1.9 percent. As with previous annual reports, veterans with recent engagement with the Veterans Health Administration and the Veterans Benefits Administration saw lower numbers of suicide.

There were several impacted groups in 2021 that the report calls out including women veterans, American Indian and Alaska Native veterans, homeless veterans and justice involved veterans. These populations all saw an increase of suicide rates in 2021.

The report also points out the need for a “whole-of-nation public health approach to veteran suicide prevention.” During 2021, suicide increased among the civilian population as well, likely due to the stress of the COVID-19 pandemic.

In response to the report, House Veterans’ Affairs Committee Chairman Mike Bost (R-IL) put out a [press release](#) where he said, “As a veteran myself, along with my fellow veterans on our Committee, I know that it is a top priority of ours to continue breaking down the stigma that surrounds mental health, and expand access to assistance that works for every single veteran. We need our veteran community to know that help is out there, and under my leadership we will continue to

explore new methods and initiatives to end this crisis and make a difference in the sad statistics we continue to see year after year. Whether you’re dealing with financial hardship, substance abuse, PTSD, or anything else, the resources are there to get back on track and there is absolutely no shame in asking for a helping hand to get there.”

You can read the Annual Report [here](#).

### **LEGISLATION INTRODUCED TO PROMOTE ACCESS TO MODERN ASSISTIVE DEVICES**

Advancements in technology can provide life-changing options for veterans with spinal cord injuries and disorders (SCI/D) and a small group of Representatives want to make sure VA properly evaluates those who are clinically eligible for modern assistive devices that promote independence and mobility. H.R. 6373, the Veterans Spinal Trauma Access to New Devices Act (Veterans STAND Act), which was introduced by Representative Jack Bergman (R-MI) and three other members, codifies the requirement that VA offer SCI/D veterans an annual assessment focused on their spinal health. It then takes steps to improve this program by requiring the department to actively conduct outreach to SCI/D veterans on the benefits of having such an annual evaluation and ensuring that consideration of assistive technologies, like personal exoskeleton devices, are part of these assessments. The Veterans STAND Act also directs VA to consult with assistance device experts when developing or changing relevant guidance, and requires biennial reports to Congress on the extent to which veterans are being prescribed and are using personal exoskeletons issued by the VA. The bill does not alter the Veterans Health Administration’s current guidelines on how veterans are assessed for assistive devices, but it helps ensure SCI/D veterans are given the opportunity to be legitimately evaluated for these life-changing technologies.

### **HVAC SUBCOMMITTEE HOLDS HEARING ON APPEALS**

On November 29, the House Veterans’ Affairs (HVAC), Subcommittee on Disability Assistance and Memorial Affairs held a hearing titled, “Appeals: Ensuring High Quality Decision-Making for Veterans’ Claims on

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Appeal.” This oversight hearing focused on the appeals process at the Board of Veterans’ Appeals (BVA), with attention on areas such as quality assurance, improved metrics and outcomes, as well as decreasing the time an appeal takes to be appropriately adjudicated.

Many of the witnesses stressed the need to recognize the distinction between the legacy program and appeals under the Appeals Modernization Act (AMA). The AMA was passed in 2017, effectively changing the appeals process and debate exists if it has been implemented as Congress intended. Several concerns raised by Congress and the witnesses were issues that PVA has previously addressed with HVAC, such as unnecessary exams being ordered, too many remands, and a lack of transparency for veterans awaiting the appeals process.

The Government Accountability Office (GAO) testified and reiterated several recommendations to improve the appeals process within the BVA. GAO stressed the BVA should establish policies and procedures to gauge its accuracy rate, monitor how veteran law judges incorporate feedback received in the review process, develop and implement evidence-based decision-making processes that address the underlying causes for the most common errors found, and that the Chairman of the BVA should study how to evaluate veteran law judges’ consistency in adjudicating decisions.

You can watch the hearing [here](#).

### **HVAC HOLDS HEARING ON VA’S EHRM**

On November 15, the House Veterans’ Affairs Subcommittee on Technology Modernization Oversight held a hearing titled, “Electronic Health Record Modernization [EHRM] Deep Dive: System Uptime.” The hearing was a “deep dive” into ongoing challenges for users of VA’s new electronic health record (EHR) and how they are being addressed. Subcommittee Chairman Matt Rosendale (R-MT) expressed disappointment in VA’s EHR performance, including outages and usability. Ranking Member Sheila Cherfilus-McCormick (D-FL) said she was disappointed Oracle Health did not have a representative at the hearing, after the witness scheduled to appear had to cancel.

Lawmakers turned to Kurt DelBene, Assistant VA Secretary for Information and Technology, and Laura Prietula, the VA’s Deputy Chief Information Officer overseeing the EHRM integration office, for answers. DelBene said the VA is working to hold Oracle Health more accountable for system reliability. The VA increased financial consequences under contract re-negotiations in May 2023 related to technical performance and the end-user experience. DelBene said the VA has seen improvements as a result but noted that there are still areas of significant concern: incident-free time, not hitting standards, and end user responsiveness. With the activities and improvements that are now underway, VA leaders are optimistic about the eventual success of the current program reset, the deployment at the Lovell Federal Health Care Center in March 2024, and the future full implementation of the EHR throughout VA.

You can watch the hearing [here](#).

### **PVA MEETS WITH DOJ TO DISCUSS ADA ISSUES**

PVA, along with other disability advocates, recently met with the Department of Justice (DOJ), Civil Rights Division to discuss pressing issues for the disability community. The Civil Rights Division investigates, enforces, and issues regulations for the Americans with Disabilities Act (ADA). Numerous topics were addressed during the meeting. PVA urged DOJ to issue standards for medical equipment and moveable furniture, including hotel beds. PVA also highlighted the need for transparency and recommended DOJ release public reports with the number of ADA complaints filed, the number of complaints DOJ investigated, and how the complaints were resolved.

### **NEWS OF NOTE**

#### **FTA Requests Public Input on Research Goals**

The Federal Transit Administration (FTA) is gathering public input for research goals and innovation for the next five years through the [Exploring the Future of Public Transportation Research: A National Online Dialogue](#). The virtual conversation aims to focus policies

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and practices to make public transit safer, cleaner, and greener and more resilient, inclusive, and equitable, including for people with disabilities. Members of the public can submit ideas, comment, and vote on ideas submitted by others. [Online](#) input will be accepted through January 5, 2024.

### **NIH Recognizes People with Disabilities as a Health Disparity Population**

On September 26, the National Institutes of Health [designated](#) people with disabilities as a health disparity population. A health disparity designation will help encourage research specific to the health issues and unmet health needs of people with disabilities.

### **DOJ Sues Colorado for ADA Violations in Nursing Facilities**

The U.S. Department of Justice (DOJ) recently [sued](#) the state of Colorado for unnecessarily segregating adults with physical disabilities in nursing facilities. A DOJ [March 2022](#) letter of findings outlined violations under the Americans with Disabilities Act (ADA) and recommended reasonable modifications to the state's long-term care system. The [complaint](#) alleges Colorado violates the ADA by discriminating against people with physical disabilities through unnecessary segregation and failing to provide services in the most integrated setting.

## **WEBINARS & HEARINGS**

### **PVA Hosting Webinar on Adaptive Housing Resources**

On December 14 at 3 p.m. ET, PVA Government Relations is hosting a webinar on adaptive housing. Joining the Government Relations team will be the Architecture Department, with special guests from the VA and Habitat for Humanity.

VA will provide an overview of their various housing grant programs and eligibility criteria. Habitat for Humanity will share information on their veteran's program and how they're able to help veterans secure stable and appropriate housing.

In order to join the webinar, you will need to [register](#). The webinar will be recorded for those unable to attend.

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

Please visit the [House](#) and [Senate](#) Veterans' Affairs Committee webpages for information on upcoming hearings and markups.

