



HOUSE COMMITTEE ON  
**VETERANS' AFFAIRS**  
*Chairman Phil Roe, M.D.*



# Memorial Day 2018 Resource Guide

Dear Colleague:

On Monday, May 28, our nation will pay tribute to the brave men and women who have made the ultimate sacrifice to protect the freedoms we hold dear. Our soldiers, sailors, airmen and Marines serve faithfully, and have earned access to the very best resources available - both during active duty and when they return to civilian life.

This Memorial Day, as we honor the men and women who have made the ultimate sacrifice in defense of our nation, we are reminded there is much work to be done on behalf of all our heroes, particularly veterans. As chairman of the House Committee on Veterans' Affairs, I am dedicated to ensuring our nation's veterans are treated with the care and respect they've earned.

Over the last several months, Congress has worked in a bicameral, bipartisan way to change the way the Department of Veterans Affairs (VA) serves veterans. Great strides are being made toward reforming the department, especially when it comes to veterans and their health care. The VA MISSION Act is a great example of this. This legislation is made up of five key components: 1) it will streamline VA's seven community care programs into one cohesive program, removing the arbitrary eligibility criteria developed under the VA Choice Program; 2) it will fund the Choice Program for one year while Congress implements the new program created under the VA MISSION Act; 3) it will expand VA's Caregiver Program to veterans of all eras and their caregivers; 4) it includes a number of provisions that would strengthen VA's internal capacity to provide timely, quality care at VA facilities by improving and expanding VA's ability to train, recruit and retain the very best providers; 5) and it creates a non-partisan process for reviewing the department's assets to ensure veterans are receiving the care they need where they need it.

Additionally, just last week the House of Representatives passed 14 pieces of legislation, including bills to increase accountability at VA, provide a cost-of-living adjustment to disabled veterans and ensure our nation's heroes are receiving the care and resources they have earned. Each of these bills will continue our mission to reform and modernize the VA system.

Since becoming chairman, I've sat down with many of you, both members on and off the committee, and I thank you for your dedication to veterans. It was a true privilege to host the committee's first-ever Member Day on May 16, 2018, and I was glad to see more than 50 members participate. Again, I thank you for your dedication to our nation's veterans. My door is always open to you if there's ever any way I can assist you or your constituents.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil", written in a cursive style.

Phil Roe, M.D.

Chairman, House Committee on Veterans' Affairs

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*\*The bills listed are bills that passed the House of Representatives between January 1, 2018 to May 22, 2018. For a complete list of bills considered by the House Committee on Veterans' Affairs, please visit [congress.gov](http://congress.gov).*

## The VA MISSION Act

### Community Care Improvement

- Consolidates 7 duplicative programs into 1 cohesive program
- Removes the current 30-day, 40-mile barriers in the Choice Program to expand veteran choice and access to timely, quality care
- Returns all VA healthcare funding to the discretionary budget
  - **Note:** the Choice Program is currently a mandatory account

### Choice Funding Shortfall

- Prevents expiration of the Choice Program and a potential renewed access crisis in early June, when VA predicts the Choice account will be depleted
  - **Note:** The Choice Program is authorized to continue until all funding is utilized; the Program will sunset when the account runs out of funding
- Allows for a one-year funding bridge to the implementation of a consolidated, improved community care program, ensuring veterans have continuity of care while the new program is implemented

### Asset and Infrastructure Review (AIR)

- Creates a fair and transparent process for a comprehensive audit of VA's assets that is insulated from politics
- Transforms VA from a reliance on outdated and inefficient facilities to a more modern infrastructure based on current and future medical models
- Recommended by bipartisan Commission on Care and only foreseeable path to long-term VA systemic reform and efficient utilization of resources

### Caregiver Expansion

- Creates equity between seriously injured pre-9/11 and post-9/11 veterans by allowing pre-9/11 caregivers to receive a monthly stipend and other support (including CHAMPVA coverage if needed)
- Top priority for veterans service organizations

### Capacity Enhancement

- Contains numerous provisions that would expand VA's internal capacity to care for veterans in VA medical facilities by improving recruitment and retention programs

### KEY TAKEAWAYS

- Bipartisan compromise agreement with major short-term and long-term reforms
- Continues Congress' investment in VA long-term strength and success
- Reforms VA and allows for greater veteran choice but does **NOT** privatize

**Supported by: all major veterans service organizations**

## **Increasing Access to Care**

### **H.R. 5674: The Department of Veterans Affairs Maintaining Internal Systems and Strengthening Integrated Outside Networks “MISSION” Act**

The VA MISSION Act would streamline the department’s duplicative community care programs into one cohesive program; create a non-partisan process for reviewing VA’s assets to ensure veterans can access the care they have earned and expand the Department of Veterans Affairs’ Post-9/11 Caregiver Program to all eras. Click [here](#) for more information.

Passed the House on May 16, 2018 & passed the Senate on May 23, 2018

### **HR 4334: The Improving Oversight of Women Veterans’ Care Act of 2017**

The Improving Oversight of Women Veterans’ Care Act of 2017, introduced by Rep. Luis Correa, would require VA to submit an annual report to Congress on access to gender-specific services (defined as mammograms, maternity care, and gynecological care) for women veterans under community care networks. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 3832: The Veterans Opioid Abuse Prevention Act**

The Veterans Opioid Abuse Prevention Act, introduced by Rep. Neal Dunn, would require VA to enter into an agreement with the executive director of national network of state-based prescription monitoring programs to allow VA to monitor drug prescriptions written in those participating states. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 3642: Military Sexual Assault Victims Empowerment (SAVE) Act**

The Military SAVE Act, introduced by Rep. Andy Barr, would require VA to carry out a three-year pilot program to furnish care at community facilities to veterans who have experienced military sexual trauma. Click [here](#) for more information.

Passed the House on May 21, 2018

**S. 324: The State Veterans Home Adult Day Health Care Improvement Act of 2017**

S. 324 is similar to H.R. 1005 – Rep. Zeldin’s bill that passed the House on a voice vote on May 23, 2017 – and would direct VA to enter into an agreement or a contract with state veterans homes to pay for medical supervision model adult day health care for a veteran eligible for, but not receiving, nursing home care. Click [here](#) for more information.

Signed by President Trump

## **Improving VA and Holding Employees Accountable**

### **H.R. 5418: The Veterans Affairs Medical-Surgical Purchasing Stabilization Act**

The Veterans Affairs Medical-Surgical Purchasing Stabilization Act, introduced by O&I Chairman Jack Bergman, directs VA to correct the problems with their medical-surgical formulary using input from medical professionals with relevant expertise rather than administrative staff. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 5215: The Veterans Affairs Purchase Card Misuse Mitigation Act**

The Veterans Affairs Purchase Card Misuse Mitigation Act, introduced by O&I Chairman Jack Bergman, would mitigate the potential for misuse of purchase card spending by requiring the VA Secretary to revoke the purchase card from any employee who is found to have knowingly misused their card or approval authority. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 4245: The Veterans' Electronic Health Record Modernization Oversight Act**

The Veterans' Electronic Health Record Modernization Oversight Act of 2017, introduced by Chairman Roe, Ranking Member Walz, and O&I Chairman Jack Bergman and Ranking Member Annie Kuster would direct VA to provide Congress with the project's key planning and implementation documents, in addition to copies of the contracts, to indicate the effort's progress and how the money is being spent. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 1972: The VA Billing Accountability Act**

The VA billing Accountability Act, introduced by Rep. Lloyd Smucker, would authorize VA to waive the requirement that a veteran make copayments for medications, hospital care, nursing home care and medical services if a VA error delayed copayment notification to the veteran or the veteran received such notification later than 120 days after the date the veteran received the care or services. Click [here](#) for more information.

Passed the House on May 21, 2018

## **Providing Veterans with Certainty They Deserve & Benefits They've Earned**

### **H.R. 4958: The Veterans Compensation Cost-of-Living Adjustment Act of 2018**

The Veterans Compensation Cost-of-Living Adjustment Act of 2018, introduced by Disability Assistance and Memorial Affairs Subcommittee Chairman Mike Bost, would increase the rates of compensation for veterans with service-connected disabilities as well as the rates of dependency and indemnity compensation for the survivors of certain disabled veterans as of December 1, 2018. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 4910: The Veterans Cemetery Benefit Correction Act**

The Veterans Cemetery Benefit Correction Act, introduced by Rep. Austin Scott, would require the federal government to provide an outer burial receptacle for each new grave of eligible veterans and family members interred in a veterans cemetery under the control of the National Park Service. Click [here](#) for more information.

Passed the House on May 7, 2018

### **H.R. 4335: Servicemember Family Burial Act**

The Servicemember Family Burial Act, introduced by Rep. Luis Correa, would allow the spouses and eligible dependents of active-duty servicemembers who predecease the servicemember to be interred in a national cemetery. Click [here](#) for more information.

Passed the House on May 7, 2018

### **H.R. 3656: To establish a consistent applicability date for provision of memorial headstones and markers for eligible non-veteran individuals**

H.R. 3656, introduced by Rep. Jim Banks, would provide a headstone or marker for all eligible non-veterans who die on or after November 11, 1998. Click [here](#) for more information.

Signed by President Trump



### **H.R. 3122: Veterans Care Financial Protection Act of 2017**

The Veterans Care Financial Protection Act of 2017, introduced by Rep. Matt Cartwright, directs VA to work with federal agencies and states to develop and implement standards that protect individuals who are eligible for this increased pension from dishonest, predatory or otherwise unlawful practices. Click [here](#) for more information.

Signed by President Trump

### **H.R. 1725: The Quicker Veterans Benefits Delivery Act of 2017**

The Quicker Veterans Benefits Delivery Act of 2017, introduced by Ranking Member Walz, as amended, seeks to reduce the number of unnecessary disability examinations by requiring additional information be provided to Congress regarding VA's use of private medical evidence in support of claims for disability compensation. Click [here](#) for more information.

Signed by President Trump

## **Expanding Employment Opportunities for Veterans**

### **H.R. 5044: The Service-Disabled Veterans Small Business Continuation Act**

The Service-Disabled Veterans Small Business Continuation Act, introduced by Rep. Steve Chabot, addresses conflicting language in prior laws to ensure that surviving spouses of less than 100% service-disabled veteran small business owners can retain their priority for three years following the servicemember's death, protecting widows and widowers from potentially catastrophic disruptions to their businesses during one of the most difficult times in their lives. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 4830: The Servicemembers Improved Transition through Reforms for Ensuring Progress (SIT-REP) Act**

The SIT-REP Act, introduced by Rep. Gus Bilirakis, would require that in order to remain eligible for GI Bill benefits, a school must adopt a policy that prohibits the school from penalizing students for late payments from VA. Click [here](#) for more information.

Passed the House on May 21, 2018

### **H.R. 4451: The Homeless Veterans' Reintegration Programs Reauthorization Act**

The Homeless Veterans' Reintegration Program Improvement Act, introduced by former Health Chairman Brad Wenstrup, would clarify that eligible veterans who are homeless and participating in the HUD-VASH voucher program, those who are transitioning from being incarcerated, and other eligible homeless or recently homeless veterans are still eligible for training services under services HVRP. Click [here](#) for more information.

Passed the House on May 21, 2018

## Looking Ahead

### **VA MISSION Act Implementation**

#### Implementation of the Care in Community program

While we have given VA a year to implement, it will require a focused effort on their part – and stringent oversight on our part, to make sure we get this right.

VA will be required to update committees on the progress in: promulgating regulations; establishing access standards; consulting with federal and other healthcare entities to establish measurable quality standards; creating and executing training programs; and establishing, modifying, or terminating contracts, agreements, MOUs, and other arrangements as they relate to community care.

Additionally, the CHOICE program must continue to function effectively for the interim period. VA is currently soliciting for network administrators in four regions. Any transition must be transparent to veterans and not negatively affect a veteran's ability to access care. Additionally, community providers must be paid for care and services required, this is not the time to alienate willing providers who cannot continue to partner with the VA simply because they are not being paid.

#### Implementation of the Asset and Infrastructure Review (AIR)

Much like the Care in the Community implementation, AIR will require a significant amount of preparatory work on the part of the VA as well as the committee. The committee will continue to review VA's construction prioritization processes, and will be closing watching the development of the various market assessments. The Secretary's recommendations for action and the Commission's work will be highly dependent upon robust and, most importantly, accurate data, not just from within the VA but also from around the communities that depend upon and support VA.

#### Expansion of the Caregiver Program

The committee remains concerned about the department's ability to effectively manage a full expansion of the Caregiver support program in its current form. In addition to closely monitoring the implementation of the Information Technology system, once that system is in place the committee will be utilizing the data to conduct oversight and as necessary look to improve the management, care coordination and support services that make up the program.

#### Implementation of Initiatives to improve VA Internal Capacity

The committee will continue its oversight of programs that enhance the ability of VA to recruit and retain quality providers. The provision of care in rural areas and in communities that are underserved, either due to under resourcing by VA or by a dearth of medical providers, will remain an oversight priority for the committee.

## **Oversight**

Exposing the issues within VA is a critical part to wholesale reform. As such, the House Committee on Veterans' Affairs will continue stringent oversight and conduct thorough investigations. If you'd like to share an issue in your district with the committee, please don't hesitate to contact the Oversight and Investigations Subcommittee at 202-225-3527. If a constituent reaches out to report an issue, you can have them email the committee [here](#).

## **Accountability**

On February 28, 2017, Chairman Phil Roe, M.D. introduced the VA Accountability First Act of 2017. The House passed this legislation on March 16, 2017. On May 11, 2017, following bipartisan and bicameral negotiations between Chairman Roe, Ranking Member Walz, Senators Rubio, Isakson and Tester, the Senate introduced the "Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017." On June 23, 2017, President Trump signed the bill into law.

The bill provides the VA Secretary increased flexibility to remove, demote, or suspend any VA employee, including Senior Executive Service employees, for performance or misconduct. It also provides improved protections for whistleblowers; allows the Secretary to reduce an employee's federal pension if they are convicted of a felony that influenced their job at VA; recoup a bonus provided to an employee who engaged in misconduct or poor performance prior to receiving the bonus; and allows the Secretary to recoup any relocation expenses that were authorized for a VA employee only through the employee's ill-gotten means, such as fraud, waste or malfeasance. Prior to passage of this bill, a study completed by the U.S. Government Accountability Office found that, on average, it takes six months to a year to remove a permanent civil servant in the Federal Government, though it often takes longer.

Since passage, the committee has continuously worked with the administration to ensure proper enactment of the law and the Committee plans to conduct an oversight hearing into the department's implementation this summer, one year after the "Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017" was signed into law. You can read more about the committee's work to get the accountability bill to President Trump's desk at [veterans.house.gov/accountability](http://veterans.house.gov/accountability).

## **IT & EHR Transition**

On February 7, 2017, the committee held a hearing entitled "Assessing the VA IT Landscape: Progress and Challenges" laying the groundwork for a decision from VA whether to replace or modernize its VistA electronic health record (EHR) platform.

On June 1, 2017, VA announced its decision to select the Cerner EHR, the system currently being implemented by the Department of Defense (DoD), on a noncompetitive basis. A series of delays and reevaluations ensued, until the Cerner contract was awarded on May 17, 2018.

The EHR Modernization is one of the largest IT projects in the federal government's history, estimated at \$15.8 billion over 10 years. The committee has been following VA's preparations and DoD's progress closely over the past year and signaled the seriousness of its oversight activities with H.R. 4245, the Veterans' Electronic Health Record Modernization Oversight Act, which passed the House on May 21, 2018.

The EHR Modernization is risky and challenging but poses unprecedented opportunities to achieve a seamless, lifetime health record and streamline VA's complicated, inefficient IT operations.

## **Appeals Reform**

Unfortunately, VA's current appeals process is broken. In the last few years, the volume of outstanding appeals at VA has risen significantly. In January 2015, there were approximately 375,000 pending appeals at VA. This number increased to approximately 471,000 as of March 1, 2018—a 20% increase in little more than three years. Furthermore, veterans currently wait on average three years for their appeal to be resolved at the regional office level. Veterans who file an appeal with the Board frequently wait an additional five years for a final decision.

On August 23, 2017, President Trump signed the Veterans Appeals Improvement and Modernization Act of 2017 into law. The new law gives veterans more options to choose how to have their appeal processed. Specifically, once the new process is implemented, veterans can pick from the following:

- Immediately transfer jurisdiction of the appeal to the Board of Veterans' Appeals;
- Keep the appeal at the regional office and waive the ability to have a hearing and the ability to submit additional evidence; or,
- Keep the appeal at the regional office and submit additional evidence and have a hearing.

Although the law is scheduled to go into effect in February 2019, veterans who currently have a pending appeal may take advantage of the new law by participating in the Rapid Appeals Modernization Program (RAMP). Under RAMP, the veteran may choose to waive a hearing and the ability to submit additional evidence, or submit additional evidence and have a hearing. VA's goal is for these veterans to receive a decision on their appeal within 120 days. The Board of Veterans' Appeals also recently implemented an expedited process, and will begin handling RAMP appeals in October. For more information, click [here](#).

## **Blue Water Navy Vietnam Veterans**

In 1991, Congress passed the Agent Orange Act (P.L. 102-4), which established the presumption of service-connection for certain diseases associated with exposure to herbicides for veterans who served in the Republic of Vietnam between January 9, 1962, and May 7, 1975. The establishment of this presumption simplifies the disability claims process for veterans who may have developed conditions linked with exposure to toxic chemicals. This presumption is

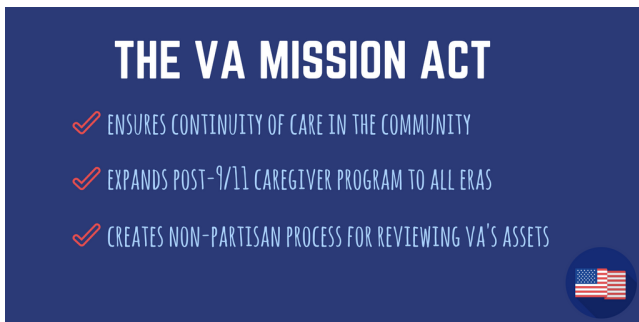
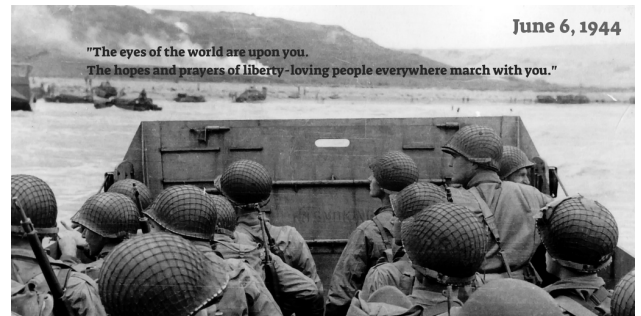
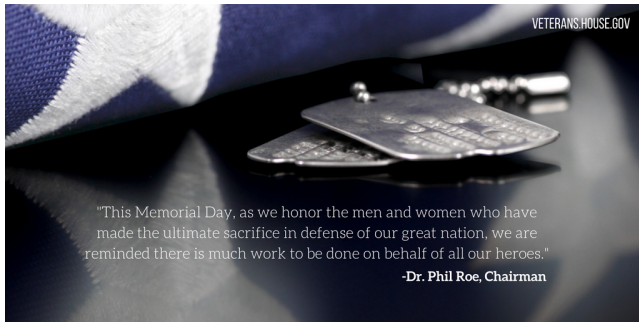
significant because it may be difficult for such veterans to prove that they were actually exposed to herbicides.

VA's current guidelines do not extend the presumption of entitlement to service connection based on exposure to Agent Orange to Blue Water Navy (BWN) veterans, who served offshore during the Vietnam era. Instead, VA limits the presumption to veterans who actually set foot on land in the Republic of Vietnam or who served in the country's inland waterways. H.R. 299, as amended, would correct this inequity by extending the presumption of service connection for certain conditions linked to contact with herbicides to BWN veterans who served off the shore of Vietnam between January 9, 1962, and May 7, 1975.

On May 8, 2018, the Veterans' Affairs Committee ordered H.R. 299, as amended, favorably reported to the House of Representatives by voice vote. This bill has 330 cosponsors, and the 115<sup>th</sup> Congress marks the first time the committee has been able to report this bill to the full House for consideration. The bill is now awaiting consideration by the full House of Representatives.

## Graphics

**Note:** You can download graphics [here](#)



## Tweet Sheet

### Memorial Day:

ICYMI: Last week the House passed more than a dozen bills to help our nation's veterans. Read more: <https://go.usa.gov/xQmkK>

I'm proud of the bipartisan work we've done on behalf of our nation's veterans and surviving beneficiaries this #MemorialDay. \*Link to Graphic (<https://www.flickr.com/photos/147159989@N04/34080215073/in/shares-R860B7/>)

Today we pay tribute to the brave men and women who have made the ultimate sacrifice for our great nation. \*Link to Graphic (<https://www.flickr.com/photos/147159989@N04/34080215073/in/shares-R860B7/>)

### VA MISSION Act:

The #VAMMISSION Act will transform the @DeptVetAffairs health care system and is supported by more than three dozen veterans service organizations.

The #VAMMISSIONAct keeps the promises we've made to the men and women who have served. Read what advocates are saying here: <https://go.usa.gov/xQmkN>

The #VAMMISSIONAct will put the department back on track to fulfilling President Lincoln's promise to care for the men and women who have borne the battle.

Thank you, @realDonaldTrump for supporting the #VAMMISSIONAct!

### Improving VA + Holding Employees Accountable:

Strong oversight will be necessary as @DeptVetAffairs moves to a new #EHR. Read about legislation I supported to keep VA accountable here: <https://go.usa.gov/xQmke>

HR 1972 will ensure veterans aren't held responsible for billing errors. Read more: <https://go.usa.gov/xQmkS>

Service-Disabled Veteran-Owned Small Businesses should always be given first priority in VA contracts. That's why I support H.R. 5044: <https://go.usa.gov/xQm84>

### Expanding Access to Care:

Veterans who have experienced military sexual trauma should have access to every available resources. That's why I supported the SAVE Act: <https://go.usa.gov/xQmkf>

Women veterans should have access to gender-specific services like maternity and gynecological care. Read how we're ensuring @DeptVetAffairs meets the needs of women veterans: <https://go.usa.gov/xQm8j>

### Expanding benefits:

Providing vets with a cost-of-living adjustment is one way we can honor their service. Proud to support this bill: <https://go.usa.gov/xQmkE>

Are you waiting on a decision on your appeal? See if you're eligible to participate in @DeptVetAffairs' RAMP program: <https://go.usa.gov/xQm83>



## **Chairman Roe Memorial Day Op-Ed**

Memorial Day is a day we pay tribute to the men and women who have made the ultimate sacrifice to keep our country safe and free. This year, Memorial Day takes on even greater meaning to me, as I just returned from an oversight visit to various World War I and World War II American Battle Monuments Commission (ABMC) sites. As chairman of the House Committee on Veterans' Affairs, I have oversight responsibility of ABMC's work, both at home and abroad. ABMC employees have made it their life's work to make sure the sacrifice of the men and women who laid down their lives wearing the uniform of the United States of America is never forgotten. Walking those hallowed grounds that saw so much bloodshed for the cause of liberty is an experience I will never forget.

As time passes, it can become difficult to remember the horrors of war. Even spaces that were once sites of vicious battles can be turned into peaceful, beautiful memorials where we can reflect, but for the loved ones of the heroes who made the ultimate sacrifice, the cost of war is never far from their minds and hearts. They see it in the empty seat at the Thanksgiving table, and they feel the loss every day of their lives - even on the most joyful of occasions. We owe it to those men and women - and their families - to make sure we're honoring their sacrifice and delivering on the commitment we've made to those who serve. I carried this mission with me as I visited sites like Belleau Wood Battlefield, and when I paid my respects to three Tennessee brothers at Henri-Chapelle American Cemetery. I carry it with me when I sit in on the dais as chairman of the House Committee on Veterans' Affairs, and it guides every piece of legislation I introduce and every vote I take that will affect the lives of our heroes and their families.

Recently, for the first time ever, the committee came together to pass legislation to right one of the wrongs of the Vietnam War. Currently, Blue Water Navy veterans are prohibited from receiving the presumption of exposure to Agent Orange because current Department of Veterans Affairs (VA) policy is to limit the presumption to veterans who actually set foot in Vietnam or served in inland waterways. As a result, thousands of Blue Water Navy veterans have been denied benefits for conditions they may have developed because they came into contact with herbicides. The bipartisan bill passed by committee, which was introduced by Rep. Valadao, would extend the presumption of exposure to Agent Orange to Blue Water Navy veterans.

VA estimates that there are 6.6 million living Vietnam veterans, and that there will only be 4.4 million remaining in 10 years. On average, we lose 523 Vietnam veterans every day. To simply wait for these veterans to die is not an option. I wholeheartedly believe we owe it to the brave veterans who served offshore during the Vietnam War to provide compensation benefits for conditions they may have developed because of exposure to Agent Orange. Passing this legislation is a promise kept, and you can rest assured I will continue to do my very best to honor all who have served by delivering the compensation and benefits they have earned. In today's political climate, it's not always easy, but - to put it simply - we owe every man and woman who has honorably served this country a debt of gratitude we can never fully repay, especially when they make the ultimate sacrifice.

This and every Memorial Day, my prayers go out to the loved ones of the heroes who have laid down their lives so you and I can enjoy the freedoms we hold dear. I often turn to scripture to find adequate words to express my gratitude for the men and women who serve this country, and I was moved when I recently visited Lafayette Escadrille Memorial Cemetery - a site that was added to ABMC's portfolio last January - and read the words etched in the marble there. II Samuel 1:23 says, "And in their death they were not divided. They were swifter than eagles. They were stronger than lions."