



Washington Update

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

VETERANS OMNIBUS INTRODUCED

After months of waiting, a comprehensive legislative package of veterans-related bills has finally been introduced. H.R. 8371, the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act, combines several bipartisan and bicameral proposals to reform and improve the delivery of healthcare, benefits, and services at the VA for veterans, their families, and survivors into a single package. Provisions in H.R. 8371 would expand economic opportunities for veterans, improve mental health care access, and facilitate better oversight of the VA by Congress. Most important, the bill includes the entire Elizabeth Dole Home Care Act which:

- Increases the expenditure cap for noninstitutional care alternative programs from 65 percent to 100 percent of nursing home care costs;
- Expands access to VA's home and community-based services to veterans at all VA medical facilities, as well as to veterans living in U.S. territories and Native veterans enrolled in the Indian Health Service or tribal health programs;
- Requires the creation of a centralized website to disseminate information and resources related to home and community-based programs and help veterans and caregivers determine their eligibility;

- Requires the VA to review staffing and resource needs, accessibility, and other aspects of the Office of Geriatrics and Extended Care and the Caregiver Support Program Office to make certain they are appropriately serving veterans and their caregivers;
- Creates a pilot program to provide home health aide services for veterans that reside in communities with a shortage of home health aides; and
- Requires the VA to establish a warm handoff process for veterans and caregivers who are discharged from or ineligible for the Program of Comprehensive Assistance for Family Caregivers.

The bill also contains revised language from the Expanding Veterans' Options for Long Term Care Act (H.R. 1815/S. 495), which would test VA's ability to pay for veterans care at assisted living facilities. Currently, the VA can refer veterans to assisted living facilities, but it cannot directly pay for that care. Language in H.R. 8371 would allow VA to carry out a three-year pilot program, no later than two years after enactment for 60 eligible veterans in two Veterans Integrated Service Networks (VISNs) to assess the effectiveness of providing assisted living services to eligible veterans and assess the satisfaction of the program. At the conclusion of the pilot program, participating veterans will be given the option to continue receiving assisted living services at their assigned site, paid for by the VA. We believe this

would help veterans and the VA alike by giving greater access to assisted living and reducing costs for long-term care, allowing more veterans to receive needed assistance.

Initially, the plan was to bring the bill to the House floor on or about May 21, but growing opposition to the bill within the chamber coupled with administrative challenges delayed action on the bill until early June. PVA is greatly disappointed with the decision, and is working with congressional members and VSO partners to make sure this bill is placed back on the calendar and swiftly passed.

HVAC HOLDS MARKUP SESSION

On May 1, the House Veterans' Affairs Committee (HVAC) held a lengthy markup where several bills of interest were examined and approved. They include:

- H.R. 6324, the Fiscal Year (FY) 2024 Veterans Affairs Major Medical Facility Authorization Act, which would authorize the VA to carry out 11 major medical facility projects during FY 2024 and sets maximum spending amounts for each one of them. PVA wholeheartedly supports this legislation which authorizes more than \$300 million to support the ongoing construction of a new SCI/D acute and long-term care center and related facilities at the San Diego VA Medical Center.
- H.R. 7150, the Survivor Benefits Delivery Improvement Act of 2024, which would direct the VA to collect demographic data on the survivor population. PVA believes this change would help the department and Congress better understand the utilization of survivor-related benefits and services. It also directs the VA to develop an outreach program for survivors, similar to the Solid Start program, to make sure that every survivor knows what benefits are available to them.
- H.R. 7342, the Veterans Accessibility Advisory Committee Act of 2024, which would create a

Federal Advisory Committee on Accessibility tasked with improving accessibility concerns, especially related to infrastructure and technology, throughout the VA. PVA helped develop this legislation, which would bring disability experts, disabled veterans service organizations, accessibility experts within VA staff, and other contributors together to identify accessibility barriers within the department and provide solutions to address them. With various experts sitting on the advisory committee, each aspect of accessibility could be highlighted and given the attention they need in order to reduce physical and technological barriers for our nation's veterans.

- H.R. 7777, the Veterans' Compensation Cost-of-Living Adjustment Act of 2024, which would direct the VA to increase amounts payable for disability compensation, additional compensation for dependents, the clothing allowance for certain disabled veterans, and Dependency and Indemnity Compensation for surviving spouses and children. The VA would be required to raise compensation amounts by the same percentage as the cost-of-living increase in benefits for Social Security recipients that is effective on December 1, 2024.

Several bills scheduled to be examined at this hearing could not be considered since the Congressional Budget Office (CBO) had not yet issued a score. They included PVA endorsed H.R. 3225, the BUILD for Veterans Act, which seeks to improve staffing to manage construction of VA's assets and ensure that there are concrete plans to improve the planning, management, and budgeting of VA construction and capital asset programs. H.R. 6373, the Veterans STAND Act, was also put on hold due to the lack of a score and concerns about potential amendments to the original language. PVA was involved in the development of the bill, which would ensure all veterans with SCI/Ds are offered an annual medical exam and make certain veterans are made aware of assistive technologies they may be eligible for during these annual evaluations.

FAA REAUTHORIZATION ACT OF 2024 SIGNED INTO LAW

On May 16, the President sign the FAA Reauthorization Act of 2024 into law. The Reauthorization includes several PVA-supported provisions focused on addressing the experience of air travel passengers with disabilities. Specific sections in the new law include training requirements for assisting passengers with limited mobility and properly stowing assistive devices; analyzing and improving the Department of Transportation's (DOT) complaint process; addressing the need for more access standards and accessibility of inflight entertainment, as well as improved access to airline websites, applications, and information communication technologies; and increasing access to seating accommodations.

The FAA Reauthorization Act also requires continued study into safe and secure in-cabin wheelchair tie-down systems, and if technically feasible, a study into their economic and financial feasibility; the need for DOT to perform a more in-depth analysis of airline-reported mishandled wheelchair data; and reauthorization of the Air Carrier Access Act Advisory (ACAA) Committee, as well as a requirement for the ACAA Committee to ensure safe transport for assistive devices powered by lithium-ion batteries. In addition, we were pleased to see the inclusion of a pilot grant program to increase airport accessibility and requirements for adult changing tables; new requirements related to the availability of onboard wheelchairs; expansion of the Advanced Materials Center of Excellence to address safe and accessible air travel for passengers with disabilities; and the creation of a known service animal pilot program. Moving forward, we will continue to work with champions in Congress to improve enforcement of the ACAA. We will also work with DOT on implementation of the FAA's requirements to ensure the safety and dignity of passengers with disabilities.

HHS ISSUES FINAL RULE UNDER SECTION 504 OF THE REHABILITATION ACT

On May 6, the U.S. Department of Health and Human Services (HHS), through its Office for Civil Rights, [finalized](#) a rule, Discrimination on the Basis of Disability

in Health and Human Service Programs and Activities, to update its prohibition against discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973. Section 504, passed over 50 years ago, prohibits disability discrimination in programs and activities run by federal agencies or that receive federal financial assistance.

The final rule clarifies the application of 504 to several areas, such as medical care; accessible medical equipment, including adopting the U.S. Access Board's standards for accessible medical equipment; value assessment methods; web and mobile accessibility; and integration. The rule also updates Section 504 to improve consistency with developments in the Americans with Disabilities Act, such as permitting service animals and maintenance of accessible features. For more information, HHS published a [fact sheet](#) on the final rule. The rule will take effect on July 8, 2024.

SVAC HEARING ON THE PRESIDENT'S PROPOSED VA BUDGET FOR FY 2025 AND ADVANCED APPROPRIATIONS FOR FY 2026

On May 1, the Senate Veterans' Affairs Committee (SVAC) held a hearing on the President's fiscal year (FY) 2025 budget request for the VA. Secretary Denis McDonough testified before the committee.

Secretary McDonough stated the VA is delivering more care and benefits to more veterans than at any time in the department's history. They have enrolled more than 12,500 veterans under its PACT Act authority alone in the past year. He highlighted the fact that 29 million telehealth visits were provided during that same time. This is in addition to over 118 million clinical visits, 47 million of which were in the community and 42 million in person at VA facilities. He briefly mentioned the wide range of care, benefits, and services the VA has provided to veterans, including Veterans Benefits Administration benefits, preventing veteran suicide, ending veteran homelessness, supporting care for women veterans, modernizing information technology systems, processing benefits, and honoring veterans with their final resting places. The Secretary also noted that the American healthcare landscape has changed in the last

six years. The pandemic and multiple major new statutes have led to monumental change for the VA.

Roscoe Butler, PVA's Senior Health Policy Advisor, discussed the Independent Budget's (IB) recommendations for VA Health Care. He noted how VA's reliance on community care has risen dramatically stating, "While we agree that veterans must have non-VA options to fill gaps in care, we believe VA must remain the primary provider and coordinator of veterans' care. While VA is requesting an overall increase for medical care, the community care program is growing at a faster rate than VA-provided care."

Lastly, he voiced concerns about the VA's plans to reduce the number of full-time employees in FY 2025 by 10,000, and the VA's projected use of \$12.7 billion in carryover funding rather than requesting new discretionary appropriations stating, "If VA's unobligated balance at the end of FY 2024 is less than projected, it could trigger a funding shortfall next year."

You can read the IB's statement and watch a video of the hearing [here](#).

U.S. ATTORNEY'S OFFICE REACHES SETTLEMENT WITH MARYLAND HOTEL OWNER

On May 2, the Department of Justice [announced](#) it reached a settlement agreement with AHIP MD Baltimore 5015 Enterprises LLC, the owner of a Hilton Garden Inn at White Marsh, located in White Marsh, Maryland, to resolve alleged violations of Title II of the Americans with Disabilities Act (ADA).

The agreement stems from an ADA complaint alleging an individual with a disability and relative were provided a room that was not accessible after previously reserving an accessible room, resulting in serious injury to the individual. The ADA protects individuals with disabilities when traveling and requires hotels to provide equal access to their rooms and facilities. The complaint led to an investigation by the U.S. Attorney's Office for the District of Maryland.

ROUNDTABLE TO DISCUSS VA OUTREACH LETTERS

Recently, PVA participated in a roundtable discussion on improving VA outreach letters received by veterans. The discussion included several VA employees from the Board of Veterans' Appeals and the Veterans Benefits Administration, as well as members of the House Veterans' Affairs Disability Assistance and Memorial Affairs Subcommittee.

In March, the subcommittee held an oversight hearing on how VA's disability claims and appeals letters should be simplified. During the hearing, the Chairman Morgan Luttrell (D-TX) suggested a working group and listening sessions to get stakeholder feedback on concerns about VA's outreach letters to veterans.

During the roundtable, we stressed the need for clarity in decision letters, citing several examples provided to us by our field staff, and pressed the VA to continue to engage with the veterans service organizations (VSO) in the improvement process. Other concerns were raised such as the need for increased auditing of outreach materials to improve accuracy, the prioritization of communications that may have a higher likelihood of miscommunication, and ensuring that the VA puts the veteran first in all changes.

This was the first roundtable discussion on the topic and there are likely to be several more. It will be a long process to review and adjust all of the letters, but the VA is working hard to identify and address concerns raised by VSOs and Congress.

NEWS OF NOTE

Comment Period Extended for DOT Proposal on Improving the Air Travel Experience for Wheelchair and Scooter Users

WHO: PVA needs you to help us keep #PushingAccessForward.

WHAT: Send your comments in response to the U.S. Department of Transportation's (DOT) [proposed changes](#) to the Air Carrier Access Act rules that would



improve the air travel experience for wheelchair and scooter users.

WHEN: Previously due May 13. Now open until June 12, 2024.

WHERE: [Federal Register : Ensuring Safe Accommodations for Air Travelers With Disabilities Using Wheelchairs.](#)

WHY: The disability community needs to let the DOT know why better training is needed to stop injuries and wheelchair damage, and why you need your assistive device fixed or replaced as soon as possible if it's damaged or lost.

HOW: Leave [comments on the Notice of Proposed Rulemaking \(NPRM\)](#) and post on social media to share stories about your #Flightmares and why air travel must improve for wheelchair and scooter users.

House Passes Four Veteran Bills

On April 30, the House passed four pieces of veteran-related legislation, which will allow them to head to the Senate for additional input and review. Perhaps the most significant bill was H.R. 3738, the Veterans Economic Opportunity and Transition Administration Act. This bill would create a fourth administration under the VA that focuses on issues such as the G.I. Bill and other education programs, and the vocational readiness and employment (VR&E) program. Many advocates believe that creating a new administration to address education and employment benefits will result in improved monitoring and oversight, as well as policy and legislative improvements. PVA supports this legislation, hoping that it would allow the Veterans Benefits Administration to focus on benefits delivery and improvements.

HHS Issues New Rule Under Section 1557 of the ACA

On May 6, the U.S. Department of Health and Human Services (HHS) published their [final rule](#), Nondiscrimination in Health Programs and Activities, regarding section 1557 of the Affordable Care Act (ACA). Section 1557 of the ACA prohibits discrimination on the

bases of disability and other protected classes in covered health programs or activities. The rule requires covered health care providers, insurers, grantees, and others to let people know that accessibility services are available to patients at no cost. The rule also clarifies that nondiscrimination in health programs and activities continues to apply to the use of artificial intelligence, clinical algorithms, predictive analytics, and other tools. This rule will be effective on July 5, 2024.

SVAC Women Veterans Roundtable

As a follow up to the Senate Veterans' Affairs Committee (SVAC) hearing last month on women veterans, Chairman Jon Tester (D-MT) held a roundtable discussion to hear the concerns of other organizations that were unable to testify at the hearing. Julie Howell, Associate Legislative Director, testified on behalf of PVA at the hearing, but attended the roundtable to learn from the organizations represented at the event. We hope this roundtable will be the first of many discussions where Senators can hear about concerns for women veterans in a more informal way.

WEBINARS & HEARINGS

Reminder: Advocacy Training Webinars Available

PVA's five-part series, "The 5 W's: The who, what, where, why, and when of our government and the art of advocacy," is available on [PVA.org](#). You can learn more about the Fundamentals of Government, the Legislative Process, Stakeholders of Advocacy, Understanding the Issues and Becoming a Change Agent, and Connecting the Dots. If you have any questions about the series, please contact PVA Grassroots Advocacy Manager Lisa Elijah at LisaE@PVA.org.

Upcoming Veterans' Committee Activities

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

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