STATEMENT OF
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THE AMERICAN LEGION
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES SENATE
ON
PENDING LEGISLATION

OCTOBER 6, 2015

Chairman Isakson, Ranking Member Blumenthal, and distinguished members of the committee; On behalf of our National Commander, Dale Barnett, and the over 2 million members of The American Legion, we thank you for this opportunity to testify regarding The American Legion's positions on pending legislation before this committee. We appreciate the committee focusing on these critical issues that will affect veterans and their families.

S. 717: Community Provider Readiness Recognition Act of 2015

To designate certain non-Department mental health care providers who treat members of the Armed Forces and veterans as providers who have particular knowledge relating to the provision of mental health care to members of the Armed Forces and veterans, and for other purposes.

This bill would designate certain non-Department mental health care providers who treat members of the Armed Forces and veterans as providers who have particular knowledge relating to the provision of mental health care to members of the Armed Forces and veterans. The American Legion believes by establishing a registry of Non-VA Mental Health Care providers who have been designated by the Department of Veterans Affairs (VA) or Department of Defense (DOD) to understand VA/DoD culture is beneficial to the veteran and their family. This bill would ensure there are designated non-VA/DoD mental health providers that are readily available to treat veterans and help to reduce mental health access wait times within the VA Healthcare system.

The American Legion supports S. 717.

S. 1676: Delivering Opportunities for Care and Services for Veterans Act of 2015

To increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes.

This bill would give the VA increased tools and the flexibility to effectively and efficiently recruit and retain qualified healthcare professionals to practice and provide health care services to veterans living in rural and highly rural areas across the country.

Section 101: Disregard of resident slots that include VA training against the Medicare graduate medical education limitations

This section would ensure that up to 24 Graduate Medical Education (GME) residency slots within VA would not count towards the current cap under Section 301(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014.

Section 102: Extension of period for increase in graduate medical education residency positions at medical facilities of the Department of Veterans Affairs

Section 301 of the Veterans Access, Choice, and Accountability Act of 2014 authorizes the VA to allocate 1,500 additional residency positions over the next five years. This section would increase the timeframe for residency positions within the VA healthcare system from 5 years to 10 years.

Section 103: Pilot program on graduate medical education residency programs in behavioral medicine in underserved areas

This section authorizes VA, Indian Health Services (IHS), and the Department of Health and Human Services (DHHS) to develop a six-year pilot program to create no less than three behavioral health graduate medical residency programs to be located in underserved, rural and/or highly rural areas of the country.

Section 104: Inclusion of mental health professionals in education and training program for health personnel of the Department of Veterans Affairs

This section in accordance with Title 38, United States Code (U.S.C.) section 7302(a)(1) would include the education and training of marriage and family therapists (MFTs) and licensed professional mental health counselors (LPMHCs) as well as including these professions in the VA's recruitment programs.

The American Legion supports the inclusion of licensed professional mental health counselors (LPMHCs) and marriage and family therapists (MFTs) as funded associated health trainees through the Department of Veterans Affairs (VA) trainee support programs.[1]

Section 105: Expansion of qualifications for licensed mental health counselors of the Department of Veterans Affairs to include doctoral degrees

Title 38 U.S.C. section 7402(b)(11)(A) states that if a Licensed Professional Mental Health Counselor is to eligible to be appointed to a licensed professional mental health counselor position the individual must have a masters degree in mental health counseling or a related field

[1] American Legion Resolution No. 283:Licensed Professional Mental Health Counselors and Marriage and Family Therapists- Aug 2014

from a college or university that is approved by the Secretary. This section of the bill calls for individuals to have a doctoral degree in the related mental health fields.

Section 201: Requirement that physician assistants employed by the Department of Veterans Affairs receive competitive pay

This section would amend Title 38, U.S.C. section 7451(a) (2) by inserting the name "Physician Assistant" in sections (b) and (c) respectively. This part of the bill would allow Physicians Assistants to be included into the Nurse Locality Pay System so that the Veterans Health Administration (VHA) can stay competitive with the local markets.

The American Legion supports legislation addressing the recruitment and retention challenges that the VA has regarding pay disparities among physicians and medical specialists who are providing direct health care to our nation's veterans.[2]

Section 202: Modification of education debt reduction program of Department of Veterans Affairs to require a certain amount to be spent in rural and highly rural areas.

This section would amend Title 38, U.S.C. section 7681 by inserting a new subsection (c) to include that 30 percent of the debt reduction allocated under the Education Debt Reduction Program each year shall be paid to individuals who practice in a rural or highly area, where the VA struggles to effectively recruit qualified mental health professionals.

Section 203: Report on medical workforce of the Department of Veterans Affairs

This section requires the Secretary of Veterans Affairs to submit a medical workforce report to the Senate and House Veterans' Affairs Committees. This report would provide the committees an assessment of how the VA is addressing medical workforce shortages to include the following:

- The recruitment and integration of licensed professional mental health counselors and marriage and family therapists;
- To determine if VA is utilizing the education debt reduction program;
- To understand how VA is addressing barriers in delivering telemedicine; and
- For the Veterans Health Administration to provide an assessment of succession plans regarding vacancies across the Department.

Section 301: Establishment of positions of Directors of Veterans Integrated Service Networks in Office of Under Secretary for Health of Department of Veterans Affairs and modification of qualifications for Medical Directors

This section would amend Title 38, U.S.C. section 7306(a)(4), by inserting "and Directors of Veterans Integrated Service Networks" after "Such Medical Directors;" and by striking ", who shall be either a qualified doctor of dental surgery or dental medicine."

[2] American Legion Resolution No. 101: Department of Veterans Affairs Recruitment and Retention-Sept. 2015

Section 302: Pay for Medical Directors and Directors of Veterans Integrated Service Networks

This section would provide the Secretary of Veterans Affairs the flexibility within a new compensation system to provide VA Veterans Integrated Service Network and Medical Center Directors the ability to determine market pay and to address the pay disparities between VHA and the private sector.

Section 401: Pilot program on providing nurse advice line for veterans in rural and highly rural areas.

This section of the bill authorizes that the Secretary of Veterans Affairs conduct a two-year pilot program to assess the feasibility of implementing a nurse advice line to address questions veterans living in rural and/or highly rural areas of the country have regarding their health care, availability of benefits, and appointment and cancellation services through an appointment clerk.

The American Legion urges the VA Office of Rural Health (ORH) to ensure Rural Health Resource Centers provide services to rural veterans from surveys, national hotlines and connecting veterans living in rural communities with providers.[3]

Summary:

This legislation is broad in scope, with many helpful sections that have the potential to improve the health care veterans receive from the VHA. In particular, improvements to mental health counseling, competitive salaries for medical professionals, and improvements to rural health care options all address problem areas for VHA and will be improved by the passage of this legislation.

The American Legion supports S. 1676

S. 1754: Veterans Court of Appeals Support Act of 2015

To amend title 38, United States Code, to make permanent the temporary increase in number of judges presiding over the United States Court of Appeals for Veterans Claims, and for other purposes.

The Court is authorized seven permanent, active Judges, and two additional Judges as part of a past temporary expansion provision. Over the next two years a sequence of retirements risks resulting in the Court falling to just five judges right when a new administration and Congress have a thousand other nominations to worry about. Past history tells us that it will take at least two years before anyone notices the Court is drowning. With the Board growing and its output going up to levels not seen since the Court was created, the CAVC will be in big trouble if allowed to fall to five judges for multiple years. Therefore, this needs to be addressed this year.

[3] American Legion Resolution No. 37: *Department of Veterans Affairs Rural Healthcare Program-Aug 2014*

The American Legion has a long history of supporting the Court and it would be a great disservice to veterans and the Court to not address this now.

The American Legion supports S. 1754.

S. 1885: Veterans Housing Stability Act of 2015

To amend title 38, United States Code, to improve the provision of assistance and benefits to veterans who are homeless, at risk of becoming homeless, or occupying temporary housing, and for other purposes.

This bill would modernize and strengthen existing Department of Veterans Affairs' housing programs for homeless and at-risk veterans. Currently, VA reports there are approximately 50,000 homeless veterans, representing 12% of America's adult homeless population. As these numbers have declined and as progress is being made to end veterans' homelessness, it has become clear that insufficient availability of affordable permanent housing is an obstacle to fully achieving this goal. This legislation aims to increase veteran access to permanent housing options by encouraging landlords to rent to veterans, providing grants for organizations that support formerly homeless veterans, and modifying a VA program that sells homes from VA's foreclosure inventory at a discount to nonprofit agencies.

This bill would also expand the definition of "homeless veteran" to provide additional benefits to veterans in need by including a veteran or veteran's family fleeing domestic or dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in their current housing situation. Additionally, it would also codify the VA's National Center on Homelessness to guarantee its continued role in researching the most cost-effective approaches to ending veteran homelessness and disseminating them to the field.

In conclusion, The American Legion believes that S. 1885 would dramatically help end and prevent veteran homelessness. We strongly believe that all programs to assist homeless veterans must focus on helping them reach their highest level of self-management and this bill helps in accomplishing that ultimate goal.

The American Legion supports S. 1885.

S. 2013: Los Angeles Homeless Veterans Leasing Act of 2015

To authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes.

This bill would allow veterans who are currently living on the streets to relocate to a more secure space on the campus of the West Los Angeles Healthcare System for the purpose of receiving housing, health care, education, family support, vocational training, and other needed services.
For nearly 80 years, the VA West Los Angeles Campus has been providing disabled veterans a place to live and receive needed services. For over 35 years, The American Legion has been

actively protesting the Department of Veterans Affairs misuse of the property. Since that time the VA has been leasing the land to private businesses in the area directly contrary to the explicitly stated original intent when the land was donated by Senator John P. Jones and a prominent Los Angeles family intending to serve the homeless veteran community in Los Angeles.[4]

While The American Legion supports S. 2013, we want to ensure that the revenues generated by these leases are benefitting the veteran community, as well as enhancing the West Los Angeles VA facility itself. We also want those revenues well documented and tracked and continue to urge VA to report what had happened to the original funds as The American Legion asked earlier this year. VA has continued to fail to provide answers regarding accounting of funds collected from commercial tenants of the West Los Angeles VA facility when the organization violated land-use agreements. To date, the money collected in exchange for use of campus assets has not been accounted for.

The American Legion opposes any Enhanced-Used-Lease that does not specifically provide any obvious and permanent benefits, resources or services to the veterans' community.[5] This legislation can provide tangible benefits to the veterans in the West Los Angeles area, but there *must* be a complete and transparent accounting of the activities on the property, past and present, to restore trust in the veterans' community.

The American Legion supports S. 2013.

S. 2022

To amend title 38, United States Code, to increase the amount of special pension for Medal of Honor recipients, and for other purposes.

The American Legion enthusiastically supports an increase in the special pension assigned to Medal of Honor recipients. For the 78 living recipients[6] of this nation's highest military honor, an increase in the monthly pension based upon heroic acts in the face of nearly insurmountable challenges is a small token of appreciation and gratitude for their sacrifices. As the nation's largest wartime veterans service organization, The American Legion fully appreciates the service of those awarded the Congressional Medal of Honor and supports increasing their monthly pension to $3,000.

The American Legion supports S. 2022.

Conclusion

As always, The American Legion thanks this committee for the opportunity to explain the position of the over 2 million veteran members of this organization. For additional information

[4] HVAC O&I Hearing: An Examination of Waste and Abuse Associated with VA's Management of Land-Use Agreements: Feb 2015

[5] Resolution No. 154: Department of Veterans Affairs Enhanced-Used-Leasing: Aug 2014

[6] http://www.cmohs.org/medal-statistics.php

regarding this testimony, please contact Mr. Warren J. Goldstein at The American Legion's Legislative Division at (202) 861-2700 or wgoldstein@legion.org.