



# 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

March 31, 2021

Volume 27, Number 6

## **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 bills and their status.

### **SAVE LIVES ACT NOW LAW**

President Biden recently signed the [SAVE LIVES Act](#) into law (P.L. 117-4), expanding VA's legal authority to provide COVID-19 vaccines to all veterans, regardless of their VA health care enrollment status, as well as veteran spouses, caregivers, and some beneficiaries. However, this expanded authority depends on readily available COVID-19 vaccine supply and requires VA to continue to prioritize vaccinations and health care delivery for our nation's veterans enrolled in VA care. Veterans, caregivers, spouses, and CHAMPVA beneficiaries newly eligible under the law can go to [www.va.gov/covid-19-vaccine](http://www.va.gov/covid-19-vaccine) to register and indicate their interest in receiving a vaccine from VA. Signing up will also give users regular updates about VA's vaccine rollout process. Those eligible will be contacted by their closest VA facility by text message, email, or phone about vaccination events, scheduling, and other opportunities.

### **AMTRAK SETTLEMENT FUND AS AGREED TO BY DEPARTMENT OF JUSTICE**

Amtrak has entered into a Settlement Agreement with the U.S. Department of Justice to resolve a lawsuit brought under the Americans with Disabilities Act (ADA). The Settlement Agreement resolves alleged violations of the ADA.

If you were harmed by Amtrak's lack of accessible transportation services between July 27, 2013, and December 2, 2020, you may be eligible to receive payment from a compensation fund established by Amtrak.

#### **Paralyzed Veterans of America**

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# Washington Update

**March 31, 2021**

**Volume 27, Number 6**

---

Amtrak was supposed to comply with the ADA in 2010, 20 years after passage of the law. However, many barriers still remain, including physical access to stations, parking, a path of travel to and throughout the station, restrooms, drinking fountains, train platforms, audio announcements, access boarding the train, reservation counters, and websites. If you encountered the barriers listed or other instance of discrimination, you can submit a claim.

**Claims must be submitted by May 29, 2021.**

Information about how to submit a claim is available in several ways: (1) by visiting [www.AmtrakDisabilitySettlement.com](http://www.AmtrakDisabilitySettlement.com) (2) by sending an email with your name, address, and telephone number to [info@AmtrakDisabilitySettlement.com](mailto:info@AmtrakDisabilitySettlement.com), or (3) by calling the Fund Administrator at (888) 334-6165 or TTY: (866) 411-6976.

Please disseminate this information to your chapter members. If you have any questions, please contact Lee Page, Senior Associate Advocacy Director, at [Leep@pva.org](mailto:Leep@pva.org).

## **RECORDINGS OF PUBLIC FORUMS ON INCLUSIVE DESIGN OF AUTONOMOUS VEHICLES NOW AVAILABLE**

The U.S. Access Board has now completed two of four virtual public meetings on inclusive design of autonomous vehicles (AVs). The first session focused on accessibility for passengers with mobility disabilities in entering and exiting vehicles. Dr. Victor Paquet of the Center for Inclusive Design and Environmental Access at the University at Buffalo presented results of two vehicle ramp research studies that focused on the effects of ramp slope and multi-segment ramp configuration on human performance during ascension and descension. Amy Schoppman, Director of Governmental Affairs at National Mobility Equipment Dealers Association (NMEDA), noted the need to work collectively to ensure that the associated complexities and challenges of AVs are addressed for accessibility and inclusivity. Kevin Frayne, Director of Advanced Mobility Solutions at BraunAbility, discussed challenges and innovative solutions with door heights and openings and battery locations.

The second session continued discussion on entering and exiting AVs and addressed wheelchair maneuvering and securement in AVs. Bryan Brillhart presented a Robotic Research project, Paralift, that considered safety systems and surroundings, various wheelchair configurations, and curb and platform detection and sensors in the design of AVs. Dr. Kathleen D. Klinich and Miriam A. Manary discussed an ongoing research project focused on an automated wheelchair tiedown and occupant restraint system that ensures an equal level of safety for those who remain seated in wheelchairs while traveling. Dr. Jordana Maisel reviewed research findings and implications on maneuvering and securement on fixed route buses, specifically with regards to interior seating layouts and three different securement systems (4-point tiedown, 3-point forward facing, and semi-automated rear-facing).

# Washington Update

March 31, 2021

Volume 27, Number 6

A recording of the sessions and copies of the presentations are available on the [Access Board's AV webpage](#). The next sessions in the series will take place on April 7 and 21 and focus on accessibility for passengers with sensory or cognitive disabilities. You must [register](#) to attend.

In addition to the virtual meetings, an online [discussion platform](#) is currently open to the public to share ideas and questions on designing AVs that are accessible to individuals with mobility, sensory, or cognitive disabilities.

## VA LAUNCHES STRATEGIC REVIEW OF BELEAGUERED \$16B CERNER EHR PROJECT

VA recently announced that the Department's ongoing analysis of the only site operational with the new EHR, the Mann-Grandstaff VA Medical Center in Spokane, Washington, has led to the launch of a strategic review of the EHR project. Mann-Grandstaff VA, which went live in October last year, is the first site to cross the finish line in a project that's been plagued by delays, management turnover, growing spending, and operational issues since it launched in 2018.

The project includes one of the biggest health data migrations in history and a new health information exchange shared between the VA, Department of Defense and private sector partners. VA Secretary Denis McDonough said in a [recent statement](#) that despite the strategic review the agency "remains committed" to Cerner's EHR and the delay isn't the vendor's fault.

The review won't extend beyond three months, and will focus on areas for additional productivity and fixing any speedbumps in the clinical workflow at Mann-Grandstaff and upcoming go-live sites. VA will also research targeted improvements to the system's patient portal, data syndication, and revenue cycle.

The next site scheduled to go live with the new system is the Columbus, Ohio, VA Healthcare System, though go-live-related work will be temporarily suspended and the order of subsequent deployments might be shuffled following the review.

## NEWS ITEMS OF NOTE

- VA Resumes Debt Suspensions

VA has continued the suspension of debts created after April 6, 2020, through September 30, 2021. They are also offering financial relief options for all debtors. Some of the options include the ability to make payments, establish a repayment plan, submit a compromise offer, dispute the debt, or request a waiver. They have also created a tool for veterans to use to assist in managing their debt. It can be found [here](#).

# Washington Update

March 31, 2021

Volume 27, Number 6

---

- **Caring for Our Survivors Act Legislation Introduced**

Senate Veterans' Affairs Committee Chairman Jon Tester (D-MT) and Senator John Boozman (R-AR) have reintroduced legislation that would increase monthly benefits for family members and survivors of veterans who lost their lives in service to our country. S. 976, the "Caring for Survivors Act of 2021," would increase VA's Dependency and Indemnity Compensation (DIC) rates to make them more consistent with payments made to surviving spouses of other federal employee survivor programs. It would also reduce the amount of time for a veteran to be totally disabled from 10 years to five for the surviving spouse to receive DIC. Ensuring that the survivors of veterans whose service-connected illnesses or injuries contributed to their death are taken care is an important legislative goal for PVA. This measure would aid that effort, by easing the financial burdens of veterans' survivors.

- **Information about the Availability of Captioned Telephone Service**

The Clear2Connect Coalition, of which PVA is a member, has issued the following information about the availability of captioned telephone services from the Federal Communications Commission (FCC). For a lot of veterans, current devices such as hearing aids do not provide adequate assistance over the phone. Those seeking alternative solutions may find [Captioned Telephone Services \(CTS\)](#) a useful option.

**How It Works** - Compliant with the Americans with Disabilities Act (ADA), CTS is administered by the FCC free of charge to Americans with hearing loss or tinnitus. CTS enables veterans with hearing loss to speak during a phone call while reading real-time captions of the person on the other end of the line to ensure seamless, accurate conversations. Veterans may choose to receive their captioning by either a combination of automatic speech recognition (ASR) technology and skilled transcribers, or by ASR technology only.

**Eligibility** - The FCC simply requires a person to self-certify that they have hearing loss, with some programs requiring a Professional Certification form signed by a health care professional. Any veteran, caregiver, or family member who is d/Deaf or has hearing loss, including people who already use assistive devices like hearing aids, can use CTS. Most commonly, members of the veteran community use CTS to stay connected to family and friends, and to speak with medical professionals and emergency responders in critical situations.

**Providers** - CTS is available at no cost to individuals who need it. To learn more, a list of providers verified by the FCC may be found [here](#).

# Washington Update

March 31, 2021

Volume 27, Number 6

---

- Monthly Jobs Report from Kessler Foundation Finds Slight Uptick in Disability Employment

In the Bureau of Labor Statistics (BLS) Jobs Report released March 5, the employment-to-population ratio for working-age people with disabilities increased from 28.7 percent in January to 28.8 percent in February 2021 (up 0.3 percent or 0.1 percentage points). The full report and infographics are available [here](#).

## HEARINGS/WEBINARS/ CONFERENCES/SURVEYS

- Self-Driving Survey

Cruise, a self-driving car company based in San Francisco, is developing ride-sharing and delivery services that will be accessible to all. They are seeking anonymous feedback from people who use wheelchairs to inform and improve products. If you have a moment, please [click this link to complete a short survey](#) (no more than 5 minutes). Please feel free to forward this survey to friends, family or colleagues who want to participate. **This survey will close on April 9.**

- Ask the Information Specialist: Taking Care of Business

On Tuesday, April 20, from 2:00 - 3:00 pm EDT, TransGen, Inc. and the Mid-Atlantic ADA Center will offer an opportunity to ask the Mid-Atlantic ADA Center's Information Specialists, Nancy Horton, Caleb Berkemeier, and Carleen Crespo questions on Title III of the ADA. That title prohibits discrimination on the basis of disability in the activities of "places of public accommodation," which are businesses open to the public, such as stores, entertainment venues, and doctors' offices. As businesses gradually reopen, ensuring accessibility to facilities and services for people with disabilities will return to the forefront. To register, click [here](#).

- Reeve Summit 2021 Dates and Agenda Announced

The Christopher & Dana Reeve Foundation has announced its second annual Reeve Summit 2021: Where Care, Cure and Community Connect. The Reeve Summit will be a virtual conference from April 27-29, 2021. Registration and agenda details can be found [here](#).

- Pathways to Economic Security Conference Now Online

Presentations and workshops from the National Academy of Social Insurance (NASI) March conference – Pathways to Economic Security – are now available online [here](#).

# Washington Update

March 31, 2021

Volume 27, Number 6

---

- Recent Congressional Hearings
  - On Thursday, March 18, the House Veterans' Affairs Committee (HVAC), Subcommittee on Health held a hearing entitled, "Beyond Deborah Sampson: Improving Healthcare for America's Women Veterans in the 117th Congress." PVA submitted a statement for the record. The hearing can be viewed [here](#).
  - On Tuesday, March 23, the HVAC, Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled, "VA Compensation and Pension Exams During the COVID-19 Pandemic: A Path Forward." The hearing can be viewed [here](#).
  - On Wednesday, March 24, the Senate Veterans' Affairs Committee held a hearing entitled, "Coping during COVID: Veterans' Mental Health and Implementation of the Hannon Act". PVA submitted a statement for the record. The hearing can be viewed [here](#).
  - On Thursday, March 25, HVAC held a hearing with VA Secretary Denis McDonough entitled, "Restoring Faith by Building Trust: VA's First 100 Days." The hearing can be viewed [here](#).

- HVAC Surveys on C&P Exams and USPS Delays

The House Veterans' Affairs Committee is conducting two surveys for veterans. The first survey is on veterans' recent experience with the C&P exam process. You can access the survey [here](#). The second survey is on veterans who may have experienced delays in USPS services. You can access that survey [here](#).

- National Women Veteran Needs Assessment

The University of Alabama is conducting a national survey of women veterans. We encourage women veterans to take and share the survey. You can access the survey [here](#). **It will remain open until early June.**

- ADA Live!—The ADA, Accessible Farming, and Gardening

The Southeast ADA Regional Center will host the next episode of ADA Live, [Let's Dig-in: The ADA, Accessible Farming & Gardening](#), April 7, 1-1:30 pm EDT. Presenters will discuss how the Americans with Disabilities Act (ADA) applies to large farms, community gardens, and neighborhood farmers' markets. Presenters will also discuss the work of the [AgrAbility Project](#), accessible agriculture, and the relevant requirements under the ADA. The webinar is free and no registration is required.