NINETY-EIGHTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Cincinnati, Ohio
August 30, 31, September 1, 2016

Resolution No. 140: Policy on State Veteran Homes Inspections
Origin: Maryland
Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

WHEREAS, State Veterans Home program, represented by 140 participating facilities within 50 states and in the Commonwealth of Puerto Rico, has proven itself to be the most cost effective resource available to the Department of Veterans Affairs (VA), for high quality long-term health-care services for those of the nation's veterans who need skilled nursing, domiciliary care, adult day health care and other specialized long-term care programs to meet their needs; and

WHEREAS, VA promotes and closely monitors the care and treatment of veterans in State Veterans Homes as an important means to attain its goal of developing, providing, maintaining and guaranteeing options for the highest quality of long term care for eligible veterans; and

WHEREAS, Each state is accountable for ensuring veterans in its State Veterans Homes receive quality long term and other health-care services, and for achieving high patient satisfaction and comfort in safe environmental conditions; and

WHEREAS, A State Veterans Home generally functions within a state's department or division of veterans affairs, public health, or other accountable state agency, and operates under the governance and oversight of a board of trustees, a board of visitors or other similar accountable public body; and

WHEREAS, State Veterans Homes hold themselves accountable for the quality of care they provide through myriad internal management controls, state and federal long-term care regulations, and integration of model policies, practices and standards advocated by the National Association of State Veterans Homes and other standards bodies, for the continuous quality improvement of their programs of care for sick, elderly and disabled veterans; and

WHEREAS, State Veterans Homes are subject to both regular and periodic inspections and audits from state agencies, the federal Department of Health and Human Services, the Inspector General of the Department of Veterans Affairs, and the Civil Rights Division of the Department of Justice, among other inspectors, and are accountable to the general public through the press and news media; and

WHEREAS, Surveys by state agencies and the federal Department of Health and Human Services already hold State Veterans Homes to the same and more conditions and standards of care as the VA, with the exception of eight VA unique and primarily administrative criteria; and

WHEREAS, In the Memorandum on VA Inspections of State Veterans Homes dated June 6, 1996, the VA Under Secretary of Health instructed the deputy secretary to modify relevant sections of the Veterans Health Administration Administrative Manual to ensure that State Veterans Homes that are accredited/certified (without waivers) by either the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) or the Health Care Financing Administration (HCFA) are exempted from annual VA inspections unless there is good reason to believe that the State Veterans Home is not substantially in compliance with the current VA standards, likewise,

non-JCAHO or non-HCFA certified State Veterans Homes may be exempted if they are licensed by the state inspection standards and the state standards approximate VA standards; and

WHEREAS, In the Memorandum on Transparency and Open Government, issued on January 21, 2009, the President instructed the Director of the Office of Management and Budget to issue an open government directive to direct executive departments and agencies to take specific actions to implement the principles of transparency, participation and collaboration to improve the effectiveness of government by encouraging partnerships and cooperation within the federal government, across levels of government, and between the government and private institutions; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Cincinnati, Ohio, August 30, 31, September 1, 2016, That The American Legion supports the consolidation of the duplicitous inspection process and that the Department of Veterans Affairs (VA) and the Centers for Medicare and Medicaid Services (CMS), where applicable, combine their surveys into one inspection or defer to the CMS inspection results, except for those unique VA criteria, to assure that State Veterans Homes function within required standards and fulfill their roles as effective, safe and high quality sources of compassionate care for eligible sick and disabled veterans and their dependents and survivors.