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DAV Department of Ohio Newsletter

April/May 2021 Issue

VA Backlog on Veterans' C&P Exams Triples

A crucial element of veterans receiving their earned compensation for disabilities they incurred while serving in the military is the Compensation and Pension (C&P) examination. Without C&P medical exams, the veterans disability claims cannot be evaluated or processed for service-connected disability allowances or ratings.

Prior to the coronavirus pandemic, in January 2020 the Department of Veterans Affairs (VA) reported a 125-day Wait Backlog on C&P exams of 77,000 cases. In April of 2020, the VA reported that there were over 230,000 total C&P exam requests (including those on the 125-day Wait Backlog) in the system.

In February of 2021, the C&P medical exams, just in the 125-day Wait Backlog category, tripled to 212,000 cases, a substantial increase of 275%.

Contributing to the backlog of C&P exams are several decisions that the VA made before and during the pandemic. For example, former VA Secretary Robert Wilkie delayed processing Blue Water Navy veterans' disability claims until January 1, 2020, fearing a large number of claims being filed. These veterans have been waiting decades to file their disability claims.

During the first week of April of 2020, the Veterans Health Administration (VHA) suspended its in-person medical examinations for C&P claims or transitioned them to telehealth by phone or online. After a state of emergency was declared and states enacted stay-at-home orders, veterans cancelled their C&P exam appointments.

At times, private sector providers also cancelled appointments. Later, several of these veterans were told that their claims were denied because the veterans were no-shows for their exams.

On May 28, 2020, the VHA resumed in-person C&P exams at VA locations where it was determined safe to do so. However, in October of 2020, the VHA issued new instructions that all C&P exams would be assigned to the private sector.

Several Senators and Representatives questioned the wisdom of that decision. They felt that private medical contractors were to be used to supplement the existing VHA C&P exam system, not eliminate it. Previously, private sector physicians had been performing 60% of all C&P exams.

Congresswoman Elaine Luria wanted to know whether the VHA has considered maintaining in-house exams for veterans suffering from Gulf War illnesses, military sexual trauma and traumatic brain injury – all conditions unique to veterans and that often call for specialists. Although the Representative wanted a response to her question by November 20, 2020, there is no indication that the VA responded.

In 2021, the VA will spend \$133.8 billion on C&P exams and benefits. This is a more than 7% (percent) increase over 2020. “VA’s insight is critical if we are to determine the best way forward on this issue,” said Rep. Mike Bost.

The millions of veterans who rely on C&P exams to access benefits deserve a system that works quickly and effectively. The 356,000 veterans, who have already filed their disability claims for their C&P medical examinations, depend on prompt action from new VA leadership to eliminate this backlog.

NPRC Requests Backlog Reaches 500,000

Congressman Warren Davidson visited the National Personnel Records Center (NPRC) in St. Louis on April 5, 2021, to investigate the backlog of military personnel and medial record requests. These records are required by veterans seeking to file disability compensation claims with the Department of Veterans Affairs (VA).

The backlog was caused by the shutdown of the NPRC in the early days of the pandemic. He was informed that there were nearly 500,000 requests for records still unfilled. “The backlog continued to grow,” said Rep. Davidson, “but at this rate, veterans will have to wait nearly two years for their requests to be filled.”

The root cause of the backlog stems from the current COVID protocols, which limit the NPRC to 25% of employment. The NPRC normally employs 600 people. With the workforce reduced to 25%, only 125 people can work at the site. Rep. Davidson, an Army Ranger, is committed “to make sure the federal government keeps our promises to veterans by ensuring the NPRC is properly staffed to once again accomplishing their mission.”

Congress Requests Action on VA Sexual Harassment

Fifty-four (54) Congressional Representatives are requesting action from the new Departments of Veterans Affairs (VA) Secretary Denis McDonough concerning the continuance of sexual harassment of women veterans and employees at the VA.

These elected officials sent a letter to the VA Secretary on April 7, 2021 requesting him to provide an update on the VA efforts to implement Section 5303 of the Deborah Sampson Act.

This Public Law (#116-315) requires the VA to establish a comprehensive anti-harassment and anti-sexual assault policy. The correspondence urged the VA Secretary “to take swift action to implement Section 5503.”

In 2018, the VA found that one in four women veterans and VA employees reported experiencing sexual harassment or assault while at the VA. In 2020, the Government Accountability Office (GAO) reported “inconsistent and incomplete” workplace sexual harassment policies at the VA.

While the GAO reported that there were policies/reporting mechanisms in place for VA employees to report sexual harassment from other VA employees, there were “no comparable policies, centralized reporting mechanism, or resources for VA beneficiaries who are sexually harassed or assaulted by VA employees or on a VA property.”

On April 22, 2021, VA Secretary Denis McDonough, in his first message to veterans and department staff since his confirmation, said that his leadership team will put a significant emphasis on preventing all types of discrimination, sexual harassment and assaults throughout the VA system.

Numerous veterans’ groups, including the Disabled American Veterans (DAV) had called for the former VA Secretary Robert Wilkie to resign for his mishandling a sexual assault claim made by a veteran who was visiting the VA Medical Center in Washington, DC.

“All VA patients, staff, their families, caregivers, survivors, visitors, and advocates must feel safe in a workplace free of harassment and discrimination,” VA Secretary McDonough emphasized in his message. “I will not accept discrimination, harassment, or assault at any level or at any facility within VA. We will provide a safe, inclusive environment for veterans and VA employees.”

VA's AAE Program Offers Mobility to Disabled Veterans

Disabled veterans often need specialized equipment to carry out their daily functions. The equipment and supplies are often available from the Department of Veterans Affairs (VA) in the form of either grants, allowances or tangible medical supplies. However, veterans are not often aware of these benefits that they have earned by their sacrifices and service to our country.

For example, the VA has an **Automobile Adaptive Equipment (AAE) Program** geared for veterans with a service-connected disability that prevents them from driving automobiles. Under this Veterans Health Administration (VHA) Program, veterans may qualify for grants to purchase specifically modified motor vehicles.

VHA's Rehabilitation and Prosthetics Services provide disabled veterans a full range of services: driver's evaluations and training; adaptive equipment to enable safe operation of motor vehicles and equipment which permits access to enter and exit their vehicles.

Disabled Veterans are trained through the VA Driver's Rehabilitation Program, to operate modified vehicles safely. There are 48 VA facilities that offer this training.

The VA Program assists in paying for adaptive equipment, repairs, replacements and reinstallations for automobile gear. (For example, mechanical hand controls for gas, tinted windows for burn injuries, tilted steering wheel, power steering, low effort of sensitized steering, electronic gas and/or brakes and lift equipment are all considered legitimate expenses.)

The benefits of the VA Program are usually granted to disabled veterans who have service-connected disabilities, such as: the loss of a functional use of any arm, leg, ear or eye; severe burn injuries; permanent vision impairment in one or both eyes; Amyotrophic lateral sclerosis; permanent loss of the use of a limb; and Ankylosis in one or both knees and hips.

For additional information on this VA Program, please visit the VA Automobile Allowance and Adaptive Equipment website. Disabled Veterans are encouraged to visit the Inquiry Routing & Information System (IRIS) website to search for Frequently Asked Questions or ask a question online. If questions still remain, please call 1-800-827-1000 directly.

Surveys Prove VA's Quality Medical Health Care Improves

The Department of Veterans Affairs (VA) has changed over the last twenty (20) years and has made great strides in the delivery of quality care and medical services.

In 2017, the VA began soliciting feedback from outpatient veterans, following their appointments for medical services. The survey was based upon the “level of trust” the veterans have in the medical care they receive at the VA.

Approximately 3.5 million veterans responded to the survey, which was conducted between late 2017 to April of 2020. Over ninety (90.1%) percent said they “agreed” or “strongly agreed” that they trusted their VA medical health care.

The rate of “trust” has significantly increase from 84.9% (during the fourth quarter of 2017) to 91.1% (during the first quarter of 2020). These results are based upon the VA’s Veterans Signals Patient Feedback Program.

After analyzing and evaluating the veterans’ feedback in the survey, the VA has created a new training program for employees and added personnel to facilities who are providing customer assistance services at help desks and in hallways. “These improvements are a testament to not only VA’s investment in patient experience programs but also the dedication of our VA employees,” said former VA Secretary Robert Wilkie in April of 2020.

The Veterans of Foreign Wars (VFW) had been conducting an independent survey entitled the “Our Care” Survey among its members to evaluate patient satisfaction. This recent survey indicated that 82% of the 6,900 respondents reported being at least somewhat satisfied with the health care they received from the VA.

Seventy-four (74%) percent have seen improvements in their VA facilities and 91% would recommend receiving health care through the VA. Only 7% of the veterans have indicated that they were not satisfied with their VA health care.

If veterans are dissatisfied with the health care that they received at VA medical facilities, they must let the VA know so the VA can make the necessary changes/improvements. All veterans must work together to ensure that veterans lead high quality lives with respect and dignity. Participating in these quality assurance surveys is one way to ensure that this will happen at VA medical facilities.

Department Testifies at Senate Committee Hearing

Presenting testimony at the State Capitol, in Columbus, to our elected officials is one of the responsibilities of the DAV Department of Ohio. On April 20, 2021, representatives of the DAV Department met with the first Veterans Caucus of the 134th General Legislative Session.

Convened by Senator Frank Hoagland (a retired Navy Seal) and Representative Haraz Ghanbari (a 20-year Army and Navy veteran), the Veterans Caucus’ purpose

was to meet with other key Veteran Service Organizations (VSOs) and later to submit testimony to the State Standing Budget Appropriations Committee of the Senate's General Government Budget Committee.

Attending the Veterans' Caucus were representatives of the American Legion, AmVets, Veterans of Foreign Wars and the Disabled American Veterans. These four (4) organizations had previously worked together during the successful "Second Call to Duty" Program initiated by Ohio Secretary of State Frank LaRose in 2020.

The DAV testimony to the Senate Committee focused on achievements over the past year. Those achievements included obtaining/retaining \$699,332,451 in VA benefits; obtaining \$21,871,116 in educational benefits and \$1,285,582 in clothing allowances. These benefits were generated and retained, in 2020, from the VA and provided to Ohio veterans.

In addition to vans purchased through the DAV's Hospital Transportation Program, hospital volunteers assisted patients at every major VA Medical Facility at both Ohio Veterans Homes. At the conclusion of the DAV testimony, a request was made to continue to provide state funds to the DAV, and the other VSOs, so we may continue to support our State's veterans to their physical and financial betterment.

Following the DAV's presentation to the Committee, Senator Hearcel Craig, an Army veteran, and State Representative Jennifer Gross, a retired Air Force veteran, commended the DAV on their accomplishments.

The Department will continue to cooperate and work with other VSOs in the Veterans' Caucus and throughout the 134th General Legislative Session in voicing our support for veterans' issues at the State of Ohio's level of government.

John J. Plahovinsak
State Commander

Michael Stith
State Adjutant