May 28, 2024

Dear Representative,

We, the undersigned unions representing hundreds of thousands of VA employees as well as millions of veterans, many of whom receive care at the VA, stand united in our opposition to H.R. 8371, the “Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act” as currently drafted. We urge Congress to strike provisions from the bill that will force further VA privatization prior to further action on the bill. The legislation includes new benefits and improved processes at VA to better serve veterans, which we support, but contains other provisions that immediately undermine those new benefits and improved processes while harming the VA workforce. Without action to remove egregious privatization measures, we are opposed to passage of the legislation.

The VA recently convened a bipartisan “Red Team” of eminent healthcare experts to look at the impact of community care on the agency’s future viability. The Red Team found that the spiraling cost of referrals to private care “may now threaten funding needed to support VA’s direct care system.” Red Team members unanimously agreed that “VA urgently needs to take action to control community care utilization and spending if the direct care system is to continue to be available to serve the diverse, specialized, and often highly complicated health care needs of enrolled Veterans.” The Red Team also found that the quality of care provided by private care “is often no more timely or otherwise accessible nor of superior quality to the care offered by the VA. In many instances community care has been shown to be of lower quality than VA care.”

Clearly, further privatization of the VA threatens its ability to continue to provide effective healthcare for veterans. We therefore urge Congress to remove Section 101, which would undermine VA’s ability to ensure that referrals to private care are appropriate, by preventing any VA review of individual clinician decisions. This provision directly weakens VA’s ability to coordinate care. Furthermore, no healthcare network can afford to cover any services outside its network that its members desire while simultaneously meeting obligations to directly provide services on-demand for all its members. All viable healthcare networks need to be able to reasonably regulate outside referrals to effectively coordinate care, avoid unnecessary or ineffective treatments, and manage costs.

Congress should also remove or amend Section 105, which would require the VA to screen and place high-priority patients into mental health rehabilitation programs within 96 hours. While we support the goal of improving access to residential rehabilitation treatment programs for high-risk veterans, this requirement imposes an unrealistic timetable and workload on limited VA staff, without any additional funding - funding which is greatly needed. This section should either be removed entirely or amended to provide full funding for the VA staff needed to perform the comprehensive reviews. The provision should also require that private residential rehabilitation treatment programs meet the same credentialing and quality assurance standards as VA programs.

Further underscoring how costly these two measures are, the bill sponsors needed to apply a two-year sunset provision to both 101 and 105 to nominally reduce the bill’s eye-opening budgetary
score. With or without the sunset provisions, these proposals will further deplete the VA’s coffers at a time when it is already shedding 10,000 positions ostensibly due to a lack of funding. We urge Congress to remove provisions from the veterans’ package that threaten the viability of the VA. We reiterate that without this action, we are opposed to passage of the legislation.

Sincerely,

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
American Federation of Government Employees (AFGE)
American Federation of State, County, and Municipal Employees (AFSCME)
Antilles Consolidated Education Association (ACEA)
Association of Flight Attendants-CWA (AFA)
Department for Professional Employees, AFL-CIO (DPE)
Federal Education Association (FEA)
International Plate Printers, Die Stampers, Plate Makers & Engravers of North America
Laborers' International Union of North America (LIUNA)
National Association of Agriculture Employees (NAAE)
National Association of Government Employees, SEIU (NAGE)
National Education Association (NEA)
National Federation of Federal Employees (NFFE)
National Weather Service Employees Organization (NWSEO)
Patent Office Professional Association (POPA)
UNITE HERE
Union Veterans Council (UVC)
Service Employees International Union (SEIU)