



Paralyzed Veterans  
of America

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# Washington

## UPDATE

*Recent news regarding legislation and regulatory actions affecting veterans and people with disabilities.*

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**\*\*\*PRIORITY\*\*\***

**The Government Relations staff is still looking for stories about problems that our members have experienced during air travel. Please visit [www.AirAccess30.org](http://www.AirAccess30.org) and share your story.**

### **PVA Holds Annual Advocacy and Legislation Seminar**

From February 29-March 3, the Government Relations Department conducted its annual Advocacy and Legislation Seminar. We had nearly 100 total attendees with one of the biggest participation rates we ever had. It also included quite a few new attendees as well.

The Seminar included a two-day training session that focused on the wide variety of issues being addressed by the National Advocacy and Legislative Programs. The Advocacy staff focused heavily on air travel and the Air Carrier Access Act, as well as Complex Rehabilitation Technology and voting. The Legislative staff focused on protection of specialized services and the need for reinstatement of the mandated capacity report, as well as procreative services, expansion of the VA Caregiver Program, and potential reform of the delivery of veterans' health care. One of the major highlights of the week was the presentation of Fred Downs, PVA Prosthetics Consultant, on his military service in Vietnam and his subsequent 38 years of service in the VA's Prosthetics Service.

The week concluded with the annual testimony of President Kovach and the Congressional Reception on Capitol Hill. House VA Committee Chairman Jeff Miller (R-FL) was presented with the 2016 Gordon H. Mansfield Congressional Leadership Award during the reception. Planning and changes to presentations for next year's seminar are already under way.

### **Senate VA Committee Considers Choice Program Legislation**

On March 15, 2016, the Senate Committee on Veterans' Affairs conducted a legislative hearing to examine four bills that could lead to permanent changes to the delivery of health care from the Department of Veterans Affairs (VA), as well as improve claims processing at the appeals level. The Committee considered S. 2633, the "Improving Veterans Access to Care in the Community Act," and S. 2646, the "Veterans Choice



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Improvement Act of 2015,” as well as S. 2473, the “Express Appeals Act of 2016” and a draft bill that would make revisions to personnel policy for the Senior Executive Service at VA. PVA submitted a statement for the record on the proposed bills.

The most significant bills considered were S. 2633 and S. 2646. Both bills offer a vision of how VA will deliver care in the community going forward. While PVA generally supported many of the provisions of S. 2633, we expressed significant concerns about S. 2646. That bill would essentially make the current Choice Program permanent. Despite our reservations, it was disclosed by Committee Chairman Johnny Isakson (R-GA) at the beginning of the hearing that Senator Jon Tester (D-MT) and Senator Richard Burr (R-NC), the sponsors of the competing bills, have reached a compromise that combines elements of both bills. The language of the compromise bill has not been released yet, but we will provide a detailed update as soon as that information becomes available.

PVA also offered strong support for S. 2473, the “Express Appeals Act.” This legislation closely mirrors legislation that was recently approved in the House of Representatives—H.R. 677 (that includes H.R. 800)—that contains the same proposal. This legislation would expedite the appeals process at the Board of Veterans Appeals alleviating the pressure that comes from claims appeals that languish for several years. PVA worked with our partners in the veterans’ service organization community as well as with Congressional staff and the VA to develop the provisions of S. 2473.

To read PVA’s full written statement submitted for the Senate VA Committee hearing, please visit [www.pva.org](http://www.pva.org).

### **Senate VA Committee Reviews FY 2017 VA Budget Request**

On February 23, 2016, the Senate Committee on Veterans’ Affairs conducted a hearing to review the FY 2017 Budget Request for the Department of Veterans Affairs (VA). PVA Associate Executive Director of Government Relations Carl Blake testified along with our partners in *The Independent Budget*—DAV and VFW.

The IB co-authors believe that the FY 2017 VA budget request is generally a good one. The Administration’s overall funding request closely mirrors the overall recommendations of the IB when taking into account the nearly \$5.7 billion in Choice Act funds that they project to spend in FY 2017. However, we expressed serious concerns about the suddenly massive growth in expenditures in community care spending in FY 2017 totaling \$12.2 billion. While we understand the need for leveraging community care to expand access to health care for many veterans, as discussed in *The Independent Budget* framework, we are troubled by the virtually uncontrolled growth in this area of VA health care spending projected going forward. PVA emphasized that although Congress and the Administration seem to be overly focused



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on pushing more care into the community, it is imperative that critical resources be devoted to expanding capacity and increasing staff within the existing health care system, particularly for specialized services such as spinal cord injury or disease, and not simply punt this responsibility into the private sector.

PVA also pointed out serious concerns with the FY 2017 advance appropriations, enacted last December in the “FY 2016 Consolidated and Further Continuing Appropriations Act.” We believe that funding level is insufficient to meet the full demand for services veterans are placing on the system. For FY 2017, the *IB* recommends \$72.8 billion for total Medical Care; however, Congress only approved \$66.6 billion for total Medical Care. While the VA proposed a significant and necessary revision to its projected funding needs for FY 2017, there is no guarantee that Congress will act on these revisions. Failure to address these new funding needs could lead to yet another serious funding shortfall.

We are also astounded by the obviously insufficient recommendations for the FY 2018 advance appropriations. In fact, the VA even admitted that its recommendation is not likely sufficient. The Administration’s advance appropriation request for Medical Services in FY 2018, \$54.3 billion, is woefully inadequate to meet continually growing demand for VA health care services. This even includes a \$3.0 billion reduction in community care spending from FY 2017. The Administration appears to have ignored its responsibility to properly address the funding question for VA medical care in FY 2018, and appears poised to pass it on to a new Administration following this fall’s election. This is an unacceptable proposition.

To read PVA’s full written statement, please visit [www.pva.org](http://www.pva.org).

### **Air Carrier Access Act Legislative Work Advancing**

National Advocacy staff are currently negotiating with key offices in the Senate to advance legislation to amend the Air Carrier Access Act (ACAA). Meanwhile, the Federal Aviation Administration (FAA) Reauthorization includes several provisions that PVA and our partners in the disability community are advocating for. The draft FAA Reauthorization does not currently include our calls for a private right of action as this is the toughest issue to address from a political perspective. While we do not view this as the optimal way forward, we are working with staff to amend the language as much as possible to help us advance the effort. We are also very close to finalizing complete legislative language for a standalone ACAA amendments bill. We are reaching out to targeted offices at this time to introduce that bill.

Similarly, we continue to take in stories on our website—[www.AirAccess30.org](http://www.AirAccess30.org). In the first month, we had nearly 2,000 individual visits to the site. We are also working with the Sports Department to include information about the website for attendees to the

National Veterans Wheelchair Games this summer as well as with the Meetings Department to include the website on all travel surveys going forward.

### **DOT Conducting Focus Groups on Air Travel for People with Disabilities**

On March 8, 2015, the Department of Transportation held a focus group to discuss the transport of wheelchairs and other mobility aids on aircraft. PVA Senior Associate Advocacy Director Lee Page participated in this focus group. This is one of four focus groups that DOT will be conducting to generate interactive and visual training modules for airline and airport employees and contractors. Additional companion pieces will also be developed for aviation related services and passengers with disabilities. The focus groups include an equal number of stakeholders from the disability and airline communities. When appropriate, airport operators will also be included in the discussions. A focus group on guide assistance was held in December 2015. The remaining focus groups will be held later this year. These include service animals (April 2016) and aircraft seating accommodations (May 2016). We hope that the last focus group will offer an opportunity to discuss the bulkhead seating issue.

