



Washington Update

Action Needed! Contact your Senators and urge them to support the [Elizabeth Dole Veterans Programs Improvement Act of 2023](#). Check out the [PVAAction Force](#) page to view other alerts and a list of key legislation.

VA GUIDANCE ON ADDITIONAL AUTO GRANT RELEASED

On May 3, VA released interim guidance on implementation of the additional auto allowance grant authorized by the PVA-led Veterans Auto and Education Improvement Act of 2022 (P.L. 117-333). The law allows authorized eligible veterans to receive a second auto allowance if 30 or more years have elapsed since their initial one. The interim guidance gives VA claims processors instruction on how to process requests for the additional grant, as well as nonarticulating trailers, which were authorized as part of VA's adaptive equipment program. Ten years after enactment of the bill (January 5, 2033), eligible veterans will be entitled to an additional automobile allowance once every ten years. Please contact your PVA National Service Officer with questions about this new benefit.

ELIGIBLE VETERANS IN THE VDC PROGRAM CAN RECEIVE AUTHORIZATION TO PAY THEIR CAREGIVERS WHEN HOSPITALIZED

After two years of advocacy, VA's Geriatric and Extended Care Program will now allow eligible veterans enrolled in the Veteran Directed Care (VDC) program to pay their caregivers when they are hospitalized.

When veterans with spinal cord injuries or disorders are hospitalized, their caregivers often accompany them to

the hospital and provide essential nonmedical services during their hospitalization. Until now, veterans had to discontinue paying their caregivers under the VDC program when their status changed from home care to inpatient care.

Now, veterans who are approved for Case Mix "V" or who have a score of "K" may be able to continue paying their caregivers when hospitalized, if clinically indicated and supportive of their care needs. Because this is a new policy, VA will be keeping a close eye on the change, and will monitor it closely until staff is comfortable administering it. With sufficient information, VA often approves requests, as needed, on the same day.

STANDARDIZED BOWEL AND BLADDER FORM CLOSE TO BEING APPROVED BY OMB

Last month, we noted that VA is developing a new form for caregivers to request payment for bowel and bladder care. PVA was recently informed by VA's Spinal Cord Injuries and Disorders (SCI/D) program office that the Office of Management and Budget (OMB) is close to approving the form. Once the form is approved by OMB, the SCI/D program office will send a letter to participants explaining the new form.

To ease the transition to the new form, VA will continue to allow caregivers to use other forms for payment as long they include all required information. Caregivers



will be able to complete the new form online and sign it electronically, but they will still have to fax or mail it to the National Processing Center for payment. VA is working towards caregivers being able to submit the form electronically. We will keep you informed on the progress.

MOBILE ACT INTRODUCED

At the beginning of May, Senator Tammy Duckworth (D-IL) and Representative Steve Cohen (D-TN), along with original cosponsors Senator John Thune (R-SD) and Representative Pete Stauber (R-MN) introduced the Mobility Aids on Board Improve Lives and Empower All (MOBILE) Act (H.R. 3082/S. 1459). This legislation would require the Department of Transportation (DOT) to issue regulations requiring air carriers to publish on their websites or on other prominent and easily accessible places of the carrier, information describing the dimensions of the cargo holds of all aircraft types in the air carrier's fleet, including the dimensions of the cargo hold entry. Passengers with disabilities who purchase a ticket for a flight from an air carrier but cannot fly on the existing aircraft because their assistive device (power/manual wheelchair or scooter) cannot fit in the cargo hold, will be refunded paid fares, fees, and taxes applicable to such flight.

Furthermore, the DOT Secretary will be required to evaluate data on mishandled wheelchairs and determine frequency of the type of damage, per type of assistive device. The Secretary will need to submit a report to the Senate Commerce and House Transportation & Infrastructure Committees regarding its evaluation. The report must include how the Secretary plans to address such results through consultation with air carriers, wheelchair manufacturers, national disability and disabled veterans organizations, and other relevant stakeholders.

Also, the Secretary will need to submit to Congress a "roadmap" on how DOT and the Access Board will work together, in accordance with the recommendations from the Transportation Research Board (TRB), to establish a program of research in collaboration with RESNA (Rehabilitation Engineering and Assistive Technology Society of North America) to study the feasibility of in-cabin wheelchair restraint systems. If flying while seated in a wheelchair is deemed technically

feasible, the Secretary will conduct another study to assess the economic and financial feasibility of implementing seating arrangements that accommodate passengers with wheelchairs in the main cabin during flight. We are hopeful that this legislation will be included in the upcoming FAA Reauthorization Act.

We are also continuing to advocate for inclusion of the Air Carrier Access Amendments Act (ACAAA) (H.R. 1267/S. 545) in the Reauthorization. [Please contact your members of Congress in support of the ACAA.](#)

TAX CREDIT BILL TO EXPAND ACCESSIBLE HOUSING INTRODUCED

On April 27, Senator Bob Casey (D-PA), Chairman of the U.S. Senate Special Committee on Aging, introduced the Visitable Inclusive Tax Credits for Accessible Living (VITAL) Act, S. 1377, to address the housing affordability and accessibility crisis for people with disabilities. The VITAL Act would increase investment in the Low-Income Housing Tax Credit (LIHTC) Program and ensure that developers using those credits build more accessible housing units that are designed for older adults and people with disabilities, and located within communities where residents with mobility impairments can walk or move around more easily. The LIHTC is a federal program providing tax credits to developers who build new housing for low-income renters.

The VITAL Act would increase funding for the LIHTC program to increase the number of accessible homes so that more people with disabilities and older adults can live in the communities they choose. It would also require that the states administering LIHTC construct at least 20 percent of their LIHTC units as accessible. Senators Tammy Duckworth (D-IL), Kirsten Gillibrand (D-NY), Amy Klobuchar (D-MN), and Peter Welch (D-VT) are cosponsoring this legislation.

SOCIAL SECURITY CAREGIVER CREDIT ACT REINTRODUCED

Senator Chris Murphy (D-CT) reintroduced the Social Security Caregiver Credit Act, S. 1211, on April 19. The bill would provide credit toward retirement benefits under Social Security to individuals who leave the workforce to care for loved ones. Numerous studies

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have indicated that, on average, caregivers suffer \$300,000 in total wage, private pension, and Social Security losses when they must leave the workforce for caregiving duties. S. 1211 would provide up to 60 months credit under Social Security for anyone spending at least 80 hours per month on caregiving responsibilities to children under age 12 or to a chronically dependent family member. Senators Tina Smith (D-MN) and Kirsten Gillibrand (D-NY) joined as original cosponsors of the bill. More information can be found [here](#).

DIRECT CARE WORKFORCE LEGISLATION REINTRODUCED

Senator Tim Kaine (D-VA), along with Senators Bob Casey (D-PA), Kirsten Gillibrand (D-NY), Maggie Hassan (D-NH), Jack Reed (D-RI), Tina Smith (D-MN), Sheldon Whitehouse (D-RI), and Ron Wyden (D-OR), recently reintroduced legislation to expand and strengthen the direct care workforce and support family caregivers. S. 1298 would direct the Administration on Community Living (ACL) to award grants to states and other eligible entities for initiatives to build, train, and promote the direct care workforce and to provide grants for educational and training support for both paid and unpaid family caregivers. ACL would be directed to set up a technical assistance center to aid grantees in examining direct care workforce shortage areas, creating career development and advancement strategies, and disseminating best practices for enhancing job opportunities for direct support professionals. Additional information about the legislation is available [here](#).

HVAC HOLDS LEGISLATIVE MARKUP ON PENDING LEGISLATION

On April 28, the House Veterans' Affairs Committee (HVAC) held a [full committee markup](#) on pending legislation. Seven bills were voted out of committee and are now available to be considered by the full chamber.

One of the bills that made it through is H.R. 1089, the VA Medical Center Facility Transparency Act, which would require the directors of VA medical facilities to submit to the VA and Congress an annual fact sheet containing specified information about their facility such as the

number of veterans treated at the facility, as well as a quarterly fact sheet on the average wait time for veterans to receive treatment at the facility, both of which would have to be publicly available on the facility's website. Another bill, H.R. 1669, the VET-TEC Authorization Act, would permanently fund the VET-TEC education program. VET-TEC is currently a pilot program. HVAC also marked up H.R. 1529, the Veterans' Cost-of-Living Adjustment Act, which requires VA to increase the amounts payable to benefits recipients in December 2023, and ties the increase to the COLA offered for Social Security benefits.

HOTELING WHILE DISABLED – WE WANT TO HEAR YOUR STORIES!

Ever feel frustrated because a hotel website doesn't provide enough – or any – information regarding accessibility? Tired of having to call and get the run-around just to find out which room has the accessibility features you need? How about the time you showed up and they'd given away the accessible room or the hotel didn't have one at all? We want to hear about your experiences! Please fill out the [survey](#) on hoteling while disabled.

The Supreme Court is hearing a case about whether a person who investigates hotel websites – sometimes called a “tester” – should be allowed to sue when the website does not have the required information about accessible rooms and accommodations. Testers are an extremely important way for the disability community to enforce the requirements of the Americans with Disabilities Act. It is crucial that the Court rule that compliance with disability rights laws is required.

Disability rights advocates are writing a brief to the Court and want to include as many stories as possible of the realities of traveling with a disability. Specifically, how hard it is to make hotel reservations and secure a room with accessibility features because of the lack of information about accessibility on hotel websites. You can help educate the Court by sharing your experiences of traveling with a disability. Please fill out the [survey](#) by June 30, 2023



NEWS OF NOTE

Fair Housing Act Expansion Bill Introduced

On April 25, Senator Tim Kaine (D-VA) and Representative Scott Peters (D-CA) introduced the Fair Housing Improvement Act (H.R. 2846/S.1267). The measure broadens protections under the Fair Housing Act by prohibiting source-of-income discrimination as well as discrimination based on military or veteran status. Over the years, some landlords have discriminated against households that receive assistance through programs like the Housing Choice Voucher or Veteran Affairs Supportive Housing programs. If passed, the bill would prohibit housing discrimination based on “source of income,” “military status,” and “veteran status” by adding each to the list of classes protected under the Fair Housing Act. Information from the National Low Income Housing Coalition about this legislation is available [here](#).

EJA Reauthorization and Modernization Act Introduced

Chairman of the Senate Finance Committee, Senator Ron Wyden (D-OR), introduced S. 1198, the Elder Justice Reauthorization and Modernization Act, on April 19. He was joined by House Ways and Means Committee Ranking Member Richard E. Neal, (D-MA), Senate Special Committee on Aging Chairman Bob Casey, (D-PA), and Co-Chair of the House Elder Justice Caucus, Representative Suzanne Bonamici, (D-OR). The bill reauthorizes the Elder Justice Act (EJA) and devotes new funding to programs designed to safeguard older adults and adults with disabilities. Among its provisions, S. 1198 would provide \$4.5 billion for new and existing EJA programs including \$1.6 billion for post-acute and long-term care worker recruitment and retention; \$1.9 billion for Adult Protective Services functions and grant programs; \$232.5 million for long-term care ombudsman program grants and training; \$500 million to support linkages to legal services and medical-legal partnerships; and \$250 million to address social isolation and loneliness. Information about the EJA reauthorization bill can be found [here](#).

WEBINARS & HEARINGS

The Who, What, Where, Why and When of Our Government and the Art of Advocacy: The Legislative Process

Make sure to join us on May 30 at 3:00 pm ET for the second webinar in our five-part advocacy series, The Legislative Process. During this webinar, we will take an in-depth look at how a simple idea can be transformed into a bill, and possibly a law. We will also be covering committees, their makeup, and their role in the larger legislative process. To register, please click [here](#).

On April 25, we held the first session in our series, which covered the three branches of the federal government, legislative, judicial, and executive; and their various roles and responsibilities. Following the federal government, we then took a brief look at the makeup of state and local government. Be on the lookout for the webinar recording and subsequent material on our website.

Upcoming Veterans' Committee Activities

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

ADVOCACY TIP

After you meet with your legislators, make sure to express your gratitude and appreciation. Expressing your thanks goes a long way in helping to build a strong relationship. While your short-term goal is to express your policy needs, your long-term goal should be to create a lasting connection. Send them a quick email within 24 hours after meeting with them. For an added touch, follow up with a handwritten note.