

JOSEPH L. WILSON, DEPUTY DIRECTOR VETERANS AFFAIRS AND REHABILITATION  
COMMISSION, THE AMERICAN LEGION

STATEMENT OF  
JOSEPH L. WILSON, DEPUTY DIRECTOR  
VETERANS AFFAIRS AND REHABILITATION COMMISSION  
THE AMERICAN LEGION  
BEFORE THE  
COMMITTEE ON VETERANS' AFFAIRS  
UNITED STATES SENATE  
ON  
NUMEROUS VETERANS' LEGISLATION

MAY 21, 2008

Mr. Chairman and Members of the Committee:

Thank you for this opportunity to present The American Legion's view on the several pieces of legislation being considered by the Committee today. The American Legion commends the Committee for holding a hearing to discuss these very important and timely issues.

S. 2273, Enhanced Opportunities for Formerly Homeless Veterans Residing in Permanent Housing Act of 2007

This bill seeks to enhance the functioning and integration of formerly homeless veterans who reside in permanent housing by providing outreach to low income and elderly veterans and their families who reside in rural areas; establish new, or expand existing programs to furnish transportation, childcare, and clothing assistance to certain individuals with service-related disabilities who are entitled to a rehabilitation program.

While permanent housing provides a stable base for veterans and their families the need for resources to improve their way of life is just as important. The American Legion supports such pilot programs that provide much needed resources to public and private sector agencies and organizations to aid homeless veterans and their families. These funded pilot programs will extend more opportunities for formerly homeless veterans, which in turn allow them to achieve and maintain a quality existence, deserving of their service to our country. The American Legion supports the Enhanced Opportunities for Formerly Homeless Veterans Residing in Permanent Housing Act of 2007.

S. 2377, Veterans Health Care Quality Improvement Act

This bill seeks to amend title 38, United States Code, by improving the quality of care provided to veterans in Department of Veterans Affairs (VA) medical facilities; and to encourage highly qualified doctors to serve in hard-to-fill positions in such medical facilities.

The American Legion believes medical school affiliations have been a major factor in VA's ability to recruit and retain high quality physicians and to provide veterans access to the most advanced medical technology. When implementing this bill The American Legion encourages VA to continue to strengthen its affiliation with surrounding medical schools in order to recruit and retain highly qualified doctors who are already accustomed to the VA environment.

The American Legion also believes VA should be able to offer incentives to new hires and employees who maintain certifications or can document on-going training in these areas above and beyond hospital credentialing and privileging processes. The American Legion supports the Veterans Health Care Quality Improvement Act.

#### S. 2383, Mobile Support for Rural Veterans Program

This bill seeks to implement a pilot program on the mobile provision of care and services for veterans in rural areas by the Department of Veterans Affairs. As veterans of Operation Iraqi Freedom/Operation Enduring Freedom (OIF/OEF) return from the perils of combat, they continue to be plagued physically and mentally by the effects of their previous environment, to include Improvised Explosive Devices (IED's); with its major catalysts, automobiles, being a sign of impending danger, the veteran, returning to an environment where this "sign" of danger is in abundance, veterans are migrating to more rural areas to avoid residing in the vicinity of these populated areas that contain automobiles.

In section 1 (c) 1 the legislation suggests that the pilot program be carried out in no less than three Veterans Integrated Service Networks (VISN). In section 1(c) 2, subtitled, "Locations," it states the pilot program shall be carried out in one or more rural areas in each VISN. The legislation also requests that the Secretary shall take into account the number of veterans residing in or near an area; and the difficulty of access of such veterans to the nearest VA medical facility.

The American Legion would also ask that all veterans and VISNs be kept in mind during the planning of the pilot program's locations to ensure success. The American Legion supports this piece of legislation.

#### S. 2573, Veterans Mental Health Treatment First Act

This bill seeks to require a program of mental health care and rehabilitation for veterans for service-related post-traumatic stress disorder (PTSD), depression, anxiety disorder, or a related substance use disorder, and for other purposes.

The American Legion is opposed to the provisions of this legislation that restrict the veteran's right to file disability claims for both service connection and increased ratings for PTSD, depression, anxiety disorder, or a related substance abuse disorder, in order to be eligible for participation in the treatment and rehabilitation program prescribed under this legislation.

Limiting or restricting a veteran's right to pursue disability benefits in order to be eligible for treatment, despite a monetary stipend available to those who agree to such conditions for treatment purposes, appears to be based on an assumption that pursuing a disability claim somehow hinders the treatment process. As there is no evidence, scientific or otherwise, to

support such an assumption, The American Legion cannot support such provisions as set forth in this legislation. Moreover, such a restriction would set an unacceptable precedent that could be applied to other conditions/disabilities and compensation claims.

#### S. 2639, Assured Funding for Veterans Healthcare

This bill seeks to provide an adequate level of assured funding for veterans healthcare. The American Legion supports this bill.

#### S. 2796, Community-Based Organization Pilot Programs

This bill seeks to create a pilot program to evaluate the use of community-based organizations to provide veterans the care and benefits they have earned. The American Legion affirms its support for the continued development of community based programs that meet established criteria as a means of improving veterans' access to high quality health care services in the most appropriate setting.

#### S. 2797, Bill to authorize major medical facility projects and major facility leases

This bill seeks to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009. The American Legion supports the continued push to uphold the 2004 Capital Asset Realignment for Enhanced Services (CARES) decision and urges Congress to appropriate adequate funds to ensure these projects aren't ignored.

#### S. 2799, Women Veterans Health Care Improvement Act of 2008

This bill seeks to expand and improve health care services available to women veterans from VA, to include those serving in Operation Iraqi Freedom and Operation Enduring Freedom (OIF/OEF). Women veterans have unique needs to include gender-specific physical care and mental health treatment for Military Sexual Trauma (MST).

S. 2799 will also provide extensive outreach to those unaware of the various programs available to assist women veterans with a proper transition back into their respective communities. The American Legion fully supports this piece of legislation.

#### S. 2824, A bill to amend title 38, U.S.C. by improving the collective bargaining rights and procedures for review of adverse actions of certain employees of VA

The American Legion has no position on this bill.

#### S. 2889, Veterans Health Care Act of 2008

The American Legion supports the provisions of this bill which seeks to improve veterans' healthcare benefits.

Sec. 2 discusses community treatment plans for veterans who suffer from a traumatic brain injury, has an accumulation of deficits in activities of daily living and instrumental activities of

daily living, and who, because of these deficits, would otherwise require admission to a nursing home even though such care would generally exceed the veteran's nursing needs. It allows the Secretary of VA to contract with the appropriate entities to provide specialized residential care and rehabilitation services to accommodate veterans of OIF/OEF who are experiencing the aforementioned.

The American Legion believes this is an extremely vital factor in the continuum of care process because it would provide veterans an appropriate form of care that would be most attentive to their needs. It would also be the most conducive for reintegration back into the community. We concur with such proposals that seek to provide convenient access, as well as quality specialized residential care and rehabilitation services to our nation's veterans.

Sec. 4 discusses copayment exemption for hospice care following nursing home care and medical services.

Sec. 8 discusses an increase in rates of disability compensation and dependency and indemnity compensation. The American Legion supports this adjustment in compensation benefits, to include dependency and indemnity compensation (DIC) recipients. It is extremely essential that Congress annually considers the economic needs of disabled veterans and their survivors and provides an appropriate cost-of-living adjustment to their benefits.

S. 2899, Veterans Suicide Study Act,

This bill seeks to direct the Secretary of Veterans Affairs to conduct a study on suicide among veterans. VA reported that approximately 18 suicides among the veteran population of 25 million occur daily. In light of the increasing number of veterans taking their own lives, the demand for outreach is paramount. Outreach to family members is also important, since family and friends are usually the first to notice changes in the veteran's mental state.

The American Legion continues to urge Congress to increase outreach efforts by assigning suicide prevention counselors to all VA medical facilities.

S. 2921, Caring for Wounded Warriors Act of 2008

This bill seeks to implement pilot programs on training and certification for family caregiver personal care attendants for veterans and members of the Armed Forces with traumatic brain injury, and to require a pilot program on provision of respite care to such veteran and members.

The American Legion believes the proposals of this bill are necessary due to the gradual increase of severely injured veterans of OIF/OEF. Any opportunity to assist family caregivers to provide qualified personal care for their injured family member must be considered. Family caregivers are thrust into their new role as personal care attendants at an extremely stressful time. Providing training and certification to family caregivers will not only improve the abilities of the caregiver, but will benefit the rehabilitation of the injured service member. The American Legion fully supports this piece of legislation.

S. 2926, Veterans Nonprofit Research and Education Corporations Enhancement Act of 2008

This bill seeks to amend title 38, U.S.C., to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes.

The American Legion has no position on this bill.

S. 2937, Bill to provide permanent treatment authority for participants in Department of Defense chemical and biological testing conducted by Deseret Test Center and an expanded study of the health impact of Project Shipboard Hazard and Defense (SHAD)

The American Legion supports this piece of legislation. In conducting this study we hereby recommend that all participants in this study consider all new information that surfaces and disclose any new developments related to SHAD in a timely manner. We also urge all involved to ensure that all of the 5,842 participants involved in the tests receive prompt notification of their entitlement to benefits and health care for any ailment that may have resulted from their exposures.

S. 2963, Bill to improve and enhance the mental health care benefits available to members of the Armed Forces and veterans, and to enhance counseling and other benefits available to survivors of members of the Armed Forces and veterans

Sec. 2 discusses the eligibility of members of active duty armed forces who serve in OIF/OEF for counseling and services through Vet Centers. The mission of Vet Centers is to provide professional readjustment counseling to veterans and their families.

Sec. 3 discusses restoration of authority of Vet Centers to provide referral and other assistance upon request to former members of the armed forces not authorized counseling.

Due to current repeated deployments to the combat zone in Iraq and Afghanistan, The American Legion believes it is essential for VA and the Department of Defense (DOD) to continue to collaborate to improve the continuum of care for those on active duty who will eventually become veterans. Early intervention by Vet Centers may help to alleviate the more debilitating onset of mental health conditions, thereby further assisting in the transition process from active duty to veteran status and ultimately reintegration into the community.

S. 2969, Veterans' Medical Personnel Recruitment and Retention Act of 2008

This bill seeks to amend title 38, U.S.C., to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical health-care professionals, and for other purposes.

The American Legion supports the improvement of VA education-assistance programs for Advanced Practical Nurses (APNs), Registered Nurses (RNs), Licensed Practical Nurses (LPNs), and Nursing Assistants by providing incentives such as equitable and competitive wages.

S. 2984, Veterans' Benefits Enhancement Act of 2008, Title III

To ensure an accurate response from consensus of The American Legion is presented, we would prefer to respond at a later date.

Again, thank you Mr. Chairman for allowing The American Legion this opportunity to present its views on the aforementioned issues. We look forward to working with the Committee to help increase and improve access to quality care for our nation's veterans.