NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
May 4-5, 2005

Resolution No. 20: Clarify VA Dental Regulations And Ensure Proper Due Process Regarding VA Dental Treatment

Submitted by: Veterans Affairs and Rehabilitation

WHEREAS, The Veterans Health Administration (VHA) and the Veterans Benefits Administration (VBA) are mandated by Congress to take care of the needs of the men and women who served this country honorably and were injured and/or aggravated a condition during that service; and

WHEREAS, There is confusing language in the Veterans Benefits Administration (VBA) and Veterans Health Administration (VHA) regulations pertaining to the allowable treatment for dental conditions; and

WHEREAS, VA has consistently failed to provide due process to claimants regarding proper denial of claims for dental treatment, ignoring the requirement to properly inform the claimant of the reason for said denial; now, therefore be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 4-5, 2005, That The American Legion urge the Department of Veterans Affairs to clarify any inconsistencies that exist in VBA and VHA regulations and policies regarding allowable treatment for dental conditions; and, be it finally

RESOLVED, **That VA provide written notification of denial for dental treatment in order to afford the veteran adequate due process as required by 38 United States Code (USC).**