



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

October 28, 2020

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### SENATE VETERANS' AFFAIRS HOLDS MISSION ACT HEARING

On October 21, the Senate Veterans' Affairs Committee held a hearing entitled, "VA MISSION Act: Assessing Progress Implementing Title I." Witnesses included representatives from OptumServe, TriWest, and the Elizabeth Dole Foundation. VA was invited to participate in the hearing, but chose not to. The Chairman and Ranking Member of the Committee were very disappointed with VA's decision and noted the importance of having them participate in the dialog about implementation of the MISSION Act. Much of the testimony provided and the questions that followed focused on implementation of the community care program and the expansion of caregiver supports to older veterans. Specific concerns included the length of time it was taking to schedule appointments with community providers; the timeliness of getting community providers paid; the robustness of community provider networks; and the potential for VA to remove caregivers from the recently expanded caregiver program, particularly when post-traumatic stress disorder or traumatic brain injury is involved. Watch the hearing [here](#).

### DEPARTMENT OF TRANSPORTATION DRAFT ACCESSIBILITY STRATEGIC PLAN

On October 15, the U.S. Department of Transportation (DOT) released the [final summary report](#) from a national online dialogue hosted by DOT to provide an innovative opportunity for transportation providers, users, and experts, along with disability advocacy organizations, and other stakeholders, to play a key role in ensuring transportation access for passengers with disabilities.

The dialogue was open for ideas, comments, and votes from July 30 through August 23. During the national online dialogue, 1,123 stakeholders visited the dialogue and, in addition to providing feedback on the overall framework, shared ideas on five specific goals including: (1) remove unnecessary barriers; (2) enhance opportunities for people with disabilities to walk, roll, cycle, & use micro mobility; (3) improve access for individuals with disabilities to passenger & commercial vehicles; (4) support the development and diversification of the public transit systems; and (5) advance accessible intercity transportation systems. Moving forward, DOT will

**Paralyzed Veterans of America**

Government Relations Department

801 18<sup>th</sup> Street, NW · Washington, DC 20006  
(800) 424-8200 · (800) 795-4327 · [www.pva.org](http://www.pva.org)

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use the results of the online dialogue to inform policy and when drafting the final version of the strategic plan that will be published later this year.

## **GAO REPORT: AVIATION CONSUMER PROTECTION - INCREASED TRANSPARENCY COULD HELP BUILD CONFIDENCE IN DOT'S ENFORCEMENT APPROACH**

On October 13, the U.S. Government Accountability Office (GAO) released a [report](#) on DOT's enforcement of aviation consumer protection laws. Congress authorized the review in the FAA Reauthorization Act of 2018. GAO examined: (1) DOT's approach to the enforcement of aviation consumer protections and the results of its efforts, and (2) selected stakeholder views on this approach and steps DOT has taken to address identified concerns. As part of its study, GAO reviewed DOT data on consent orders and consumer complaints; examined other DOT documentation related to its enforcement program; and interviewed DOT officials and selected industry and consumer stakeholders, including advocacy organizations. Following its review, GAO recommended that DOT publish information describing the process it uses to enforce consumer protections, and that the department be more transparent about the results of its efforts.

## **VA OUTLINES STEPS TO RESOLVE COMMUNITY CARE BILLING ISSUES**

VA has announced steps that veterans should take if they are bill for VA authorized community care appointments. First, the veteran should gather any letters, notices, or information regarding debt collection or adverse credit reports related to authorized use of community care. Then, the veteran should call the toll-free number at 877-881-7618 (option 1), Monday through Friday from 8 a.m. to 5 p.m., ET.

VA staff will collect the veteran's information, investigate the issue, and then follow up with details of the final resolution and answer questions. Veterans may also request an adverse credit history letter that accepts or denies responsibility of the issue, as appropriate. For more information, please click [here](#).

## **NEWS ITEMS OF NOTE**

- Online Accessibility Act Introduced

On October 1, Representative Ted Budd (R-NC) introduced H.R. 8478, the Online Accessibility Act, that would amend the ADA to address "consumer facing websites and mobile applications" owned or operated by private entities. The bill proposes that these websites and apps meet certain standards or provide "alternative means" of "equivalent

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access” for people with disabilities. Because this bill would set a precedent similar to other ADA notification bills, PVA strongly opposes this legislation.

- Servicemembers and Veterans Initiative Act

Representative Veronica Escobar (D-TX) recently introduced H.R. 8354, the Servicemembers and Veterans Initiative Act, to permanently establish a Servicemembers and Veterans Initiative within the Civil Rights Division of the Department of Justice (DOJ). The bill would authorize in statute a program begun by DOJ earlier this year to advise the Attorney General on legal matters related to servicemembers, veterans, and their families; develop policy recommendations; prosecute fraud; and enforce federal laws that protect this population. PVA has endorsed this legislation as a useful step in amplifying the rights of servicemembers and veterans.

- Department of Labor Marks National Disability Employment Awareness Month

On October 20, the Department of Labor (DOL) presented an on-line celebration of the 30th anniversary of the Americans with Disabilities Act (ADA) and the 75th anniversary of National Disability Employment Awareness Month (NDEAM). The theme, “Building a Future that Works,” featured welcoming remarks by DOL Secretary Eugene Scalia, videos demonstrating the value of autonomous vehicles and voice activated computer programs, and presentations on artificial intelligence and other emerging technologies that will impact the world of work. NDEAM 2020 Building a Future that Works can be view [here](#).

- Veterans' Group Life Insurance Update

The Veterans Benefits Administration has extended the deadlines for former members insured under the Servicemembers' Group Life Insurance (SGLI) to apply for Veterans' Group Life Insurance (VGLI) coverage for an additional 90 days due to issues caused by the COVID pandemic. More information is available [here](#).

- Major Veterans Mental Health Legislation Signed into Law

On October 18, [President Trump signed](#) the [Commander John Scott Hannon Veterans Mental Health Care Improvement Act](#) (S. 785) into law. This new law will improve transition; provide grants for community suicide prevention programs; improve mental health through research, oversight, and programmatic changes; enhance the mental health workforce; and improve the care of women veterans. PVA, along with other major veterans groups, supported this legislation.

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## WEBINARS

- NEW PVA Webinar on VA's Caregiver Program

On November 10 at 2:00 p.m. ET, PVA's Government Relations Department will hold a webinar for PVA chapters and members entitled, "What PVA Members Should Know About Changes to the VA Program of Comprehensive Assistance for Family Caregivers." During this webinar, you will learn about the changes in eligibility requirements, caregiver qualifications, and stipend payments; how the changes will impact veterans and caregivers enrolled before October 1, 2020; changes to the appeal process, revocation, and discharge process; and new program features. Please [register here](#) for the webinar. It will be recorded for those unable to attend.

- Medical Marijuana and the ADA: Hashing Out How States and Employers Cope with Medical Marijuana

The Mid-Atlantic ADA Center will host a webinar on October 30 from 11:00 a.m. to 12:30 p.m. ET on the history behind the illegal drug provision in the Americans with Disabilities Act and how courts have applied the definition to medical marijuana. Additionally, this session will explore the varying approaches taken by states and employers to protect or prohibit the use of medical marijuana by employees and applicants with disabilities by delving into case studies. The session will end by identifying reasonable accommodations and discussing the advantages and disadvantages of each. For more information, including how to register, please click [here](#).

- PVA Webinar on Voting Now Available

On October 6, PVA hosted a webinar with the National Disability Rights Network entitled, "Understanding Voting Access for Veterans with Disabilities During a Pandemic." The webinar is now available on PVA's dedicated [voting webpage](#). The direct link is available [here](#).