**NATIONAL EXECUTIVE COMMITTEE**
**OF**
**THE AMERICAN LEGION**
**INDIANAPOLIS, INDIANA**
**October 15-16, 2008**

**Resolution No. 24: Medical Opinions Provided By The Department Of Veterans Affairs (VA) Primary Care Providers**

Submitted by: Veterans Affairs and Rehabilitation Commission

WHEREAS, The American Legion is a national organization of veterans who have dedicated themselves to the service of the community, state and nation; and

WHEREAS, The Department of Veterans Affairs (VA) has a duty to assist veterans/claimants in the development of their claims under the Veterans Claims Assistance Act of 2000; and

WHEREAS, The veteran seeking service connection or increases in their service-connected disabilities should be given the option to obtain an opinion that would support their claim; and

WHEREAS, Not all veterans filing a claim with the VA can afford to purchase a supporting medical opinion from a private health care provider and, as a result, many fail to submit a supportive medical opinion; and

WHEREAS, Veterans Health Administration (VHA) Directive 2000-029 stated that "Veteran patients may request statements and/or opinions concerning their medical condition from their personal physician to support their claims for VA compensation or pension"; and

WHEREAS, VHA Directive 2000-029 expired in 2005 and was subsequently replaced in 2007 with VHA Directive 2007-024 that limits assistance to veterans to the recording of observations on the current medical status of the veteran found in the medical record, including their current functional status; and

WHEREAS, The current directive now limits the assistance of VA primary care physicians in providing medical opinions relating the veteran's current medical condition to his or her military service; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 15-16, 2008, That The American Legion urge the Department of Veterans Affairs to amend Veterans Health Administration (VHA) Directive 2007-024 to specifically allow VA primary care physicians to provide supporting medical opinions, including opinions relating to causation of a condition, when it is medically possible to do so.**