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Washington, D.C.

STATEMENT OF
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NATIONAL LEGISLATIVE COMMISSION
THE AMERICAN LEGION
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES SENATE
ON
VETERANS' HEALTH CARE LEGISLATION

MAY 11, 2006

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to present The American Legion's views on the veterans' health care legislation before us today. It is indeed an honor and a privilege to present these views on behalf of the nation's largest veterans service organization.

S. 2634, Repeal term limits and simplify appointments for the offices of Under Secretary for Health and Under Secretary for Benefits

This legislation seeks to amend sections 305 and 306 of title 38, United States Code, by eliminating subsections that set terms of office and establish procedure for filling vacancies in the positions of Under Secretary for Health and Under Secretary for Benefits for the Department of Veterans Affairs (VA).

The American Legion does not support any of the proposed changes to the existing law that governs the appointments for the offices of the Under Secretary for Health and Under Secretary for Benefits. Having participated in the selection process, The American Legion has concerns regarding the changes in the appointment process and the suggested repeal of term limits outlined in this legislation. The American Legion wants to ensure that the appointment process is adequate in determining that only the most highly qualified individuals are selected.

The American Legion cannot support either elements of this proposed legislation concerning on the offices of Under Secretary of Health and the Under Secretary of Benefits as a result of this legislation.

S. 2736, Amputation and Prosthetics Rehabilitation Centers for Veterans

This legislation requires the Secretary of the VA to establish at least five regionally dispersed centers that would provide rehabilitation services to veterans with amputations or prosthetic devices. These centers would have expertise in prosthetic, rehabilitation, treatment and coordination of care for veterans with amputations of any functional part of the body; and

provide information and supportive services addressing care and treatment of veterans with amputations to all facilities of the VA.

The American Legion would support the creation of additional Polytrauma Centers to meeting the increased demand by severely injured veterans located across the nation. This would greatly improve accessibility and convenience.

S. 2433, Rural Veterans Care Act of 2006

This bill seeks to improve services available to veterans residing in rural areas.

If enacted, Section 2 of the proposed legislation would establish the position and responsibilities of the Assistant Secretary for Rural Veterans within VA.

The American Legion does not object to the establishment of this position. The issue of providing safe and adequate health care to rural veterans is not a small one. The creation of an Assistant Secretary for Rural Veterans will allow VA to directly and thoroughly address the problem. The provision of health care to the rural veterans population needs that type of undivided attention. The current health care model and methodology used to fund VA is clearly flawed. This fact was apparent when faulty assumptions and questionable cost projections forced Congress to secure an additional \$1.5 billion in an emergency-spending bill to cover the VA health care shortfall for FY 2005. We do not object to the addition of this post to the VA, but adequate resources are critical in order to meet the health care needs of all veterans.

Likewise, Section 3 of this measure would mandate that the Assistant Secretary for Rural Veterans conduct demonstration projects exploring alternatives for expanding care in rural areas, including creating partnerships with other Federal health care providers under the Department of Health and Human Services (HHS), as well as, private health care providers.

The American Legion would also recommend including the Department of Defense (DoD) since there are a number of military installations in rural communities. This would be consistent with the recommendations from the President's Task Force to Improve the Delivery of Health Care for America's Veterans with called specifically for increase collaborative efforts between VA and DoD health care delivery systems. However, there must be clear-cut objectives and details that will be used to measure the success or failure of the projects.

In Section 4 of the bill would require the Secretary of VA to conduct a pilot program to evaluate the feasibility and advisability of utilizing various means to improve access to health care services for veterans who reside in highly rural or geographically remote areas. The program will be conducted in three VISNs chosen by the Secretary, based on recommendations made by the Assistant Secretary for Rural Veterans.

The American Legion does not object to the pilot program. Again, objectives must be in sufficient detail to ensure measurable results.

Section 5 of this measure would authorize veterans to receive travel reimbursement equivalent to the rate set for Federal employees.

The American Legion has long advocated for an increase in travel reimbursement for veterans. Section 6 would mandate the Assistant Secretary for Rural Veterans establish up to five centers of excellence for rural health research, education and clinical activities; geographically disperse the health care facilities throughout the United States; and define selection criteria.

The American Legion does not object to the establishment of the centers of excellence.
S.1537, Parkinson's Disease Research and Education Clinical Centers

This legislation requires the Secretary of VA to designate at least six VA health care facilities as locations for centers of Parkinson's Disease Research, Education, and Clinical activities and at least two facilities as locations for Multiple Sclerosis Centers of Excellence, if sufficient funding is appropriated to do so. It also requires that existing (as of January 1, 2005) facilities operating as such be designated as centers of excellence, unless the Under Secretary of Health advises otherwise. Funding will be appropriated from the VA's medical services account and medical and prosthetics research account as appropriate.

One of the recruitment and retention tools for physicians is the robust research program that VA has and the affiliation VA enjoys with many medical schools throughout the country. VA's research not only serves the veteran population, but also contributes to the nation as a whole. Expansion of research centers such as for Parkinson's and Multiple Sclerosis is a natural step forward toward the betterment of veterans' health care. It is also the sign of a healthy and viable program.

Veterans Long Term Care Security Act

This legislation would ensure appropriate payment for the cost of long term care provided to veterans in State veterans homes.

Sec. 2 would require VA to submit a detailed report to Congress before implementation of a reduction in per diem rates for care provided to veterans in State homes.

The American Legion welcomes stronger oversight of VA's handling of payments to State homes. The most critical aspect of this section is the requirement of the Secretary to report in detail a justification for reducing payments and that VA will consult with the heads and appropriate officials of the State and local agencies responsible for the supervision of State homes in each State.

Sec. 3 would increase payment rates for nursing home care provided in State homes to veterans with service-connected disabilities.

The American Legion has long supported full reimbursement of nursing home care furnished to 70 percent service-connected veterans or higher, if the veteran resides in a State home.

Sec. 4 would allow the provision of prescription medicines for veterans with service-connected disabilities receiving care in State homes.

The American Legion is pleased to support the provision for prescription medicines. Veterans with a rating of 50 percent or greater service-connection receive VA pharmaceutical benefits at no cost. Currently, pharmaceutical services are available at the State veterans' homes for these veterans, but they are required to unnecessarily travel to VA facilities to receive their prescription medications.

This legislation will help to alleviate that unnecessary and sometimes undue hardship on the veteran.

Sec. 5 authorizes certain health facilities to be treated as State homes.

The American Legion believes VA has the responsibility to provide long-term care to America's veterans. Along with that comes the responsibility of ensuring the quality and effectiveness of the treatment provided by facilities that are not necessarily under VA's jurisdiction. The American Legion also believes VA should be prudent in the approval of the applications submitted by the States with respect to the health facility.

S.1731, Jack C. Montgomery Department of Veterans Affairs Medical Center

This legislation renames the VA Medical Center in Muskogee, Oklahoma as the Jack C. Montgomery Department of Veteran Affairs Medical Center in honor of Medal of Honor recipient Jack C. Montgomery for his service and dedication to the military and the VA.

The American Legion has no official position on this legislation.

S.2500, Healing the Invisible Wounds Act of 2006

Sec. 2. requires that the Secretary of VA, before modifying the manner in which post-traumatic stress disorder (PTSD) is handled with regards to rating of service-connection for compensation payments, submit a report on the proposed modification to the Committees on Veterans' Affairs in the Senate and House of Representatives and wait six months after the report is submitted before the change is implemented.

The American Legion supports stronger congressional oversight, especially in matters involving PTSD and other psychiatric conditions, given the increased volume of these types of cases in VA. The American Legion would welcome an opportunity to present its views if a report is submitted to Congress and to comment on the impact that any change may have on the veterans' community before it is actually implemented. The American Legion voiced concerns over VA's initiative to conduct a major case review regarding PTSD in response to the May 2005 VA Inspector General (IG) report on variances in VA's disability compensation payments. While they did not complete the review, the handling of the situation caused undue hardship and anxiety for an untold number of veterans with serious psychiatric conditions and needlessly exacerbated their illness.

Sec. 3. prescribes that the Secretary of VA, in consultation with the Secretary of the Defense, extend mental health care services to National Guard and Reservists who served on active duty in a theater of combat.

The current conflicts in Afghanistan and Iraq are producing a new generation of veterans who will be forever changed because of their service to this nation. These conflicts have necessitated the call up of the National Guard and Reserve in record numbers. The prevalence of mental health problems is well documented within the ranks of these service men and women. Further, many of the Guard and Reserve are slipping through the cracks of the VA safety net due to a myriad of factors. These injured veterans and their families would welcome the mental health care services.

The American Legion believes this legislation will address some of the transition problems that the Guard and Reserve encounter due to the uniqueness of their situation.

Sec. 4. authorizes \$180,000,000 to be appropriated to the VA for FY 2007 for readjustment counseling and other mental health services through the Vet Centers.

The American Legion appreciates the additional funding requested in this legislation for the Vet Centers to carry out this important mission.

S. 2753, Caregiver Expansion

This legislation would require VA to make \$10 million available as a grant program to expand the services available to veterans for non-institutional care services.

Caregivers provide an enormous amount of hours and are a critical part of the continuum of care for VA. The American Legion supports the intent of this legislation.

Mr. Chairman, The American Legion would like to thank you and the Committee for putting forth very comprehensive legislation to address some of the monumental problems VA faces today in providing quality, accessible health care to the nation's veterans. We look forward to working with you in the future. Thank you.