



Washington Update

Recent news regarding legislation and regulatory actions affecting veterans and people with disabilities.

Written and produced by Paralyzed Veterans of America - Government Relations Department

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Want to Follow the Status of Priority Issues Between Updates?
Visit [PVA's VoterVoice Portal](#) to view our latest alerts and a list of key legislation and its status.

PVA Testifying in Congressional Hearing Today!

On June 16, the Senate Veterans' Affairs Committee will hold a hearing at 3:00 pm ET entitled, "Review of the Fiscal Year 2022 Budget and 2023 Advance Appropriations Requests for the Department of Veterans Affairs." Roscoe Butler, Associate Legislative Director, will testify as part of the Independent Budget. To watch the hearing, please click [here](#).

TESTER, MURRAY RAISE CONCERNS OVER VA CAREGIVERS PROGRAM

On May 18, Senate Committee on Veterans' Affairs Committee Chairman Jon Tester (D-MT) and Sen. Patty Murray (D-WA) expressed concerns over VA's tightened eligibility and delayed roll-out of its Caregivers Program.

Congress expanded the Caregivers Program to veterans of all eras under the VA MISSION Act of 2018. Since the law's implementation, VA has reported more than 70,000 applications for the Caregivers Program, 27,000 of which were denied. Data shows that the highest percentage of denials were due to the activity of daily living (ADL) requirement and the 70 percent service-connection requirement. In a letter to VA Secretary Denis McDonough, the Senators pushed VA to reconsider both the ADL and the 70 percent rule—requirements currently inhibiting caregivers' ability to receive the benefits they deserve.

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The Senators also laid out questions regarding denials and appeals for the Caregivers Program, and resources needed by VA to appropriately implement Phase 2 of the program's expansion to provide critical benefits and services to deserving veterans and their caregivers.

Full News Release Available [Here](#). Letter to VA Available [Here](#).

THE ADMINISTRATION'S FY2022 BUDGET PROPOSAL: VA

VA spending could increase by 10 percent over current year levels if the amounts in the President's recent fiscal year (FY) 2022 budget proposal to Congress are adopted. The Administration requested \$269.9 billion for VA in FY 2022 in addition to the \$18 billion proposed by the President's American Jobs Plan (AJP) for VA construction projects. When combined with appropriated funding from the American Rescue Plan (ARP) and available funding from VA's Transformational Fund, the proposal would fully fund veterans' programs, benefits, and services for the first time in a generation.

\$117.2 billion of the baseline budget proposal would be classified as discretionary spending used to support VA's health care, benefits, and national cemetery programs. Roughly 86 percent of that amount would go toward the delivery of health care alone. The remaining \$152.7 billion is mandatory spending used to support VA's benefit programs like compensation and pension, readjustment, housing, and insurance programs.

Besides allowing the Department to continue its fight against COVID-19, these amounts would support VA's ability to provide care to seven million veteran patients, continue its electronic health record modernization project, improve facility infrastructure, and make the operation and maintenance of more than 7,300 facilities that VA owns or leases easier. It also enables VA to continue its work to reduce veterans homelessness and suicide and provides more than \$115 billion in advance appropriations for FY 2023 to ensure continuity of health care services into the new fiscal year.

Areas of the President's budget which are of likely of interest to PVA members include the continued expansion of VA's Program of Comprehensive Assistance for Family Caregivers (PCAFC). The proposal raises spending for PCAFC by \$350 million in FY2022 for a total \$1.4 billion. The higher amount supports the inclusion of Phase 1 veterans who are now eligible to participate in the program but will not help PVA's efforts to accelerate the start date of Phase II.

Another area of interest is infrastructure. The budget proposal notes that the average age of U.S. private sector hospitals is 11 years; however, the median age of hospitals in VA's portfolio is 58 years, with 69 percent of VA hospitals over the age of 50. In addition to the \$18 billion from the AJP requested to enhance VA infrastructure, ongoing SCI projects at San Diego, Dallas, and St. Louis have FY 2022 funding requests associated with them which are necessary to keep the larger effort at these sites moving forward.

Finally, the Administration is proposing \$882 million for VA research in FY 2022. This represents a \$67 million or 8.2 percent increase over current spending in this area. The proposal also indicates that another \$9 million from the ARP would be designated to support COVID-19 efforts

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in the Medical and Prosthetic Research Plan.

THE ADMINISTRATION'S FY2022 BUDGET PROPOSAL: OTHER AGENCIES

The President's budget highlighted several programs and initiatives important to people with disabilities. These included:

Within the Department of Education:

- \$3.7 billion for state vocational rehabilitation agencies, client assistance programs, and protection and advocacy programs.

Within the Department of Health and Human Services:

- \$148.2 million for the Independent Living Program within the Administration for Community Living.

Within the Department of Housing and Urban Development:

- \$4 million for the Veterans Housing Rehabilitation and Modification Pilot Program to rehabilitate and modify the homes of disabled and low-income veterans.
- \$30.4 billion for the Housing Choice Voucher Program to accommodate 200,000 new vouchers.
- \$85 million for Fair Housing programs, and increased HUD staff capacity to redress discriminatory housing practices.

Within the Department of Justice:

- \$307.2 million would be devoted to civil rights efforts, an increase of \$177.2 million over FY 2021 and includes \$10,000,000 for a grant program for state and local law enforcement to provide officer training on responding to individuals with mental illness or disabilities and \$17,500,000 for education and training to end violence against and abuse of women with disabilities.

Within the Department of Labor:

- \$2 billion over six years to transition people with disabilities from subminimum wage jobs.
- \$42.7 million for the Office of Disability Employment Policy including \$9.8 million for research and development on effective ways to promote greater labor force participation by people with disabilities.
- \$180 million for the Veterans' Employment and Training Service for Jobs for Veterans State Grants, \$31 million for transition assistance programs, and \$57 million for homeless and at-risk veterans programs.

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Within the Department of Transportation:

- \$75,000,000 to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

HOUSE T&I COMMITTEE MARK UP TRANSPORTATION BILL

The INVEST in America Act, which passed the House Transportation and Infrastructure Committee by a vote of 38-26, is a five-year, \$547 billion surface transportation reauthorization bill that directs federal investments in roads, bridges, transit, and rail. Among other provisions, it creates new programs to address several pressing transit challenges—improving compliance with the Americans with Disabilities Act (ADA) and addressing transit deserts by providing expanded transit service to unserved and underserved communities. It also triples funding for Amtrak to \$32 billion, allowing for enhanced service, ADA upgrades, and investments to renew and support service on the Northeast Corridor and long-distance and state-supported routes. Additionally, it creates a pilot to improve flexibility in paratransit trips, allowing for brief stops such as childcare pick-ups and drop-offs, and short trips to the grocery store, pharmacy, or bank. The legislation will now be considered on the House floor.

CMS REMINDS VETERANS AND CAREGIVERS ABOUT AFFORDABLE MARKETPLACE HEALTH INSURANCE PLANS

The Centers for Medicare and Medicaid Services (CMS) is highlighting provisions of the American Rescue Plan (ARP) that offer people an opportunity to enroll in Affordable Care Act (ACA) marketplace health insurance plans. The ARP, which passed earlier this year, contains a special enrollment period for health plans under the ACA. While most PVA members have access to the VA health care system, many other veterans, as well as caregivers, struggle to find affordable health insurance coverage.

Under the law:

- More people will qualify for tax credits that lower the cost of health coverage, even those who were not eligible in the past.
- Most people currently enrolled in a Marketplace plan will qualify for more tax credits.
- Health insurance premiums after these new savings will go down.
- Four out of five customers can find a plan for \$10 or less per month.

People interested in finding out more about the Special Enrollment Period or in applying for coverage can go to [HealthCare.gov](https://www.healthcare.gov) (or [CuidadoDeSalud.gov](https://www.cuidadodesalud.gov) for Spanish speakers) by August 15, 2021. Individuals who submit applications will have 30 days to enroll in a plan. Coverage starts the first day of the month after enrollment. For example, if someone enrolls any time in May, coverage starts June 1. More information is available [here](#).

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NEWS ITEMS OF NOTE

- PVA Raises ADA Issues to Department of Justice's, Disability Rights Section

Through our work with the Consortium for Citizens with Disabilities Rights Task Force, PVA recently had the opportunity to meet with staff for the Disability Rights Section of the Department of Justice regarding a variety of issues of interest to the disability community. During the meeting, PVA staff specifically expressed the need for renewed enforcement of disability civil rights laws, including the Americans with Disabilities Act (ADA) and for regulations governing standards for equipment and furniture under the ADA. In 2017, the Department withdrew pending regulatory action on web access, next generation 911, and accessibility of equipment and furniture, including medical equipment and hotel beds. DOJ officials noted that the Department had recently filed a Statement of Interest in a case pending against Aimbridge Hospitality regarding bed height. The Statement of Interest clarified that where an alleged barrier—the height of a hotel bed—is not addressed by the ADA Standards, the ADA's general nondiscrimination provisions still apply, including making reasonable modifications where necessary to provide goods and services to people with disabilities. To read DOJ's Statement of Interest, click [here](#).

- Disability Employment Incentive Act, H.R. 3765, Introduced in House

On June 8, Rep. Josh Harder (D-CA) and Rep. Brian Fitzpatrick (R-PA) introduced H.R. 3765, the Disability Employment Incentive Act. This is the House companion to S. 630 sponsored by Sen. Bob Casey (D-PA). The measure expands the populations covered by the Work Opportunity Tax Credit to include persons receiving Social Security Disability Insurance and makes long overdue increases in the Accessibility Tax Credit and Architectural Barrier Removal Tax Deduction that can help businesses with pre-1990 buildings upgrade their facilities. PVA has endorsed both bills. To take action on these bills, please click [here](#).

- Senate Bill on Paratransit Introduced

On June 10, Sen. Bob Menendez (D-NJ), introduced legislation to increase accessible transportation for people with disabilities (S.2038). This is the companion piece to H.R. 1697 introduced by Rep. Jim Langevin (D-RI). The bill establishes a pilot program for one-stop para-transit services. This would provide transport for eligible recipients to child care and education facilities, banks or ATM stations, pharmacies and or grocery stores.

- New Episode of VA Benefits News Available

In the latest episode of [VA Benefits News](#), VA Principal Deputy Under Secretary for Benefits, Michael Frueh, discusses the impact of the American Rescue Plan on the accessibility of veteran benefits, some of the Veterans Benefit Administration's outreach initiatives and partnerships, and ways VA and veterans service organizations work together to improve benefits delivery.

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- COVID-19 Funeral Assistance Available from FEMA

The Federal Emergency Management Agency (FEMA) is providing [financial assistance](#) for COVID-related funeral costs incurred after January 20, 2020. If you or someone you know have had COVID-19 burial expenses, click on the link to learn how to apply.

HEARINGS/WEBINARS

- Social Security Subcommittee Hearing on Equity in Social Security: In Their Own Words

House Ways and Means Social Security Subcommittee Chairman John Larson (D-CT) held a hearing on “Equity in Social Security: In Their Own Words,” on Tuesday, June 15. To view the hearing, please click [here](#).

- House Select Subcommittee Hearing on Access for People with Disabilities

On May 27, the House Select Committee on the Modernization of Congress held a hearing entitled, “Making the House More Accessible to the Disability Community.” Heather Ansley, Associate Executive Director of Government Relations, testified on behalf of PVA. Ms. Ansley’s testimony noted that although there have been improvements in physical access to House office buildings in recent years, barriers persist. Some of those barriers include inaccessible bathrooms, lack of signage to guide people with disabilities, and heavy and narrow doors. To watch the hearing, please click [here](#).

- Recent Veterans’ Affairs Committee Hearings

- On June 8, the House Veterans’ Affairs Committee held a hearing entitled, “U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2022.” Roscoe Butler, Associate Legislative Director, testified as part of the Independent Budget (IB). To watch the hearing, please click [here](#).
- On June 9, the Senate Veterans’ Affairs Committee held a hearing entitled, “A System to Better Serve America’s Veterans: Investing in VA’s Infrastructure.” Patrick Murray, VFW, testified on behalf of the IB. To watch the hearing, please click [here](#).

- Upcoming PVA Webinars

On **June 17 from 2:00-3:00 pm ET**, PVA Government Relations will host a **webinar on Social Security Disability Insurance (SSDI)**. SSDI is an important benefit for which most veterans with catastrophic disabilities will qualify. However, many veterans and their families have misconceptions about this Social Security Administration (SSA)

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program and may be unfamiliar with SSA's efforts to serve veterans with disabilities. ML Jordan, Jr., Supervisory Social Insurance Specialist with SSA's Division of Strategic Communications, will join PVA Advocacy staff to offer an overview of the SSDI program and its benefits, discuss some common myths surrounding receipt of VA and Social Security benefits, outline SSA's Wounded Warrior/VA Permanent and Total claims process, and share ways that SSA is reaching out to the veteran community. To register, please click [here](#).

On **June 29, from 2:00-3:00 pm ET**, PVA Government Relations will host a **webinar to provide a basic overview of VA's home and community-based services and caregiver programs**. Leah Christensen, LCSW, National Clinical Program Coordinator, Caregiver Support Program, and Cheryl Schmitz, National Director, Home and Community Based and Purchased Care, will present on each of these programs on behalf of VA. To register, please click [here](#).