



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

September 9, 2016

Dear Representatives Roby, Titus, Walz and Zeldin:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Task Force on Veterans and Military Families write in support of H.R. 5128, the “Protection and Advocacy for Veterans Act”. CCD is a coalition of national disability rights, advocacy, consumer and provider organizations representing this nation’s 57 million Americans with disabilities. The Veterans and Military Families Task Force follows issues of concern to veterans with disabilities and military families with members who have disabilities.

In recent years, concerns regarding both the quality and timeliness of care that our nation’s veterans receive at Department of Veterans Affairs (VA) hospitals and clinics have been raised in both the news and at Congressional hearings. These concerns have arisen despite the good work of the Office of the Inspector General (OIG) and the Patient Advocate Program. This demonstrates the very real need for independent, objective oversight of federal VA facilities.

Every state and territory in the United States currently has a federally mandated Protection and Advocacy agency (P&A), including a Native American P&A, charged with protecting the rights of people with disabilities through legally based advocacy. For almost forty years, the P&A system has provided critical advocacy and protection for individuals with disabilities by monitoring the quality of care that such individuals receive from public and private hospitals, clinics, psychiatric wards, correctional facilities, and other service providers. Over the years, the P&A system has developed a high degree of competence, expertise, and professionalism in the advocacy for patient rights.

While under existing federal law P&A agencies have broad authority to inspect records, monitor and investigate for possible abuse or neglect, recommend changes and improvements to health care and other service providers, and, if necessary take other appropriate action, this authority is limited in federal facilities, including VA facilities. H.R. 5128 would establish a pilot program within VA to ensure veterans receive proper support in the areas of mental health and substance use. Specifically, under the bill, the Secretary will be authorized to award grants to four P&A agencies with demonstrated experience in monitoring and investigating patient care issues in states with low aggregate SAIL data (The system used by the VA for summarizing hospital system performance within the Veterans Health Administration) to investigate and monitor the mental health care and substance abuse treatment on behalf of patients.

Representatives Roby, Titus, Walz and Zeldin
September 9, 2016
P. 2

We believe enactment of this legislation will provide objective and independent oversight, monitoring and investigation of VA facilities. Because P&As represent the individual with a disability (in this case a veteran) there will be no concerns regarding potential conflict of interest as there might be with a patient advocate. In addition, the P&A will be able to be both proactive and reactive to concerns as opposed to both the patient advocate and the OIG who deal with issues in a more reactive manner. Finally, since the P&As exist in every state and territory, the P&A can be there in a matter of a few hours.

The CCD Veterans and Military Families Task Force thanks you for the introduction of this important legislation and urges its swift passage. It is the belief of the organizations signed below that passage of this legislation will enhance the care of veterans and provide veterans who are not receiving appropriate care a much needed recourse. The need for this legislation is real and urgent.

Sincerely,

American Association on Health and Disability

American Dance Therapy Association

Brain Injury Association

Easterseals

National Association of State Head Injury Administrators

National Disability Rights Network

Paralyzed Veterans of America

Vets First a program of United Spinal Association

Vietnam Veterans of America