



Paralyzed Veterans
of America

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

September 30, 2020

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EFFORTS CONTINUE TO PERMANENTLY AUTHORIZE IVF

On August 18, House Veterans' Affairs Committee, Health Subcommittee Chairwoman Julia Brownley introduced H.R. 8034, the "[Veterans Infertility Treatment Act of 2020](#)," a bill aimed at addressing veteran infertility. Similar to H.R. 955/S. 319, the "[Women Veterans and Families Health Service Act of 2019](#)," this new legislation would make permanent fertility services at VA. H.R. 8034 would open Assisted Reproductive Technology (ART), like IVF, to any veteran using VA health care. It would also repeal the ban on donated gametes and embryos, require reporting to Congress on services rendered, and direct research on infertility among veterans.

In addition to this legislation, language was included in the House's MILCON/VA appropriations bill that would require VA to develop its own guidance on ART, consider inclusion of gestational surrogacy, and report on ART services provided by VA, including those who have been denied those services. A blanket authorization for IVF and other VA authorized ART services continues on a year by year basis and funding would continue through the end of Fiscal Year 2021.

Other bills addressing veteran infertility include H.R. 2803/S.1461, the "[Access to Infertility Treatment and Care Act](#)," which focuses on the provision of fertility preservation, counseling, and ART to those with iatrogenic infertility. Also, H.R. 6142/S. 3424, the "[Black Maternal Health Momnibus Act of 2020](#)," would authorize funding to improve maternity care coordination at VA; require listing of veteran status of mother in fetal death records and in maternal mortality review committees of pregnancy-related deaths and pregnancy-associated deaths by state; and give the authority for a GAO report on maternal morbidity and severe maternal morbidity of veterans with ethnic and racial disparities in material health outcomes.

We continue to advocate for legislation granting permanent authorization for IVF, but as this session of Congress draws to a close, we will likely have to continue to seek legislation permanently authorizing IVF in the 117th Congress.

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HOUSE PASSES STOP GAP SPENDING BILL

The House passed 359-57 a short-term spending fix, H.R. 8337, that would avert a government shutdown at the end of the month. The bipartisan continuing resolution — which would extend government funding through December 11 — represents a remarkable turnaround after negotiations fell apart late last week.

The short-term funding fix now goes to the Senate, where it is expected to pass on the last day of the fiscal year. If signed into law by the President, it would also postpone a number of contentious funding fights — from the border wall to the renaming of Confederate monuments at military installations — to the lame-duck session of Congress.

MULTIPLE VETERANS BILLS UNANIMOUSLY PASS THE HOUSE

On September 22-23, the House of Representatives unanimously passed multiple bills brought to the floor by the House Committee on Veterans' Affairs, many of which PVA supported. Some of the bills passed are:

- **H.R. 4908 - Native American PACT Act**, which upholds U.S. treaty obligations to native people who served in the military by prohibiting VA from collecting copayments;
- **H.R. 6589 - Department of Veterans Affairs Chief Financial Officer Authority and Collaboration Act of 2020**, which would hold VA leadership accountable for risk and bad financial decisions in VA's financial system;
- **H.R. 3228 - VA Mission Telehealth Clarification Act**, which corrects an error in the VA MISSION Act and allows VA trainees to use the telemedicine system while under supervision;
- **H.R. 6092 - Veteran's Prostate Cancer Treatment and Research Act**, which creates a standardized clinical pathway for prostate cancer detection and treatment for veterans at VA;
- **H.R. 7795 - Veterans Benefits Fairness and Transparency Act of 2020**, which requires VA to maintain availability of disability benefits questionnaires (DBQs) on VA's website;
- [H.R. 8247 – Veterans Compact Act of 2020](#), which is a package of bills aimed to improving mental health benefits for veterans;
- **H.R. 5245 - SHIELD for Veterans Act**, which reforms VA's debt collection process;
- **H.R. 7105 - the Dependable Employment and Living Improvements for Veterans' Economic Recovery (DELIVER) Act**, which includes six provisions to support veterans during the COVID-19 pandemic through the provision of food, shelter, and access to VA telehealth services; and

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- **H.R. 3798 - Equal Access to Contraception for Veterans Act**, which provides no cost contraception care for women veterans.

Also, of note is the House passage of [S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019](#), a \$277 million veteran suicide prevention legislative package which is now on its way to the President's desk for signature. This comprehensive legislation includes provisions such as providing health care to all veterans for the year following their transition from the military, authorizing a grant program for organizations to provide suicide prevention services to veterans and their family members, reducing the shortage of VA mental health staff, and multiple studies and pilots aimed at specific populations of veterans.

Both Senate and House Veterans' Affairs Committee Chairmen Jerry Moran and Mark Takano have promised that the passage of S. 785 does not mean the work on mental health is done. Chairman Moran has committed to considering House passed legislation focused on suicide prevention. They have also both promised to continue to work to bring legislation aimed at improving mental health care and resources for veterans in the 117th session of Congress.

NEWS ITEMS OF NOTE

- **Congress Passes Legislation Authorizing VA COLA**

Unlike Social Security payments and federal pensions, VA's disability and compensation programs require a special act of Congress in order to receive an annual increase. Recently, lawmakers approved legislation that will provide cost-of-living increases for wartime disability compensation; compensation for dependents; clothing allowance; dependency and indemnity compensation to surviving spouses; and dependency and indemnity compensation to children. The rate of next year's increase won't be known until the Bureau of Labor Statistics announces the COLA for Social Security recipients in mid-October. Assuming there is a COLA, the higher rates would go into effect on December 1 and are payable in January 2021.

- **NCA VOTING "PLAN YOUR VOTE 2020 GUIDE"**

PVA is part of the National Coalition for Accessible Voting. The coalition is comprised of the nation's leading disability, veterans, and civil rights organizations. We have joined our voices to advocate for accessible, remote voting for all citizens and to preserve and expand the options granted under law for accessible, in-person voting. The coalition has produced a "Plan Your Vote 2020 Guide" to assist its members in getting out the vote. You can view the guide at the coalition website ncavoting.org, then look for the box: November 2020 – how to plan your vote.

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- **VBA Debt Management During COVID and Other Natural Disasters**

Veterans and family member who have incurred a debt due to an overpayment by the Veterans Benefits Administration and who have been impacted by COVID are eligible for temporary financial relief by contacting the debt management center at 1-800-827-0648. Those who have been affected by recent natural disasters such as Hurricane Laura or the California wildfires also qualify for up to 90 days suspension on collection activity or extension of repayment terms. But you must make the call to the debt management center at 1-800-827-0648 or for international callers 1-612-713-6415 to receive this assistance.

- **Save Our Social Security Now Act Focus of Ways and Means Hearing**

The House Ways and Means Social Security Subcommittee held a hearing on September 24 on H.R. 8171, the Save Our Social Security Now Act, which would overturn the administration's directive to the Treasury Department to defer collection of Social Security payroll contributions and H.J. Res. 94, which signals congressional intent to overturn any Treasury Department guidance implementing the deferral under the Congressional Review Act (CRA). The hearing can be viewed [here](#). PVA wrote to the House of Representatives on September 22 endorsing this legislation because of the impact payroll deferrals have on the future of Social Security benefits.

- **Continuing Resolution for FY 2020 Addresses Medicare Part B Premium Increase**

Section 2401 of the Fiscal Year 2020 Continuing Appropriations legislation protects Medicare beneficiaries from the expected increase in Part B premiums for 2021 likely to result from the COVID-19 public health emergency and the Medicare Advance Payment program loans, which were paid from the Supplemental Medical Insurance (SMI) Trust Fund. Specifically, it holds the 2021 Part B monthly premium at the 2020 amount for the standard premium, plus 25 percent of the difference between the 2020 amount and the preliminary monthly actuarial rate for 2021, according to models from the CMS Office of the Actuary. Beneficiaries will pay a small surcharge – equating to about \$3 for the vast majority of seniors – on the monthly premium until the SMI Trust Fund is paid back.

- **COVID-19, Social Isolation, and People with Disabilities in Rural Communities**

The Research and Training Center on Disability in Rural Communities at the University of Montana has issued a report on the impact of COVID-19 on social isolation among people with disabilities. The report is available [here](#).

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HEARINGS, WEBINARS, AND SURVEYS

- On September 30 at 10:00 a.m. ET, Roscoe Butler, Associate Legislative Director, will testify on behalf of the Independent Budget before the House Veterans' Affairs Health Subcommittee on community care wait times. The hearing will be available for viewing [here](#).
- On September 30 at 2:30 p.m. ET, the House Veterans' Affairs Technology Modernization Subcommittee will hold a hearing on VA's Electronic Health Record Modernization program. The hearing will be available for viewing [here](#).
- On October 6 from 2:00-3:00 p.m. ET, PVA will be holding a webinar for chapters and members on voting access for veterans with disabilities during a pandemic. Please [register in advance](#). After registering, you will receive a confirmation email containing information about joining the webinar.
- A [research study](#) is being conducted on the impact of COVID-19 on travel behavior and the daily activities of older adults and people with disabilities. The survey consists of questions about (1) overall travel behavior by trip purpose, (2) perception of using different transportation modes, and (3) access to technology and the usage of delivery services and takes about 20-25 minutes to complete. Participants will be entered into a drawing with a chance to win a \$50 gift card.