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Washington Update

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

PVA SUBMITS VIEWS ON PENDING LEGISLATION

PVA was recently invited to submit its views on more than a dozen bills the Senate plans to mark up in the near future, including one that is a top PVA priority for 2022, S. 3854, the Elizabeth Dole Home and Community Based Services for Veterans and Caregivers Act.

This critically important legislation would make urgently needed improvements to VA's Home and Community-Based Services programs, like raising the cap on how much the VA can pay for the cost of noninstitutional care; expanding critical programs like Veteran Directed Care (VDC) and Homemaker and Home Health Aide to all medical centers within two years, and allowing catastrophically disabled veterans to continue to use funds under the VDC program even when hospitalized to retain or hire an attendant to assist with their non-medical needs.

We also supported a measure that seeks to examine ways the VA can pay for veterans' care in assisted living facilities. Currently, the VA can refer veterans to assisted living facilities but it cannot directly pay for that care. S. 4169, the Expanding Veterans' Options for Long Term Care Act, would allow the VA to create a three-year pilot

program to test the benefits of having the VA pay for this type of care.

Finally, we backed a draft piece of legislation that would address the lack of transparency in the Program of Comprehensive Assistance for Family Caregivers (PCAFC). The bill would lift the veil off the current program by requiring the VA to inform veterans of all criteria used to determine their eligibility for the PCAFC and, in the case of a completed evaluation, explain how the criteria were used to reach the department's decision.

The draft PCAFC legislation would also allow veterans and their caregivers to use representatives to assist them throughout the entire process, from the initial application to an appeal, if necessary. Another provision seeks to soften the blow for veterans who are denied access to the PCAFC or deemed no longer eligible for it by requiring the VA to direct them to other VA programs and services they may be eligible for, including mental health services. The draft bill does not address all of problems with the PCAFC, but it would begin to reshape the program to better fit the needs of veterans and their caregivers.

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HOUSE PASSES MAMMO ACT AND OTHER VETERANS BILLS

The House passed 19 pieces of veterans-related legislation over a two-day period in mid-May. They honor the legacy of prominent veterans like former Senator Daniel Akaka, improve veterans' access to earned benefits, increase transparency and accountability in the complaint process at VA Medical Centers, and address the unique needs of women veterans.

Noteworthy bills include H.R. 7500, the Fiscal Year 2022 Veterans Affairs Major Medical Facilities Authorization Act, which authorizes VA to carry out specified major medical facility projects and raises the cap that can be spent on each project. Once the Senate concurs, funding authorized through this measure would go toward ongoing SCI/D-related projects at the San Diego and Dallas VA Medical Centers.

The House also approved S. 2533, the Making Advances in Mammography and Medical Options (MAMMO) for Veterans Act of 2021, which is one of PVA's top legislative priorities for 2022. The MAMMO Act contains several provisions that will improve services to veterans like requiring the department to develop a strategic plan for mammography and upgrading all breast imaging equipment so it is 3D capable.

Other language directs a study on the accessibility of breast imaging services within the VA. This examination would also provide critical data such as cancer rates among veterans with SCI/D, as well as information on rural veterans and their access to breast screening. The legislation would also require the 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. S. 2533 passed the Senate on March 23; so, this bill is now on its way to the President to be signed into law.

HONORING OUR PACT ACT AGREEMENT REACHED

It appears an agreement on comprehensive language addressing military-related toxic exposures has been reached—at least between key leaders of the House and

Senate Veterans' Affairs Committees. Senators Jon Tester (D-MT) and Jerry Moran (R-KS), the Chair and Ranking Member of the Senate Veterans' Affairs Committee were the first to [announce](#) the deal on the "Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2002" or the "SFC Heath Robinson PACT Act of 2022."

Named in honor of a veteran who died because of toxic exposure during his time in military service, the SFC Heath Robinson PACT Act of 2022 is comprehensive legislation that will deliver all generations of toxic-exposed veterans their long-overdue VA health care and benefits. Some of its provisions would expand VA health care eligibility, improve VA's presumptive process, bolster VA's toxic exposure resources, and strengthen toxic exposure research. Others lay the groundwork for future success by boosting VA claims processing capacity, strengthening VA's workforce, and investing in VA health care facilities. Released on May 25, the [text](#) of the agreed-upon language was submitted as an amendment in the nature of a substitute to the original PACT Act, H.R. 3967 which passed the House in March.

Areas of interest include section 404, which creates a pathway for the addition of new conditions like hypertension for Agent Orange exposure to VA's list of presumptive conditions. Section 702 authorizes pending leases for 31 major medical health clinics and research facilities in 19 states. Section 703 streamlines the leasing approval process in the future so Congress as a whole would not have to pass individual laws approving each lease of a certain size. These decisions would be delegated to the Senate and House Veterans' Affairs Committees. Finally, provisions in section 901 seek to improve VA staffing by developing and implementing a national VA Rural Recruitment and Hiring Plan. As part of that plan, VA would be required to develop best practices for recruiting health care professionals to rural VA facilities, train recruitment employees to utilize these best practices, and provide recruitment resources to the Veterans Integrated Services Networks (VISNs) and rural VA facilities.

A vote in the Senate could take place in early June. If the amended PACT Act passes in the Senate, the House

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leadership has pledged to take up the amended bill quickly, and deliver it to the President for signature.

HOUSE DIVERSITY AND INCLUSION SUBCOMMITTEE EXAMINES FINANCIAL INEQUITIES FACING PEOPLE WITH DISABILITIES

On May 24, the Diversity and Inclusion Subcommittee of the House Financial Services Committee held a hearing titled, "Diversity Includes Disability: Exploring Inequities in Financial Services for Persons with Disabilities, Including Those Newly Disabled Due to Long-Term COVID." Witnesses included Alison Cannington, Senior Manager, Advocacy and Organizing, The Kelsey; Cynthia DiBartolo, Founder and CEO, Tigress Financial Partners; Thomas Foley, Executive Director, National Disability Institute; Vilissa Thompson, LMSW Fellow, The Century Foundation & Co-director, Disability Economic Justice Collaborative; and Caroline Sullivan, Executive Director, North Carolina Business Committee for Education, Office of the Governor. The hearing explored many of the housing and employment barriers that impede economic security for people with disabilities and highlighted particular challenges faced by those affected by long-COVID-19's impacts. The webcast and testimony can be found [here](#).

HOUSE PASSES WORKFORCE LEGISLATION

On May 17, the House passed H.R. 7309, the Workforce Innovation and Opportunity Act (WIOA) of 2022, reauthorizing the nation's primary workforce development system that supports America's Job Centers, adult and dislocated worker training programs, Job Corps, disadvantaged youth programs, and numerous other targeted employment programs. According to the Chairman of the Education and Labor Committee, Representative Robert Scott (D-VA) the legislation would authorize approximately \$80 billion for WIOA programs over six years, "more than double the number of people receiving training services in Fiscal Year 2023, and allow us to train one million workers per year by 2028." In a floor statement prior to passage, Chairman Scott emphasized that H.R. 7309 would modernize WIOA, expand work opportunities for young

people, and assist justice-involved individuals to re-enter the job market.

The bill contains a number of provisions strengthening the focus of workforce programs on those with barriers to employment and specifically includes people with disabilities among those targeted, adds assistive technology as an allowable use of funds to accommodate those with disabilities for delivery of services; increases authorization of appropriations under the Rehabilitation Act of 1973 for supported employment services for individuals with the most significant disabilities as well as the Architectural and Transportation Barriers Compliance Board; and includes under the definition of dislocated workers eligible for services the caregivers or survivors of veterans with service-connected disabilities. The measure also promises increased funding to local workforce areas to provide "customer support to enable those with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities for such populations." The bill is pending in the Senate Health Education Labor and Pensions Committee. A link to the House report that accompanied the legislation can be found [here](#).

NEWS OF NOTE

Assistant Secretary for VETS Confirmed

On May 4, James D. Rodriguez was confirmed by the Senate as the U.S. Department of Labor's (DOL) Assistant Secretary for Veterans' Employment and Training Service (VETS). VETS oversees DOL programs that strive to prepare America's veterans, service members and their spouses for meaningful careers. In Fiscal Year 2021, over 2,800 DOL VETS staff, contractors, and grantees served more than 331,000 veterans and military spouses across all DOL programs.

State Employment Policies for Veterans with Disabilities

The National Conference of State Legislatures, in collaboration with the State Exchange on Employment & Disability, published a report on "[State Employment](#)

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[Policies for Veterans with Disabilities.](#)” The report features demographics and employment background for veterans with disabilities, as well as several state policy options to support those entering in to or remaining part of the civilian workforce.

Learn About VA’s Caregiver Programs

The VA offers two programs specifically focused on caregivers. The Program of General Caregiver Support Services offers resources that sharpen caregivers’ skills and services. The Program of Comprehensive Assistance for Family Caregivers offers enhanced clinical support to family caregivers of eligible veterans who have a serious injury and require in-person personal care services. Learn more about the differences between VA’s two caregiver programs by clicking [here](#).

VA Releases New Strategic Plan

VA’s new strategic plan for Fiscal Years 2022 through 2028 was guided by the department’s four fundamental principles—access, advocacy, outcomes, and excellence. It has four strategic goals, 13 objectives, and 75 strategies which are specifically designed to drive achievement of VA’s mission and the Secretary’s fundamental principles. It also reinforces VA’s goal of delivering clearer and more consistent messaging emanating from all levels in the department. To read the plan, click [here](#).

WEBINARS AND HEARINGS

U.S. Access Board Webinar: Accessible Golf and Miniature Golf Facilities

The Americans with Disabilities Act and the Architectural Barriers Act Accessibility Standards address the design and construction of golf and miniature golf courses for accessibility. The next webinar in the U.S. Access Board's free monthly series will take place June 2 from 2:30 p.m. – 4:00 p.m. ET and will review the scoping and technical requirements for making golf and miniature golf facilities accessible.

Board staff Bill Botten and Juliet Shoultz will review provisions for teeing grounds, putting greens, driving ranges, course weather shelters, golf car rental areas, bag drop areas, course toilet rooms, playing surfaces, start of play areas, and the golf club reach range. Presenters will also address frequently asked questions about accessible golf and miniature golf facilities.

Visit [AccessibilityOnline](#) for more information or to register.

Upcoming VA Committee Activities

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

