



National Mobility Equipment Dealers Association

**United States Senate
Senate Committee on Veterans' Affairs
Hearing on Pending Health Care and Benefits
Legislation**

**Written Statement in Support of S._____ (Moran)
("Veterans Mobility Safety Act of 2016")**

May 24, 2016

STATEMENT FOR THE RECORD

NATIONAL MOBILITY EQUIPMENT DEALERS ASSOCIATION

**FOR THE
SENATE COMMITTEE ON VETERANS' AFFAIRS**

**CONCERNING
S. _____ (MORAN) (VETERANS MOBILITY SAFETY ACT OF 2016)**

May 24, 2016

Chairman Isakson, Ranking Member Blumenthal, and esteemed Senators of the Veterans' Affairs Committee:

The National Mobility Equipment Dealers Association (NMEDA) thanks you for this opportunity to comment on Senator Moran's Discussion Draft, entitled the Veterans Mobility Safety Act of 2016. Last week, identical legislation, H.R. 3471, was marked up and unanimously passed by the House of Representatives Committee on Veterans' Affairs. We are hopeful that the full House of Representatives will soon have an opportunity to vote on this common sense, bipartisan legislation.

This is an exciting time for our organization that stands in full support of Senator Moran's draft legislation, which would establish enforceable, minimum standards for providers participating in the Automobile Adaptive Equipment (AAE) program, administered by the U.S. Department of Veterans Affairs (VA). As you are aware, there are numerous problems with how the VA currently administers the AAE program.

For far too long, the VA has allowed unqualified providers performing unsafe and unreliable vehicle modifications and equipment installations to participate in the AAE program. If the provider fails to properly install, or modify, the equipment, this scenario quickly becomes a safety hazard for the veteran and the driving public. Unfortunately, this is an all too common occurrence. Further, because the AAE program provides reimbursement (either to the provider or to the qualifying veteran), the taxpayer ends up paying for the inadequate modification services to be corrected. Simply put, Senator Moran's draft legislation would put an end to this dangerous and costly practice.

The VA's AAE program assists disabled veterans by providing reimbursement for the sale, installation, maintenance, and repair of automobile adaptive equipment. Automobile adaptive equipment, including unoccupied wheelchair and scooter

lifts, driving controls, and vehicle access modifications enable veterans with disabilities to accomplish daily tasks and participate in work, education, and recreational activities. The AAE program has wonderful potential, but unfortunately, the current administration of the program is alarming, due to the absence of enforceable standards for participating providers.

Inferior providers are also paid by the VA for their work. NMEDA has seen inferior modifications done by: Providers operating out of home garages/parking lots/mobile trucks, vendors lacking insurance coverage, vendors employing uncertified welders and technicians, vendors lacking the specialized tools and equipment necessary to perform AAE vehicle modifications, and vendors unwilling to provide emergency services. Quality concerns range from installing faulty wiring to completing the modifications with chronically unreliable power, steering, and braking systems. Such poor quality installations have very real safety implications and can result in automobile accidents, vehicle fires, injuries, or worse. All modifications to a vehicle involve a degree of complexity. Tinkering with the drivability of a vehicle, particularly a disabled veterans' vehicle, requires skill and workmanship. As such, NMEDA believes that anyone that modifies an automobile in the AAE program should be certified to work on all modifications and installations for our veterans.

Contrast this scenario, where the VA requires an individual to be certified in order to sell a bottle of oxygen to a veteran, yet someone who is not certified can install a \$30,000, high-tech electronic driving control system on a disabled veterans' vehicle. In practical terms, this means that anyone can provide this service to veterans, and receive taxpayer dollars for doing so.

The problems do not stop with the first installation. When a veteran complains to the VA about an unsafe installation, the VA has a history of referring the repair work to a vendor certain to complete the job properly. It often costs the VA more money to fix the inferior installation than it would cost to have the installation performed properly to begin with. Senator Moran's draft legislation would get ahead of this problem, and require standards to be set so that veterans know that they are getting work done by a quality, certified provider.

Some have raised unwarranted concerns about the "conflict of interest" section of this draft legislation, particularly the certification of providers by a third party organization or manufacturer. The draft legislation correctly protects against those entities that may stand to unreasonably gain from a certification program, and steps are taken in the bill to minimize the possibility of that happening. NMEDA agrees and supports this language.

However, NMEDA believes that the certification of providers by any one third party organization does not mean that the organization itself has a conflict of interest that is financial, or otherwise. In order to have such a conflict, the VA should analyze whether the third party organization stands to unreasonably gain

from the VA designating the organization's quality standards high enough so that it can certify providers of modification equipment.

NMEDA is dedicated to ensuring that people with disabilities are provided with safe and reliable automotive transportation through the establishment of industry guidelines and quality procedures for the proper and safe installation of automobile adaptive equipment. As such, NMEDA fully supports the Veterans Mobility Safety Act of 2016, as it would require the VA to address disabled veterans' unique mobility needs responsibly and with long-overdue concern for quality, performance, and safety.

Respectfully Submitted,

NMEDA