



# Washington Update

Check out the [PVAction Force](#) page to view alerts and a list of key legislation.

## HVAC HOLDS HEARING ON RURAL VETERANS

On January 11, the House Veterans' Affairs Committee (HVAC) held a full committee hearing on rural veterans. During the hearing, committee members grilled VA about benefits and services available for rural veterans. Testifying on behalf of VA was Dr. Shereef Elnahal, Under Secretary for Health; Joshua Jacobs, Under Secretary for Benefits; and John Boerstler, Chief of the Veteran Experience Office. Joining them on the first panel was Alyssa Hundrup, Director of Health Care, Government Accountability Office.

Several members of the committee represent rural districts and it was clear in the questions presented to the witnesses that the topic of the hearing was personal for them and their constituents. In particular, several of the committee members highlighted the need to improve access to health care on tribal lands. It is often extremely difficult to access health care on these lands.

At the beginning of his questioning, HVAC Chairman Mike Bost (R-IL) asked Dr. Elnahal if the increased budget to the Office of Rural Health was showing tangible improvements for rural veterans. Dr. Elnahal explained that the office funds research and operational initiatives that help VA extend care to rural veterans, as well as coordinate where the funding goes. It also ensures that deficiencies in care are addressed by VA, so no veteran is left behind.

Another popular topic was a recent pilot program that created women's health "mini-residencies." VA has held more than 200 events and trained more than 500 doctors as a refresher course for gender-specific care for women veterans.

Based on the hearing, it appears that the Office of Rural Health is working hard to meet veterans where they are, trying to make appointments more convenient for rural veterans, and making sure the standard of care offered throughout the VA is meeting the needs of rural veterans across the country. The VA knows, however, that there is still more work to do but they are being pragmatic about the solutions they propose. The VA wants to ensure veterans can trust their care, no matter where a veteran lives.

You can watch the hearing [here](#).

## HVAC HOLDS BUSINESS MEETING TO ISSUE SUBPOENA FOR VA

Before the House Veterans' Affairs Committee (HVAC) hearing on the needs of rural veterans, the full committee held a business meeting. Business meetings are generally an opportunity for the committee to discuss matters outside of a specific subcommittee of jurisdiction or issues that impact more than one subcommittee.



HVAC Republicans presented information about an ongoing investigation into VA's Office of Resolution Management, Diversity & Inclusion. Allegations have risen from whistleblowers working within the office alleging their leadership was engaging in sexual harassment. HVAC Chairman Mike Bost (R-IL) noted that several letters have been sent to the VA with minimal response or engagement. The VA claims to be conducting its own internal investigation.

The full committee voted to subpoena the VA for documents pertaining to the investigation with a vote of 22-1. This is the first time the committee has voted to subpoena the VA since 2016.

### **NATIONWIDE SETTLEMENT GRANTS MILLIONS OF DOLLARS TO SSI BENEFICIARIES HARMED DURING PANDEMIC**

On November 20, 2023, in the United States District Court for the Eastern District of New York a settlement was approved in a nationwide class action lawsuit filed by New York Legal Assistance Group, Justice in Aging, and Arnold & Porter. The [lawsuit](#) in, *Campos v. Kijakazi*, No. 21 Civ. 5143 (E. D. N. Y.), alleged that pandemic-related administrative errors and shutdowns led the Social Security Administration (SSA) to improperly charge overpayments and reduce or discontinue Supplemental Security Income (SSI) benefits for millions of people.

In March 2020, the SSA closed its field offices in response to the COVID-19 pandemic and halted its manual processes for reducing or discontinuing benefits for SSI recipients. As a result, many recipients struggled to report changes to their finances that could impact the amount of benefits they received, and others had bigger overpayments accrue due to this delay in processing.

This settlement will provide automatic remedies to nearly a quarter million SSI recipients, who will have back benefits credited to their accounts without having to take any action. For more information please go to: [Campos v. Kijakazi Settlement Fact Sheet](#).

### **ACLU SUES OVER OHIO VOTING LAW, SAYING IT VIOLATES FEDERAL DISABILITY LAW**

The American Civil Liberties Union (ACLU) filed a [lawsuit](#) on December 19, 2023. The lawsuit alleges that Ohio's Voter ID Law, HB 458, makes voting inaccessible to voters with disabilities. Specifically, the suit alleges that the assistance restrictions are vague and create a substantial risk of criminal prosecution for voter assistance and violate the Voting Rights Act of 1965 (VRA).

HB 458 became effective on April 7, 2023. The Ohio law makes it a felony for anyone who is not an election official or mail carrier to possess or return the absentee ballot of a voter with a disability, unless the person assisting that voter falls within a list of statutorily enumerated relatives. Under HB 458, a neighbor, in-home caregiver, staff member at a nursing home, or other group facility could face felony charges for possessing or returning the absentee ballot of a voter with a disability.

The ACLU alleges that HB 458 violates the VRA, which states that that any voter who needs help voting because of blindness, disability, or inability to read or write may be given assistance by a person of their choice. They also allege that the law violates Title II of the Americans with Disabilities Act by excluding Ohio voters with disabilities from participating in and denying the benefits of Ohio's absentee voting services, programs, and activities.

### **NEWS OF NOTE**

#### **Access Board Moves Forward with Proposed Rule on Low Transfer Height for MDE**

On January 24, the U.S. Access Board voted to send its final rule on the [low transfer height](#) for medical diagnostic equipment (MDE) to the Office of Management and Budget. The final rule is expected to be published in the near future. The Access Board originally published the MDE standards in 2017. MDE includes equipment like medical examination tables, weight scales, dental chairs, x-ray machines,





mammography equipment, and other imaging equipment. The 2017 Access Board standards did not include a requirement for the low transfer height of equipment.

The Access Board's standards are not enforceable under the Americans with Disabilities Act (ADA) until adopted by the Department of Justice (DOJ). On January 12, DOJ published a [proposed rule](#) concerning accessible MDE under Title II of the ADA. Title II prohibits disability discrimination in services, programs, and activities funded by state and local governments. Health care services that receive state and local government funds are covered under Title II of the ADA. Comments on DOJ's proposed rule can be submitted [online](#) through February 12.

### **U.S. Access Board Releases Videos Explaining the Agency's Work**

The U.S. Access Board recently published three new videos on its [YouTube channel](#) to help explain its work and the resources that it offers.

The first video, "[Welcome to the U.S. Access Board](#)," which is hosted by Executive Director Sachin Pavithran, provides an overview of the Access Board, including the development of accessibility guidelines and standards and the enforcement of the Architectural Barriers Act (ABA). The second video, "[Learn How to File an Architectural Barriers Act Complaint](#)," provides a step-by-step guide for how anyone can [file an ABA complaint](#) if they encounter an accessibility barrier at a covered facility. Finally, the third video, "[Online Resources from the U.S. Access Board](#)," provides a listing of different resources that the Board offers, including technical assistance, trainings and webinars, and more.

Subscribe to the Board's YouTube channel to get notified when new videos or livestreams are posted.

## **WEBINARS & HEARINGS**

### **Upcoming Webinar on PVA's 2024 Policy Priorities to Prepare for our National President's Testimony**

Join us on February 27 at 3:00 PM ET for a webinar about how you can advocate for our 2024 policy priorities during PVA's upcoming congressional testimony. The webinar will feature a special intro by PVA National President Robert Thomas and an overview of our 2024 policy priorities, key legislation, and a preview of National President Thomas' testimony. We will also discuss ways you can get involved and a toolkit that can be used to help us spread the word on issues important to PVA members, their families, and caregivers.

To attend the webinar, please register by clicking [here](#). We look forward to your participation!

### **Upcoming Veterans' Committee Activities**

Please visit the [House](#) and [Senate](#) Veterans' Affairs Committee webpages for information on upcoming hearings and markups.

