



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

October 28, 2021

Volume 27, Number 18

Follow the Status of PVA's Priority Issues Between Updates

Visit the [PVAction Force](#) page to view our latest alerts and a list of key legislation and its status.

Resources for Air Travel on PVA.org

Check out pva.org/airtravel to see new resources for air travel passengers with disabilities, including new [complaint](#) and [travel tip](#) sheets and an [animated video](#) showing the barriers wheelchair users commonly encounter. Also, view PVA's October 12 [webinar](#) and [sign the petition](#) to improve access to air travel in honor of the 35th anniversary of the Air Carrier Access Act.

JUSTICE FOR ALS VETERANS ACT OF 2021 INTRODUCED IN HOUSE

Amyotrophic lateral sclerosis, or ALS, is a progressive nervous system disease that affects nerve cells in the brain and spinal cord, causing loss of muscle control. In 2008, VA changed its benefits criteria to include ALS as a presumptive service-connected disease. Survivors of veterans with the disease are eligible to receive VA Dependency and Indemnity Compensation (DIC). Under current law, a higher rate of compensation known as the "DIC kicker" can be paid to surviving spouses of veterans who had service-connected disabilities rated as totally disabling for a continuous period of at least eight years immediately preceding their death. However, because the average life expectancy for a person with ALS is two to five years, most spouses of deceased veterans with ALS do not qualify for this additional benefit given the eight-year requirement. To correct this, Rep. Elissa Slotkin (D-MI) and Brian Fitzpatrick (R-PA) recently introduced H.R. 5607, the Justice for ALS Veterans Act of 2021, which would extend increased DIC to the surviving spouse of a veteran who dies from ALS regardless of how long the veteran had such disease prior to death. H.R. 5607 was one of several bills examined during a [recent House Veterans' Affairs Committee hearing](#). In its [statement for the record](#), PVA

Paralyzed Veterans of America

Government Relations Department

801 18th Street, NW · Washington, DC 20006
(800) 424-8200 · (800) 795-4327 · www.pva.org

Washington Update

October 28, 2021

Volume 27, Number 18

noted that VA already recognizes ALS as a presumptive service-connected disease, and due to its progressive nature, automatically rates any diagnosed veteran at 100 percent once service connected. We also pointed out that VA's current policy fails to recognize the significant sacrifices these veterans and their families have made for this country. PVA strongly endorses this legislation and urges Congress to pass it as quickly as possible.

PVA WEIGHS IN ON PENDING VETERANS LEGISLATION

PVA submitted statements for a trio of hearings in October examining more than three dozen pending veterans bills. PVA endorsed several bills in its [statement](#) for an [October 13 hearing](#) conducted by the House Veterans' Affairs Committee (HVAC), Subcommittee on Health. These included H.R. 2916, the VA Medical Cannabis Research Act of 2021, which would authorize VA clinical trials on the use of medicinal cannabis, and H.R. 4794, the Making Advances in Mammography and Medical Options (MAMMO) for Veterans Act, which would improve access to breast imaging services for SCI/D veterans. The latter measure also requires VA to update its policies and directives to ensure that community care settings are accessible and have information on best practices for screening paralyzed and disabled veterans.

In our [statement](#) for an [October 20 hearing](#) conducted by the HVAC, Subcommittee on Disability Assistance and Memorial Affairs, PVA urged swift passage of H.R. 5607, the Justice for ALS Veterans Act, as well as H.R. 4772, the Mark O'Brien VA Clothing Allowance Improvement Act, which would eliminate the need for veterans with static conditions to reapply for their clothing allowance each year. PVA also submitted a statement for the Senate Veterans' Affairs Committee's [hearing](#) held that same day, weighing in favorably on bills like S. 2852, the Long-Term Care Veterans Choice Act, which would authorize VA to pay for the care of a veteran placed in a medical foster home and that chamber's version of the MAMMO for Veterans Act, S. 2533. Another measure discussed at that hearing, albeit a "longshot" due to its tremendous cost, would expand eligibility for VA dental care to all veterans receiving VA health care.

NEWS OF NOTE

- VA Plans to Expand Access to HCBS

On July 27, PVA testified before the House Committee on Veterans' Affairs, Subcommittee on Health regarding the difficulties veterans face obtaining VA Home and Community-Based Services (HCBS). In our testimony, we noted that services like Veteran Directed Care are only available at some VA medical centers. We have recently learned that VA plans to announce an expansion of the Veteran Directed Care program to every VA medical center in the future. Beginning this fiscal year, VA will begin making these services available at additional VA medical centers and continue to increase the number of centers offering these services over the next five years until they are available at all of them. We will provide an update once more information becomes available.

Washington Update

October 28, 2021

Volume 27, Number 18

- **WalletHub Identifies Best and Worst Cities for People with Disabilities**

The financial newsletter WalletHub recently examined 180 of the most populated cities in the U.S. across 34 indicators of disability-friendliness. The data ranges from physicians per capita to park accessibility. More information about the results are available [here](#).

- **NCIL Re-Launches Elevate Campaign**

The National Council on Independent Living (NCIL) is relaunching its Elevate Campaign to encourage and tutor individuals with disabilities in the mechanics of running for office. In 2019, Elevate launched as the first and only campaign training program that specifically helps candidates with disabilities navigate access barriers to run a campaign. Resources, databases of candidates, and registration information can be found [here](#).

- **DOJ Announces Disability-Based Housing Discrimination Settlements**

The Department of Justice (DOJ) recently released information concerning resolution of legal actions against two multifamily housing complexes in North and South Carolina. In North Carolina, [DOJ resolved a lawsuit alleging disability-based discrimination at 38 multifamily housing complexes](#). The settlement, which must be approved by the U.S. District Court for the Eastern District of North Carolina, requires the defendants to pay all costs related to the retrofits, \$225,000 into a settlement fund to compensate individuals harmed by the inaccessible housing, and a civil penalty of \$50,000 to the government.

In the second case, [DOJ announced that Pendergraph Development LLC and several related entities have agreed to pay \\$300,000 to settle claims](#) that they violated the Fair Housing Act and the Americans with Disabilities Act by failing to build 46 multifamily housing complexes in North Carolina and South Carolina with required accessible features for people with disabilities.

- **ODEP Celebrates National Disability Employment Awareness Month**

The Office of Disability Employment Policy (ODEP) at the Department of Labor presented a [YouTube video](#) celebration of National Disability Employment Awareness Month on October 20. The celebration featured remarks by ODEP Assistant Secretary Taryn Williams; ODEP Deputy Jennifer Sheehy; Jenny Yang, Director of the Office of Federal Contract Compliance Programs; and Secretary of Labor Marty Walsh. It also featured several videos highlighting people with disabilities who have re-entered the workforce with the aid of job accommodations and employers that believe in disability inclusion.

- **Attention GI Bill® Students**

VA recently transitioned to a new system called, "Ask VA." Their [GI Bill website](#) currently shows the updated links and buttons. Saved links to the existing system will still work,

Washington Update

October 28, 2021

Volume 27, Number 18

but they recommend that you link to the new system. You will still be able to find answers to common GI Bill questions on the VA.gov website, but if you've saved a link to a particular FAQ, it will no longer work.

To make "Ask VA" secure and to protect your personal information, you need a [VA.gov](#) account, which you can also use to access other benefits and systems in VA. If you need to create a new account, you must [verify your identity](#). You can do so by using your premier account for certain secure VA systems, like [MyHealtheVet](#), or by [creating an ID.me account](#). Creating an ID.me account may require personal identity documents.

If you have questions about the account verification process, try visiting [privacy & security on VA.gov](#) or the [ID.me](#) support page. You can also reach the MyVA411 main information line at [800-698-2411](#) if you have issues setting up your account.

SURVEYS, WEBINARS, HEARINGS, AND MEETINGS

- We need your help to learn more about the current air travel experiences of passengers with disabilities. **Please complete a [short survey](#) to help inform our policy efforts on this issue.** This survey is sponsored by Paralyzed Veterans of America, American Council of the Blind, Bazelon Center for Mental Health Law, Christopher and Dana Reeve Foundation, Cure SMA, Disability Rights Education & Defense Fund, Epilepsy Foundation, Health Equity Collaborative, Muscular Dystrophy Association, National Disability Rights Network (NDRN), National Federation of the Blind, and United Spinal Association.
- You are invited to join a webinar on November 10 at 1:00 p.m. ET entitled, "Federal Policy Priorities on Disability Employment: NDEAM (National Disability Employment Awareness Month) 2021 and Beyond." This webinar will feature a host of high-level federal leaders reflecting on their work, their priorities, and their hopes for the months ahead and how to link greater inclusion, diversity, and equity to the economic recovery of America. Register [here](#).
- For the latest VA committee hearings, please visit the [House Veterans' Affairs Committee](#) and [Senate Veterans Affairs' Committee](#) pages.
- On November 9 and November 16, at 12:00 p.m. ET, the U.S Department of Transportation (USDOT) will host virtual public meetings related to the [Justice40 Initiative](#). During these interactive meetings, you will hear from USDOT leaders about the Justice40 Initiative and be asked for input on it. Advanced registration is required ([Register for session #1](#), [Register for session #2](#)).