

**NATIONAL EXECUTIVE COMMITTEE  
OF  
THE AMERICAN LEGION  
October 14-15, 2020  
Virtual**

**Resolution No. 4: Appropriate Procedures for Compensation & Pension Examinations  
Origin: Veterans Affairs & Rehabilitation Commission  
Submitted by: Veterans Affairs & Rehabilitation Commission**

WHEREAS, The reliance of the Veterans Benefits Administration (VBA) on contracted compensation & pension (C&P) examinations has increased substantially since 2016, when it awarded 12 contracts to five private firms for up to \$6.8 billion; and

WHEREAS, An October 2018 report from the Government Accountability Office (GAO) concluded that such medical providers contracted to conduct C&P exams are not meeting the accuracy and timeliness standards set forth by the Department of Veterans Affairs (VA); and

WHEREAS, C&P exams fulfill essential functions for VA disability claims and appeals, such as establishing service connection for veterans' disabilities and evaluating their severity for the purpose of VA disability compensation; and

WHEREAS, It is reasonable to expect VA to schedule C&P exams only when they are needed, and to notify veterans of their appointments for such examinations in an appropriate and effective manner; and

WHEREAS, It has been reported to The American Legion that C&P exams have been scheduled unnecessarily for veterans whose conditions are already diagnosed and being treated by VA; and

WHEREAS, When VA-contracted providers contact veterans on their home phones, no caller ID appears; thus, veterans often do not take the call and they are subsequently penalized by VA with a "no show" at their scheduled C&P exam; and

WHEREAS, Such "no show" determinations often result in the denial of benefits to America's veterans; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled virtually on October 14-15, 2020, That The American Legion urge the Department of Veterans Affairs (VA) to alleviate the scheduling of unnecessary compensation & pension (C&P) exams; and, be it further**

**RESOLVED, That VA-contracted medical providers contact veterans telephonically in a manner that will identify the caller to the veteran; and, be it further**

**RESOLVED, That VA and VA contractors refrain from assigning "no show" determinations in veterans' medical records until such veterans have been contacted via their primary phone numbers, secondary phone numbers and/or email; and, be it further**

**RESOLVED, That the Veterans Benefits Administration establish notification, grievance and a national hotline for veterans who experience inappropriate procedures and standards with contracted medical examiners during the compensation and pension process; and, be it finally**

**RESOLVED, That The American Legion supports the use of disability benefits questionnaires and advocates that a VA diagnosis of a veteran(s) condition be recognized in order to avoid subsequent and duplicate medical testing by an contracted medical examiner concerning an established medical condition.**