

**ONE HUNDRED AND SECOND NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Phoenix, Arizona
August 31, September 1, 2, 2021**

Resolution No. 22: Department of Veterans Affairs Update Locator Tool to Include In-Network Community Emergency Care Providers

Origin: Minnesota

Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

WHEREAS, With the passage of the VA MISSION Act of 2018, veterans now have better access and greater choice in their health care through in-network community providers via improved eligibility criteria, with the new eligibility criteria going into effect in June 2019, after final regulations were published; and

WHEREAS, VA added language in its community care regulations during the MISSION Act revisions to include authorizing emergency treatment, specifically, 38 CFR 17.20(c) which applies only to emergency treatment furnished to a covered veteran by an in-network emergency room provider and does not affect eligibility for, or create any new rules or conditions affecting, reimbursement for emergency treatment under section 1725 or 1728 of title 38, United States Code; and

WHEREAS, Under the conditions set forth in this regulation, VA may authorize emergency treatment after it has been furnished to a covered veteran, for purposes of this paragraph (c), “emergency treatment” has the meaning defined in section 1725(f)(1) of title 38, United States Code, VA may only authorize emergency treatment under this paragraph (c) if the covered veteran, someone acting on the covered veteran's behalf, or the eligible entity or provider notifies VA within 72-hours of such care or services being furnished and VA approves the furnishing of such care or services under paragraph (c)(3) of this section. (3) VA may approve emergency treatment of a covered veteran under this paragraph (c) only if the veteran is receiving emergency treatment from an eligible entity or provider, the notice to VA complies with the provisions of paragraph that it is submitted within 72 hours of the beginning of such treatment; and

WHEREAS, VA created a Locator Tool via website for enrolled veterans to find “in-network” community providers to help veterans find the closest place of treatment; and

WHEREAS, VA has not updated its locator tool to reflect the recent regulation changes, which include in-network community emergency care providers; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Phoenix, Arizona, August 31, September 1, 2, 2021, That the Department of Veterans Affairs (VA) should improve its transparency with veterans by adding a list of in-network emergency care providers to its locator tool website so veterans can find an in-network emergency room closest to them in case of a medical emergency, knowing VA will cover the episode of care if notified within 72 hours.