



# Pending Legislation

Jun 10, 2010

STATEMENT OF  
ERIC A. HILLEMAN, DIRECTOR  
NATIONAL LEGISLATIVE SERVICE  
VETERANS OF FOREIGN WARS OF THE UNITED STATES  
BEFORE THE  
COMMITTEE ON VETERANS' AFFAIRS  
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY  
UNITED STATES HOUSE OF REPRESENTATIVES  
WITH RESPECT TO

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COMMITTEE ON VETERANS' AFFAIRS

SUBCOMMITTEE ON HEALTH

UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO

**VARIOUS HEALTH CARE RELATED ISSUES AND DRAFT LEGISLATION**

WASHINGTON, D.C. May 27, 2010

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of the 2.1 million men and women of the Veterans of Foreign Wars of the U.S. and our Auxiliaries, I want to thank you for the opportunity to testify at today's legislative hearing.

HR 4062, *Veterans' Health and Radiation Safety Act*

VFW supports legislation that would amend Title 38, United States Code, to make certain improvements in the administration of medical facilities within the Department of Veterans Affairs.

Section II mandates that VA conduct annual reporting to Congress on low volume programs, treating less than 100 patients a year. Section III demands adequate training for employees and contractors on appropriate reporting of medical services and programs where the use of radioactive isotopes is present. Section IV requires all contractors and contracting offices to adhere to rigorous guidelines when using this method of health care treatment.

The use of radioisotopes at VA hospitals has increased the levels of risk to patients who undergo these potentially life-saving treatments and tests. Diagnostic techniques in nuclear medicine allow a non-invasive method of detecting and evaluating most cancers. Further, some cancerous growths can be controlled or eliminated by irradiating the detected growth.

VFW asks Congress and VA to strongly demonstrate that safety and training are provided to all employees, contractors, and non-government entities who are employed at VA where radioactive isotopes are used. We believe this bill is the correct step toward this goal. 2

HR 4465, to amend Title 38, United States Code , to direct the Secretary of VA to take into account dependent children when determining the veteran's financial status when receiving hospital care or medical services

The VFW supports this legislation to allow certain dependents to be counted in determining earnings thresholds for the purpose of seeking benefits and services at VA.

This legislation requires VA to recognize children placed in the legal custody of the veteran as a result of a court order. Under the bill, in order for the child to be counted as eligible, they must be in the custody of the veteran for at least 12 consecutive months, require support at least 50% of the time, and/or be under the age of 21 ( or 23 if enrolled as a full-time student). Currently, children placed in the legal custody of a veteran are not counted for the purposes of health care categories or qualification for pension or benefits. VFW believes HR 4465 will correct that inequity and passing it is the right thing to do.

HR 4505, to enable State homes to furnish nursing home care to parents, whose children died while serving in the Armed Forces

VFW supports this legislation, which would authorize state-run nursing homes to accept the surviving parents of a child who died while serving in the armed services. The VFW believes the care of all Gold Star parents is a sacred trust and this bill would provide a critical benefit at a time when they may need long-term care. We ask Congress to enact this legislation quickly.

Draft Bill, *World War II Hearing Aid Treatment Act*

VFW admires the goal of this legislation but cannot support it as written. Millions of Americans participated in combat where nearly 300,000 were killed and 671,000 were wounded. Almost everything about modern warfare involves loud, often incredibly loud, noise. Acoustic trauma is a major cause of hearing loss. Those who fought in the island campaigns of the Pacific, North Africa, Normandy, the Battle of the Bulge to the River Elbe, or flew through the flak and fighter filled skies of France and Germany were exposed to incredible amounts of hearing damaging noise. However, their experiences in training for and fighting a war are, in terms of noise exposure, virtually identical to their younger brothers and sisters who trained and fought in every other war from Korea to Vietnam to the current conflicts in the Middle East.

We cannot support this legislation because the only factual difference between their exposure to noise and that of all veterans is that they are older. We believe the bill is inequitable as it discriminates against other veterans based on age. We would be happy to work with the committee on clarifying hearing aid benefits for all veterans.

Draft Bill, *Improved VA Outreach Act of 2010*

The VFW supports the *Improved VA Outreach Act of 2010*. This bill aims to improve outreach activities within the Department of Veterans Affairs by coordinating the efforts among the offices of the Secretary, Public Affairs, Veterans Health Administration, Veterans Benefits Administration and

the National Cemetery Administration. 3

In order to increase the effectiveness of VA outreach, it also directs the Secretary to annually review activities performed by VHA, VBA, state veterans agencies, county veterans agencies, VSOs and other federal departments (referred to in section 6306), to include the National Guard and Reserve component bureaus under Section 561 of Title 38, C.F.R.

The VFW has always encouraged and supported increased awareness of benefits and services provided by VA to veterans. We believe that *all* veterans and their survivors should have access to up-to-date information about services and benefits for which they may be eligible. However, a key component missing in the language of this bill is training. We believe that effective outreach can only be achieved through the proper training of individuals performing outreach activities. We also note that since any successful initiative will result in increased claim submissions to VA, funding for VBA adjudication must keep pace with increases in the number of claims filed as a result of greater outreach.

We applaud sections 4 and 5, which establish an advisory committee to provide a biennial report on outreach activities. The committee will bring together various experts in veterans' issues to make recommendations on how to improve VA benefits, services and programs. Reaching out to federal, state and local stakeholders encourages the sharing of best practices and helps VA in identifying the needs of eligible veterans and their families. This is especially critical now with many injured servicemembers returning from the current conflicts unaware of their benefits.

Mr. Chairman, members of the Committee, this concludes my testimony. I would be happy to address any questions you may have. Thank you