

National Convention Benefits Protection Team Seminar August 04, 2023





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NATIONAL LEGISLATIVE INTERIM COMMITTEE 2022-2023



Al Labelle

Department of Wisconsin, Chairman



Trent Dilks Department of Minnesota



W. Lee Gidden Department of Ohio

Marguerite Stubbs Department of Maryland



OUTSTANDING PERFORMANCE IN ADVOCACY AWARD WINNERS

Division I – Department of OH: BPTL John Plahovinsak

Division II – Department of MN: BPTL **Trent Dilks**

Division III – Department of WI: BPTL AI Labelle

Division IV – Department of ME: BPTL Craig Florey

Division V – Department of UT: BPTL Jerry Estes



THANK YOU!

2023 we received 520 resolutions from 36 states

Advocacy efforts over all (emails to Congress on legislation) 541,503





I 18TH CONGRESS

Senate Veterans' Affairs Committee

Chairman: Jon Tester (D-MT)

Ranking Member: Jerry Moran (R-KS)





House Veterans' Affairs Committee

Chairman: Mike Bost (R-IL)

Ranking Member: Mark Takano (D-CA)



I 18TH CONGRESS SENATE VETERANS' COMMITTEE

Democrats (10)

- Jon Tester (MT)
 Joe M
 Chairman
- Dick Blumenthal (CT)
- Sherrod Brown (OH)
- Maggie Hassan (NH)
- Mazie Hirono (HI)

- Joe Manchin (WV)
- Patty Murray (WA)
- Kyrsten Sinema (AZ)
- Bernie Sanders (VT)
- Angus King (ME)

Republicans (9)

- Jerry Moran (KS)
 Ranking Member
- Marsha Blackburn (TN)
- Mike Rounds (SD)
- Dan Sullivan (AK)
- Thom Tillis (NC)
- John Boozman (AR) John Boozman (AR)
- Bill Cassidy (LA) (AL)
- Kevin Cramer (ND)

I 18TH CONGRESS HOUSE VETERANS' COMMITTEE

Republicans (14)

- Mike Bost (IL) Chairman
- Jack Bergman (MI)
- Nancy Mace (SC)
- Amata Radewagen (AS)

- Derrick Van Orden (WI)
- Mariannette
 MillerMeeks (IA)
- Eli Crane (AZ)
- Greg Murphy (NC)

- Jen Kiggans (VA)
- Juan Ciscomani (AZ)
- Keith Self (TX)
- Morgan Luttrell (TX)
- Scott Franklin (FL)

• Matt Rosendale (MT)

II8TH CONGRESS HOUSEVETERANS' COMMITTEE Democrats (11)

- Mark Takano (CA)
- Ranking Member
- Julia Brownley (CA)
- Mike Levin (CA)
- Frank Mrvan (IN)

- Chris Pappas (NH)
- Chris Deluzio (PA)
- Sheila Cherfilus-McCormick (FL)
- Delia Ramirez (IL)

- Greg Landsman (OH)
- Morgan McGarvey (KY)
- Nikki Budzinski (IL)

CRITICAL POLICY GOALS 118TH CONGRESS

- Correct inequities and provide parity in compensation benefits for veterans and survivors
- Implement the PACT Act and address gaps in toxic exposure benefits
- Ensure equity in VA care, services and benefits for women, LGBTQ+ and minority veterans
- Provide a full spectrum of long-term care options for service-disabled and aging veterans
- Bolster mental health resources to ensure continued progress in reducing veteran suicide
- Expand the **VA's capacity** to deliver timely, high quality care to veterans





VIEW DAV'S FULL CRITICAL POLICY GOALS FOR 2023

VIEW DAV'S CONDENSED CRITICAL POLICY GOALS FOR 2023



2022-2023 Legislative Program (Resolutions)

DAV's Legislative Program includes all of the legislative resolutions adopted at our most recent national convention, which guide DAV's positions on federal programs, policies and legislation.

Congressional Testimony

Read official testimonies DAV has delivered to the Senate and House of Representatives, which cover legislation, funding, policies and proposals to strengthen and reform veterans health care services and benefits programs.

<u>Issue Briefs</u>

Through a series of DAV issue briefs, learn more about the most critical issues challenging veterans today. Topics include veterans health care reform, caregiver support, women veterans, burn pits and survivor benefits.

Legislative Webinars

Find out how to become more involved and effective as a DAV advocate through our series of webinars about the legislative process, department and national conventions, resolution writing, Benefits Protection Teams and many other topics of interest to our members and supporters.

Independent Budget

In partnership with Paralyzed Veterans of America (PVA) and Veterans of Foreign Wars (VFW), DAV annually produces the *Independent Budget* and policy recommendations for the Department of Veterans Affairs and Congress.

https://www.dav.org/about-dav/legislation/



NATIONAL LEGISLATIVE

First time being selected to serve on a convention committee?

Please join the National Legislative Department for an overview:

- ✓ Resolution process
- ✓ What to expect
- Duties and responsibilities
 How to best prepare to serve as a delegate on a convention committee

PREPARING TO SERVE ON A CONVENTION RESOLUTION COMMITTEE

> Friday August 4, 2023 3:45 PM - 4:45 PM

Room: Avalon 30 (access via 4)

WORKSHOP: Preparing for Convention "Resolutions" Committee Friday August 4th 3:45 pm **Room: Avalon 30**

VA LEADERSHIP----

Key note speaker
 August 5th Opening Session





VA Secretary Denis McDonough

DAV SERVICE AND LEGISLATIVE SEMINAR SATURDAY AUGUST 5, 2:00 PM



Dr. Ryung Shu Chief of Staff, Department of Veterans Affairs Veterans Health Administration

> Mr. Mike Frueh Deputy Under Secretary for Benefits Veterans Benefits Administration



Please arrive by 1:45 pm



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Correct Inequities and Provide Parity in **Compensation Benefits for** Veterans and Survivors

Marquis D. Barefield Assistant National Legislative Director August 4, 2023

CRITICAL POLICY GOALS

DAV urges Congress to:

- 1. Allow receipt of earned compensation and military payments without offsets
- 2. Provide parity for survivors receiving Dependency and Indemnity Compensation (DIC)



DAV urges Congress to:

Enact legislation to repeal the inequitable offset between rightfully earned military retired pay and VA disability compensation for all veterans, including medically retired veterans.





H.R. 1282/S. 344—the Major Richard Star Act

- House/Senate action
- Quorum campaign



- H.R. 1282, The Major Richard Star Act
- On June 21, 2023, passed out of the House Armed Services Committee





S. 1515, the Retired Pay Restoration Act





DAV urges Congress to:

Afford justice for veterans by enacting legislation that allows them to keep military separation payments based on their service, which differs from VA disability compensation.



 H.R.3489, the Restore Veterans' Compensation Act of 2023





PROVIDE PARITY FOR SURVIVORS RECEIVING DEPENDENCY AND INDEMNITY COMPENSATION

DAV urges Congress to:

Enact legislation that would index the rate of compensation for DIC payments to 55% of a 100% service-disabled veteran with a spouse to achieve parity with similar compensation federal employees' survivors receive.



PROVIDE PARITY FOR SURVIVORS RECEIVING DEPENDENCY AND INDEMNITY COMPENSATION



S. 414 – the Caring for Survivors Act of 2023



PROVIDE PARITY FOR SURVIVORS RECEIVING DEPENDENCY AND INDEMNITY COMPENSATION

S. 1266/H.R. 3651—the Love Lives On Act







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Implement the PACT Act & Address Gaps in Toxic Exposure Benefits

Shane Liermann Deputy National Legislative Director Update August 4, 2023

Critical Policy Goal

DAV urges Congress to:

- 1. Monitor the implementation of the PACT Act
- 2. Recognize exposures and related diseases at K2
- 3. Provide parity for radiation exposed veterans and remove the dose estimate requirement

Congress must



- Conduct oversight of disability claims,
- Require VA provide data on claims granted and denied,
- Require transparency regarding quality assurance.





It is imperative that we monitor the number of claims filed related to the PACT Act, how these claims impact the overall workload, how many are approved or denied and why.

As of July 5th, VA has over 850,000 claims pending and 243,000 of them are considered backlogged as they have been pending over 125 days.



Let's put these numbers into perspective:

Over 700,000 claims received by VA
 Over 380,000 claims decided
 Over 3.9 million toxic screenings
 Over 98,000 new PACT Act related VHA enrollees
 Claims filed prior to August 10th

For more updated information, attend the DAV Service and Legislative Workshop tomorrow at 2 pm.

Since last year, DAV has provided testimony on the implementation

- December 2022 before HVAC
 - April 2023 before HVAC
 - July 2023 SVAC

Congress must



 Enact legislation that concedes exposure to radiation, jet fuel and chemical weapons at K2, and provide for studies and recognize presumptive diseases related thereto.



Recognize Exposures & Diseases at K2



More than 15,000 service members exposed:

- Chemical weapons
- Radioactive depleted uranium
- Jet fuel and petroleum products
- 400 other chemical compounds

Recognize Exposures & Diseases at K2

As of today, we do not have any specific legislation introduced; however, PL 116-315 section 2010 mandated VA to contract with the Agency for Toxic Substances and Disease Registry to study health effects at K2. The final report is expected by December 2024.

Congress must



Enact legislation to remove the VA dose estimate requirement for radiation exposure. This will provide parity with the RECA program and treat veterans' radiation exposure claims on equal footing with civilians.



Provide Parity for Radiation Exposed Veterans



Legislation has been introduced by Rep. Titus, Nevada, to remove the dose estimate requirement.

H.R.4566, the Providing Radiation Exposed Servicemembers Undisputed Medical Eligibility Act or the PRESUME Act.



SHANE LIERMANN

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Ensuring Equitable Benefits and Services for Women, LGBTQ+ and Minority Veterans

Naomi M. Mathis Associate National Legislative Director Update August 4, 2023

Includes

The VA must:

- Ensure equitable access to health care and services and improve health.
- Improve methodologies for data collection and analysis to identify health trends, access issues, disparity in health outcomes, and differences in patient experience.
- Improve environment of care to ensure all veterans feel safe and welcomed when seeking VA care.

Includes

The VA must:

- Enhance diverse representation and culturally sensitive programming.
- Ensure that all veteran subpopulations have representation on federal advisory committees, in the VA's strategic plans and internal programming.



Women, LGBTQ+, and Minority Veterans Focus In 118th Congress

- Women, LGBTQ+ and minority veterans continue to be a focus of Congress and VA.
- Introduction of legislation to improve services and programs for minority and underserved veteran populations.
- DAV continuing our efforts to ensure women and minority veterans have access to comprehensive, quality care and gender-specific services.



Pending Legislation for Women Veterans**

H.R. 544: Veterans Infertility Treatment Act of 2023

- Require infertility care, including Assisted Reproductive Technology (like IVF), part of the medical services provided by VA to any veteran and/or partner who needs infertility care to achieve a pregnancy
- Allow IVF for up to three successful pregnancies or six attempted cycles
- Allows use of donated gametes and embryos

H.R. 894 Equal Access to Contraception for Veterans Act

- Improve access to the full range of contraception and related counseling that improves women's health.
- Active-duty service members also have access to contraception without co-pays through TRICARE



Pending Legislation For Women Veterans

- H.R. 3303: Maternal Health for Veterans Act
- Builds on Protecting Moms Who Served (P.L. 117-69)
- Calls for a report to congress on maternal health outcomes of veterans
- Authorizes \$15m relating to Maternity Care Coordination through 2028

- S. 2014/H.R. 1753: The "Jax" Act
- Ensure that certain members of the Armed Forces who served in female cultural support teams receive proper credit for such service



Pending Legislation For Underserved Veterans

H.R. 984/S. 106: Commitment to Veteran Support and Outreach (CVSO) Act

 Grants to States and Indian Tribes to improve outreach to veterans. S. 185: Native American Direct Loan Improvement Act of 2023

Improve the marketing of the program making it more accessible for Native veterans living on trust land, and allow Native veterans to use the program to refinance any other existing mortgage on the same property.



Pending Legislation

S. 1028/H.R. 2441 SAVES Act of 2023

- Report on military sexual trauma in the digital age.
- Claim may not be denied until notifying the veteran of needed evidence and giving them an opportunity to present or identify it.
- Ensures veteran deals with MST team through BVA
- Annual review of MST-related claims decisions
- Over 28,000 pending MST claims. Over 60% are in the backlog.





NAOMI M. MATHIS

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Provide a full spectrum of long-term care options for service-disabled and aging veterans Jon Retzer Assistant National Legislative Director August 4, 2023

CRITICAL POLICY RECOMMENDATIONS

DAV urges Congress / VA to:

- 1. Increase veterans' access to long-term care
- 2. Modernize and expand VA Community Living Centers and State Veterans Homes
- 3. Expand home- and community-based care services
- 4. Improve the program of Comprehensive Assistance for Family Caregivers



EXPANDING VETERANS' OPTIONS FOR LONG-TERM CARE

- Over the next two decades, an aging veteran population, including a growing number of service-disabled veterans with specialized care needs, will require long-term care (LTC).
- LTC services and supports will need to double by 2037 just to maintain current services.
- Congress must provide VA the resources to significantly expand home- and community-based programs, while also modernizing and expanding facilities that provide institutional care.

S. 495 & H.R. 1815; EXPANDING VETERANS OPTIONS FOR LONG-TERM CARE ACT

- Require the VA to carry out a pilot program to provide assisted living services to a rapidly growing population of aging and/or disabled veterans who are not able to live safely at home, but who do not yet require skilled nursing care.
- DAV supports

H.R. 2543; VETERANS CHOICE ACCOUNTABILITY ACT

- Evaluate all programs of the VA that furnish hospital care, medical services, and nursing home care to determine the most intensively used specialized care programs of the Department and to ensure such programs are maintained as centers of excellence.
- DAV supports

S. 1828; VETERANS HOMECARE CHOICE ACT OF 2023

- Direct the VA to recognize nurse registries for the veterans community care program to include: registered nurses, licensed practical nurses, certified nursing assistants, home health aides, companions, or homemakers.
- Such individuals may provide health care-related or assistive services, including services provided directly to veteran patients or in support of health care facilities and receive compensation for such services.
- Veterans deserve to live independently in their own homes but sometimes need extra assistance to do so. Veterans need care options to include home care professionals for everything from occupational therapy to housekeeping.





Jon Retzer Assistant National Legislative Director (202) 554-3501 jretzer@dav.org



Mental Health and Suicide Prevention Jon Retzer Assistant National Legislative Director

August 4, 2023

Critical Policy Recommendations

DAV urges Congress / VA to:

- 1. Reduce rates of suicide among veterans
- 2. Fund lethal-means safety efforts
- 3. Improve specialized programs and services critical to preventing suicide
- 4. Increase staffing levels of VA mental health providers

5. Improve clinical competence of providers in VA Community Care Network



CONGRESSIONAL AND VA CLINICAL PRIORITY

- An obligation to ensure that our veterans have timely access to the mental health services they need.
- Congress and the VA have been working diligently to address the epidemic of veteran suicide.
- We must work collectively until we get that number down to zero.

H.R. 1639 / S. 853 VA ZERO SUICIDE DEMONSTRATION PROJECT ACT OF 2023

- Aims to improve safety and care for suicidal veterans by launching the Zero Suicide Initiative Pilot Program at the VA.
- DAV supports



H.R. 2768 PFC JOSEPH P. DWYER PEER SUPPORT PROGRAM ACT

Require the VA to establish a grant program eligible to nonprofit organization having historically served veterans' mental health needs, congressionally chartered veterans service organization and state, local, or tribal veteran service agency, director, or commissioner to establishing peer-to-peer mental health programs for veterans.

DAV supports



S. 1612 REIMBURSE VETERANS FOR DOMICILIARY CARE ACT

- Require VA to publish a proposed rule to the VA to waive existing eligibility requirements for a veteran to receive per diem payments for domiciliary care at a State Veterans Home.
- The bill requires VA reimburse State Veterans Homes retroactively to January 5, 2021.
- DAV supports

S.928 NOT JUST A NUMBER ACT

- Expand the VA National Veterans Suicide Prevention Annual Report to examine how veterans' suicides correlate with the utilization of VA health care and benefits.
- Elements of the report would include the findings of the national analysis of veteran suicide rates for the latest year data and include trends and comparisons to previous years.
- 15,771 Commanders Action Network actions taken
- DAV supports

H.R. 236 BATTLE BUDDY CHECK WEEK

- VA has made the prevention of suicide among veterans one of its highest priorities and developed data models to continually monitor, improve and tailor suicide prevention strategies and initiatives for veterans.
- Require the VA to designate one week per year as "Battle Buddy Check Week" for the purposes of organizing outreach events and educating veterans on how to conduct mental health wellness checks.
- 6,415 Commanders Action Network actions taken

DAV supports





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Expand VA's Capacity to Deliver Timely, High-Quality Health Care to Veterans

> Joy Ilem National Legislative Director August 4, 2023

Vacancies and Staffing Shortages

- Accelerate Recruitment
 & Retention Efforts
- Expedite Hiring & Onboarding Processes





Aging Health Care Infrastructure



- Create Strategic Plan to Modernize VA Infrastructure
- Bolster Construction
 Funds to Increase VA's
 Capacity

IT & Electronic Health Record Modernization

- Rigorous oversight of VA's new EHR system
- Ensure patient care, safety & other mission critical work, including research





Expand Access to VA Care Through Telehealth



 Carefully study efficacy & effectiveness of virtual health care to determine optimal use



VA Fourth Mission for National Emergencies

- Maintain sufficient health care capacity to meet fourth mission functions
- Ensure veterans have uninterrupted care





Key Legislation:

Electronic Health Record

• S. I 125/H.R. 2809—EHR Program Modernization Act

Infrastructure

• S. 42, the BUILD for Veterans Act of 2023



www.IndependentBudget.org

VA Budget for FY 2024

- Increase VA Total Medical Care by 14% to \$140 billion
 - + \$1.7 billion for PACT Act
 - + \$2.8 billion for Vacancies
 - + \$1 billion for Long Term Care
- Increase Major Construction to \$5.1 billion, 3x FY 2023 funding

VA Budget for FY 2024

Other key funding recommendations:

- VBA = \$4.1 billion (+11%)
- NCA = \$573 million (+33%)
- BVA (Board) = \$325 million (+14%)
- VA Research = \$980 million (+7%)
- Dental Care = \$500 million (new program)

Veterans Health Administration (VHA)	FY 2023 Appropriation FINAL	FY 2024 Adv Approp VA/INAL	FY 2024 Appropriation 18 Recorned.	FY 2025 Adv. Approp IB Recommu
Medical Services Medical Support and Compliance Medical Facilities Medical Care Collections (VA Medical Care)	70,584,000 11,073,000 8,634,000 8,128,000		88,058,000 11,469,000 8,953,000 Note J	102,279,000 11,888,000 9,270,000 Note 1
Subtotal, VA Medical Care	93,419,000	98,278,000	108,480,000	123,437,000
Medical Community Care Medical Care Collections (Community Care)	28,457,000 782,000	33,000,000 794,000	31,398,000 Note J	33,799,000 Note 3
Subtotal, Medical Community Care	29,239,000	33,794,000	31,398,000	33,799,000
Total, Medical Care	122,658,000	132,670,000	139,878,000	157,236,000
Medical and Prosthetic Research	916,000		980,000	
Total, Veterana Health Administration	123,574,000		140,858,000	
General Operating Expenses Veterans Benefits Administration General Administration Board of Veterans Appeals	3,683,000 433,000 285,000		4,091,000 461,000 325,000	
Total, General Operating Expenses	4,401,000		4,877,000	
Department Admin and Misc. Programs Information Technology DHIM (Center) National Centerry Administration Office of Imspector General	5,782,000 1,759,000 430,000 273,000		6,335,000 1,759,000 573,000 284,000	
Total, Dept. Admin and Misc. Programs	8,244,000		8,952,000	
Construction Programs Major Construction Minor Construction Grants for State Extended Care Facilities Grants for State Units Cometeries	1,447,890 636,110 150,000 50,000		5,125,000 1,050,000 600,000 110,000	
Total, Construction Programs	2,274,000		6,885,000	
Other Discretionary Programs	284,214		296,000	
Cast of War Taxic Exposure Fund (TEF)	5,000,000		Note 2	
Total, Budget Authority	143,777,214		161,572,000	

www.IndependentBudget.org



JOY ILEM

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Additional Legislative Updates

Shane Liermann Deputy National Legislative Director August 4, 2023

Additional Updates

Now that we have provided updates on our Critical Policy Goals, here are some other issues we are actively working on:



Cost-of-Living Adjustment

Through DAV CAN, we sent out a campaign on March 29 and you responded with over 36,000 emails to Congress. DAV supported this bill in accordance with DAV Resolution No. 102.

Also on March 29, DAV testified before the House Veterans' Affairs Committee in support of the COLA.

Cost of Living Adjustment Increase is Law



S. 777, the Veterans' COLA Act of 2023, was passed by the Senate on March 30 and the House on May 22. On June 14, 2023, the bill was signed into law, Public Law 118-6.



Dental Health Care



DAV recognizes that oral health is integral to the general health and wellbeing of a patient and is part of comprehensive health care.

Dental Health Care Bills DAV Supports



- S. 1954/H.R. 4250 A bill to improve the provision of health care furnished by the Department of Veterans Affairs for veterans diagnosed with diabetes and heart disease, and for other purposes
- H.R. 2410 VET CARE Act of 2023
- H.R. 2413 Dental Care for Veterans Act

Claims Processing

DAV Resolution No. 095, calls for improved training for VA employees deciding veterans claims.



Claims Processing Legislation

S. 1635/ H.R. 3718, the Department of Veterans Affairs Post-Traumatic Stress Disorder Processing Claims Improvement Act of 2023

 DAV CAN campaign resulted in 24,000 emails to Congress

PFAS Contaminated Water

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are man-made chemicals.

- 700 military sites
- Agency for Toxic Substances and Disease Registry and National Academies have linked diseases to PFAS exposure.



PFAS Legislation



- S. 1360—PFAS Exposure Assessment and Documentation Act. DAV CAN Campaign resulted in over 15,000 emails to the Senate.
- H.R. 4249—Veterans Exposed to Toxic (VET) PFAS Act. DAV CAN Campaign resulted in

Space Available Travel

Today, veterans who are 100% P&T are allowed to use military space available travel under the Air Mobility Command, Category VI.



Space Available Travel



- Res. 416 Expand the Travel Area from Continental United States to Continental United States and Overseas
- Res. 417 Extend Space-Available Air Travel to Caregivers and Dependents of Eligible Veterans

Space A Travel in the NDAA



We have been working with Rep. Trone (MD) on these issues. He introduced Amendment 722 to the National Defense Authorization Act (NDAA) for 2024.



DAV CAN and the Legislative Team



DAV CAN Since Jan 2023

Released 36 Campaigns
Over 500,000 emails sent
A new record for the DAV CAN. Thank You!





DAV Legislative Team Since Jan 2023



- Reviewed nearly 400 bills
- Over 200 Capitol Hill & Executive Branch Meetings
- Over 150 VSO Coalition Meetings

 Written 11 separate testimonies and appeared at 7 hearings.





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