



Washington Update

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HOUSE PASSES VETERANS OMNIBUS BILL

For months, PVA has been urging Congress to pass the Elizabeth Dole Home Care Act to ensure the protections and resources our catastrophically disabled veterans and their caregivers need are put into place without delay. Late last year, House and Senate leaders decided to roll the measure into a larger omnibus package addressing a wide variety of veterans-related issues. The new bill, the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (H.R. 8371), sought to enhance and reform the delivery of healthcare, benefits, and services at the VA.

Normally, creating an omnibus bill enhances chances of passage, but the package stalled quickly when disagreements arose over several provisions in the bill. Last week, the leaders of the House and Senate Veterans' Affairs Committees worked through the differences which had been holding the bill up since May, allowing for a successful House vote on November 18.

The bill, which easily passed the chamber by a vote of 389 to 9, will make critically needed improvements to VA's Home and Community Based Services, such as lifting the department's cap on the amount they can pay for home care from 65 to 100 percent, increasing access to the Veteran Directed Care program, and improving support to caregivers of veterans. In addition to raising

the cap to 100 percent, the VA could even exceed the 100 percent rate if the Secretary determines certain factors require the higher cost in the best interest of the veteran or if that veteran has amyotrophic lateral sclerosis, a spinal cord injury, or a similar condition. Any one of these changes would provide severely disabled and aging veterans with more and better options to receive their care at home rather than in a facility.

Another section of the bill would allow VA to cover the cost of some veterans' care at private assisted living facilities. Currently, VA is able to refer veterans to these facilities, but they can't pay for it. The bill directs the department to create a three-year pilot program in two Veterans Integrated Service Networks (VISN), with at least one program site in a rural area and another serving a State Veterans Home to test the benefit of having VA pay for this care. Veterans eligible for the pilot would include those already receiving nursing home-level care paid for by the VA and those who are eligible to receive assisted living services or nursing home care. At the conclusion of the pilot program, participating veterans will be given the option to continue receiving assisted living services at their assigned site, paid for by the VA. We believe this would help veterans and the VA alike by giving greater access to assisted living and reducing costs for long-term care, allowing more veterans to receive needed assistance. Other provisions in H.R. 8371 would streamline VA information sources for veterans and caregivers alike,



ensure a warm handoff to other VA programs if a veteran is not eligible for VA's Program of Comprehensive Assistance for Family Caregivers, and create mental health care grants for certain caregivers who become strained by the demands of assisting veterans with heightened needs.

In response to the House's passage of the omnibus legislation, PVA National President Robert Thomas said, "Improving access to home and community-based services is crucial to the health and well-being of our wounded, ill, and injured veterans and their caregivers." President Thomas urged the Senate to quickly pass the bill. PVA members are encouraged to use [PVAction Force](#) to urge their two senators to support its swift passage.

FORMER REP. DOUG COLLINS TO BE NOMINATED FOR VA SECRETARY

President-Elect Trump has announced that he intends to nominate former Rep. Doug Collins (R-GA) to be the next VA Secretary. Collins is a veteran and colonel in the Air Force Reserve where he serves as a chaplain. He served in Congress as a U.S. Representative from 2013 to 2021.

Following the announcement, Collins stated on X, "We'll fight tirelessly to streamline and cut regulations in the VA, root out corruption, and ensure every veteran receives the benefits they've earned." He further said, "Together, we'll make the VA work for those who fought for us. Time to deliver for our veterans and give them the world class care they deserve."

UPDATE ON VA FUNDING SHORTFALL

At the end of September, Congress approved, and the President signed, H.R. 9468, the Veterans Benefits Continuity and Accountability Supplemental Appropriations Act of 2024. This legislation provided an additional \$2.9 billion in funding to pay veterans' pension and disability benefits for fiscal year (FY) 2024. The legislation did not address the \$12 billion healthcare shortfall VA previously identified for FY 2025.

On November 1, the Veterans Benefits Administration revealed that it carried over approximately \$5.1 billion from FY 2024 to FY 2025, including the supplemental funding appropriated by Congress in September. This means that VA did not need to receive any additional funding to pay benefits timely on October 1.

The Veterans Health Administration (VHA) showed that VA was able to carry over from FY 2024 to FY 2025 approximately what was anticipated in VA's FY 2025 budget request. However, VHA acknowledged that they limited the purchases of new equipment and that the cost of the workforce was lower than expected. Community care also grew at a lower rate. VHA further noted that their efforts to reduce costs are not sustainable and they still require additional funding in this calendar year.

On November 20, Under Secretary for Health Dr. Shereef Elnahal and Under Secretary for Benefits Josh Jacobs testified before the House Appropriations Military Construction/VA Subcommittee regarding VA's funding shortfall. Under Secretary Elnahal testified that VHA's shortfall for FY 2025 is not \$12 billion as previously reported. He confirmed, however, that additional funding will be needed to facilitate hiring and other VHA priorities.

Congress has yet to decide on a strategy for keeping the government funded beyond December 20. This news leads to serious questions about VA's management of its funding and the department's failure to adequately forecast its financial needs. It also presents significant challenges to VA's request for additional funding for VHA.

PVA SUPPORTS WOMEN VETERANS AND SERVICEMEMBER CAUCUS EVENT ON CAPITOL HILL

On November 20, PVA Associate Legislative Director Julie Howell participated in an informational session held by the Service Women and Women Veteran Congressional Caucus. Comprised of elected officials, Department of Defense fellows, and other people passionate about military and veteran affairs, the

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Caucus holds open events to educate audiences about the unique experiences and needs of women veterans.

November's event focused on the transition from military service to veteran status and included speakers from the American Legion, VFW, and PVA. Key takeaways were the need for increased mental health support in combating veteran suicide, the need to ensure early access to VA benefits for transitioning service members through the benefits due at discharge program, and the need for improved accountability in accessing Transition Assistance Program (TAP) curriculum a year before discharge.

PVA highlighted the disparities experienced by servicemembers who may be discharged due to illness or injury and the critical need for improved supports and services for them. Often when a servicemember separates from the military due to injury or illness they are denied access to critical support programs such as Skill Bridge which provides on the job training in a field of interest for the servicemember. Additionally, PVA stressed the need for improved mental health support for personnel who were forced to leave the military due to their health.

ACCESS BOARD REQUIRES CORRECTIVE ACTION AFTER RECEIVING OVER 340 NEW ABA COMPLAINTS

On October 18, the U.S. Access Board announced that it has resolved 85 complaints after finding facilities did not meet accessibility standards.

The Access Board is responsible for enforcing the Architectural Barriers Act of 1968 (ABA). Under the ABA, buildings designed, built, altered, or leased with federal funds are required to be accessible to and usable by people with disabilities. From October 1, 2023, to September 30, 2024, the Access Board received 341 ABA complaints and resolved 265 of them. The Access Board resolved 85 of the complaints after mandating federal agencies remove accessibility barriers. The Access Board reported that 17 ABA complaints filed as a result of barriers within the VA and the Department of Defense were successfully resolved.

ABA complaints should be filed if you are aware of or encounter an accessibility barrier at a covered facility or building. Covered facilities include VA medical facilities, Social Security Administration offices, U.S. post offices, national parks, federal office buildings, U.S. courthouses, public housing units, and mass transit systems built or altered with federal grants or loans. Complaints can be filed by using the Access Board's [online ABA complaint form](#). More information is available [here](#).

DOL VETS HOLDS QUARTERLY STAKEHOLDER ENGAGEMENT

In early November, the Department of Labor's Veterans' Employment and Training Service (DOL VETS) held their quarterly briefing for military and veterans service organizations to update them on the department's efforts to expand access to employment supports and services for veterans. The main focus of the briefing was to share information about the 10th anniversary of the National Apprenticeship Week, with daily attention spent on youth and young adult apprenticeships, new and emerging industries around the globe, expansions of apprenticeships to underserved populations, women in apprenticeships, and opportunities for veterans.

DOL VETS also provided updated statistics around their employment navigator partnership program (ENPP), which helps connect the military community to employment assistance. More than 17,000 transitioning servicemembers used the ENPP this year and more than 1,000 military spouses. Additionally, DOL shared that more than 11,500 participants enrolled in the wounded warrior and caregiver employment workshop, which is available to transitioning servicemembers who are ill or injured, as well as their caregivers.

The veteran unemployment rate for October was 3 percent compared to non-veteran unemployment which was 4.1 percent. Women veterans saw an unemployment rate of 3.7 percent and disabled veteran unemployment was 6 percent.

DOJ ANNOUNCES SETTLEMENT WITH CHICAGO CUBS

On October 31, the U.S. Department of Justice (DOJ)

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announced it entered a settlement agreement and proposed a consent decree with the Chicago Cubs after alleged disability discrimination. In 2022, DOJ filed a lawsuit alleging the Cubs failed to ensure Wrigley Field was appropriately accessible for individuals with disabilities, including wheelchair users, as required by the Americans with Disabilities Act (ADA). At the time the department filed the lawsuit, the team was undertaking a multi-year renovation and reconstruction of Wrigley Field, the “1060 Project.” The department reported the Chicago team failed to ensure wheelchair-using patrons were provided adequate sightlines as compared to non-wheelchair-using patrons, and also failed to remove architectural barriers in other areas of the stadium. Sports venues are required to ensure that alterations and constructions comply with the 2010 ADA Standards for Accessible Design.

Under the consent decree, the Cubs have agreed to: remove and replace noncompliant wheelchair spaces and companion seating; incorporate wheelchair spaces and companion seating into premium club areas; modify protruding objects along circulation paths; provide compliant parking and shuttle services; and provide internal training on ADA and the settlement before each of the next three baseball seasons. The Department may review compliance with the settlement during that time.

DOJ IMPROVES ACCESS TO COMMUNITY INTEGRATION FOR ADULTS WITH DISABILITIES IN COLORADO

On November 1, the U.S. Department of Justice (DOJ) announced it had entered into a settlement agreement with the state of Colorado. The settlement follows a lawsuit from DOJ alleging Colorado failed to ensure community services were available to people with physical disabilities. DOJ issued the complaint after a multi-year investigation led to the lawsuit. DOJ complaints from Coloradans showed a desire by people with disabilities to live in their communities but they were stuck in Colorado nursing facilities. Along with allegations of disability discrimination against nursing facilities, the complaints alleged the state’s policies and practices made it difficult for them to move back to their homes, violating Title II of the Americans with Disabilities Act.

Title II’s integration mandate requires public entities to administer services in a setting that enables individuals with disabilities to interact with nondisabled people to the fullest extent possible. The U.S. Supreme Court’s decision in *Olmstead v. L.C.* prohibits unjustified segregation of individuals with disabilities. Title II and the *Olmstead* decision require public entities to provide community-based services when they are appropriate, affected individuals do not oppose and the community-based services can be reasonably accommodated. Most Colorado nursing home residents and their families were not aware they could receive services in their communities. Among other commitments, under the settlement agreement, Colorado has agreed to: assist nursing facility residents in moving back to their communities; provide information needed to make informed choices to residents and families; support family caregivers; and expand and improve services that assist people with finding and keeping affordable, accessible housing in their community.

NEWS OF NOTE

House Passes VERY Act

On November 18, Congress passed H.R. 7653, the Veterans Employment Readiness Yield (VERY) Act. The VERY Act will make a simple one-page technical fix to the Veteran Readiness and Employment (VR&E) program that would replace “employment handicap” with “employment barrier” and the term “serious employment handicap” with “serious employment barrier” while leaving the definitions unchanged. The terms “employment handicap” and “serious employment handicap” are used to describe servicemembers and veterans eligible for and entitled to certain benefits and services. However, the word “handicap” is outdated, has a negative connotation in the disability community, and does not adequately represent veterans. Updating terminology will allow for improved efficiency and encourage disabled veterans to use the VR&E program.

MST Claims Backlog Continues to Grow

Earlier this month, PVA joined other veterans service



organizations (VSO) for a military sexual trauma (MST) briefing by the Veterans Benefits Administration (VBA). PVA and several other VSOs have concerns about the growing backlog of MST claims. The backlog is currently at 37,000 claims. VBA has seen a 25 percent increase in caseload this year and they're capable of processing 200 claims a day due to an increased workforce. PVA members are urged to contact their members of Congress in support of the [Servicemembers and Veterans Empowerment and Support Act \(SAVES\) of 2023 \(H.R. 2441/S. 1028\)](#), which will ensure improved access to benefits and care for MST survivors.

Continuation of Veteran Directed Care Available for Eligible Hospitalized Veterans

Did you know veterans who require continuation of Veteran Directed Care services during inpatient hospitalization can receive this service upon authorization by VA Central Office? If you are hospitalized at VA, and will require the assistance of your caregiver, request to speak with a VA Geriatric and Extended Care Social Worker. Ask the social worker to fill out a Veteran Directed Care Inpatient Hospital Support Request. Once the form is completed, the social worker will need to submit it to VA Central Office for approval. Please contact a PVA national service officer for assistance.

COMMITTEE ACTIVITIES

Veterans' Committee Activities

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

