

# ADVOCACY CHATS

## EPISODE 6: 2022 PRIORITIES

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Heather Ansley

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Well, welcome to the latest government relations chat. My name is Heather Ansley and I am PVA's Associate Executive Director of Government Relations. And today we are going to give an overview of

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PVA's 2022 Policy Priorities and at the same time give you our thoughts on what we think the potential is for passage of some of these key legislative proposals. We're also going to give you a little bit of insight into some of the activities we are doing, administratively as well.

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So I'm going to dive in and one of our top advocacy priorities continues to be improving access to air travel for people with disabilities.

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And there are a few things that are popping on this particular front, so we have spent a significant amount of time working to increase support for the Air Carrier Access Amendments Act which is HR 1696 and S 642.

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This legislation was introduced by representative Jim Langevin from Rhode Island and Senator Tammy Baldwin from Wisconsin.

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And it would strengthen in administrative enforcement of the current law and also established a private right of action so that travelers with disabilities could enforce their

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civil rights under the law via the court system.

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It would also ensure that new airplanes are designed to accommodate the needs of people with disabilities by requiring the airlines to meet defined accessibility standards and to remove

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existing access barriers on planes that they are using today if it's what we call readily achievable, which is language that is also from the Americans With Disabilities Act and

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just means if it's easily accomplishable and may be done without much difficulty or expense.

The Senate bill has added a co-sponsor since we last talked so we now have seven co-sponsors on that particular piece of legislation, in addition to our main sponsor Senator Baldwin.

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One of those co-sponsors is also Senator Tammy Duckworth, a disabled veteran herself and someone who is on also the Senate Commerce Committee, which is the Committee of Jurisdiction for this particular piece of legislation.

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Our house bill HR 1696 has added several additional co-sponsors, since the last time we updated everyone. So we're now up to 35 co- sponsors, in addition to Mr. Langevin.

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And you may have heard Mr. Langevin has announced that he will be retiring at the end of this year, so we're doing everything we can to promote

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some type of movement on the legislation this year. We have a petition that we have developed in support of the legislation.

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You can sign our petition by visiting [PVA.org/airtravel](http://PVA.org/airtravel) and we do understand that there might be some action in the House this spring on Mr. Langevin's bill. So it's really important that we do continue

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to increase support for that legislation. On some other fronts, the Department of Transportation

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is doing outreach to learn more about the issues that wheelchair users encounter in air travel, including damage to devices and also injuries

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that these passengers incur as a result of improper transfers and poorly trained assistance. So we're looking forward to see what the department

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is planning to do to try to address these particular areas. In addition, they have also finally released the notice of proposed rulemaking



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for accessible laboratories on single aisle aircraft and this is something that we worked on with the Department of Transportation and other stakeholders back in 2016.

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And so we've been waiting nearly six years for this rule to come out. It is now out for comment and PVA will be taking a close look at what the department has

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posted and proposed and be providing appropriate comments to that. So definitely stay tuned for more action and again [PVA.org/airtravel](http://PVA.org/airtravel) is a great hub

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to learn more about our work in that space. So I would now like to give

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you some updates on our other advocacy or disability priorities and Susan Prokop is our National Advocacy Director and so Susan, I'm going to ask you if you will walk through some of those updates

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that you have on issues about the ADA, employment, social security, and I know a few other items of note, so Susan.

Susan Prokop - Paralyzed Veterans of America - she/her

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Great.

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Thanks Heather.

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So, I'm going to start with the status of reconciliation, the large Build Back Better Bill which, in its original form

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contained a number of provisions of interest to the disability community, including expansion of medicaid home and community based services program.

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affordable housing programs, paid family leave, enhanced workforce programs for those with barriers to employment. This bill was derailed

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due to a number of factors, among them the war in Ukraine, rising concerns among policymakers about inflation

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battles over voting rights and resistance of some conservative Democrats and Republicans to moving the bill.



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So conversations are now underway for a second reconciliation bill, but in a very, very paired down version.

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With the hopes for doing something by Memorial Day in the Senate. The focus of this bill is likely to be raising revenue for deficit reduction.

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Reducing prescription drug prices and putting some investments toward climate change. Talks are continuing about ways to include

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extension of the higher affordable care act premium tax credits that are going to expire at the end of the year.

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And the business community is trying to shoehorn in a fix to a research and experimentation tax credit

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that's likely to become a political hot potato because advocates for the child tax credit are insisting that children and families should come before corporations.

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There's a lot of energy among various advocates around preserving the HCBS expansion under medicaid

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and getting some attention to housing in the eventual package, but getting those items in is going to be a hard lift.

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The April recess is viewed as the last chance to press these issues with members of Congress as momentum is expected to pick up once they return.

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And this is a must pass by Memorial Day bill, because the assumption is that nothing of consequence will happen once Congress goes into campaign mode in August. Turning to social security, our priority is the Social Security 2100

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A Sacred Trust Act that's HR 5723 and in the House and

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we had a session on this bill at our recent seminar which featured remarks from the chief sponsor of the bill

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and Chairman of the Ways and Means Social Security Subcommittee John Larson and his Legislative Director Nancy Perry.

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Ms. Perry answered questions about the numerous provisions in HR 5723 that are of interest to veterans with disabilities and their families. Among the improvements in the bill would be

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enhancements to the cost of living formula, caregiver credits under the social security system,

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elimination of the five month wait for social security disability and replacing the SSDI Cash Cliff with better work incentives.

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Chairman Larson spoke to PVA Members about the urgent need to press members of the House Ways and Means Committee

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and the broader House of Representatives to hold a vote on this legislation before the end of the 117th Congress in order to get members of Congress on record about their position on social security.

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We hope advocates will follow his advice and call their Members during the April recess to push for a vote on HR 5723 and they can also call their senators to co-sponsor the Senate Companion Bill S 3071.

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In other social security business, the Social Security Administration has announced that its field offices will begin reopening in early April.

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There's concern, though, that ongoing restrictions on numbers of people allowed in the offices, at one time, could create long waiting lines outside those offices.

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And there have been problems reported with the new 800 telephone line vendor that may hinder people's ability to reach social security.

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If PVA members or their families encounter problems reaching a social security local office for urgent needs, we hope they will alert us to those circumstances, as we are partnering with allied disability groups to track issues with the reopening.

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PVA is also working with a number of disability organizations to strategize about ways to raise attention to the Disabled Access Credit Expansion Act.



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This legislation is sponsored by Senator Tammy Duckworth and its number is S 2481. Also in house sponsored by representative Donald McEachin and that bill number is HR 4714.

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It would make some long overdue increases in a tax credit to help small businesses make accessibility improvements to their facilities and websites.

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It would also authorize funding for the Department of Justice ADA Mediation Program and require reporting on complaints related to ADA violations and their resolution. PVA has always viewed S 2481

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And HR 4714 as important counterpoints to bills like the ADA Notification Act, which puts the burden on people with disabilities to enforce the ADA.

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So listeners interested in this legislation, might call their senators and representatives during the upcoming recess, to urge support for those measures.

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And lastly, I'll just say a few things about employment of people with disabilities, because unfortunately,

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A lot of the oxygen around this in reconciliation has waned, but there are still a few items worth noting.

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For instance, PVA is still supporting the Disability Employment Incentive Act that's S 630 in the Senate and HR 3765 in the House.

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This legislation would enhance the work opportunity tax credit that can be used by employers that hire members of targeted groups which includes veterans and people with disabilities.

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It would also allow the use of the tax credit for hiring people on SSDI, which is an oversight long overdue for correction.

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And there are several efforts of foot by the administration to address disability inclusion in employment through various executive actions.

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For example, the administration has worked to expand workforce protections to those affected by long covid.



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broaden apprenticeship opportunities for veterans and other people with disabilities and has taken steps to draw attention to accessibility in virtual workspaces.

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On March 23, reports are due on the executive order 14035 on diversity, equity, inclusion and accessibility in the federal workforce.

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By that date, all federal agencies are to have developed an agency DEIA strategic plan

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That will address how they plan to advance inclusion and equity within their workforce and address any potential barriers to equal employment opportunities.

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There are still some concerning issues around disability employment, such as

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the report that as of January of this year, all 50 states had submitted recovery plans under the American Rescue Plan. That was a big

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piece of legislation passed early in the Biden administration in response to Covid.

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According to the Council of State Governments, only four states have outlined plans in those recovery plans to devote money to workers with disabilities.

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The infrastructure bill signed into law earlier this year, called for investing billions of dollars in workforce development programs targeting underserved groups and underserved communities.

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But, few provisions in that law, however, specifically identified, people with disabilities as a community with barriers to employment in need of attention.

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Based on the track record with the American Rescue Plan we're concerned that people with disabilities

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are again going to be overlooked in programs funded under the infrastructure law, so we continue to work with other disability organizations and veterans organizations

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to heighten attention to veterans and other people with disabilities in workforce development measures. And so now I'm going to turn things back to Heather.

Heather Ansley

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Well, thanks Susan for giving us all of those updates it certainly sounds like

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even though things may not be getting to the finish line there's lots of stuff still moving forward and efforts being made as it relates to legislation and policy to help our members as people with disabilities.

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I now want to turn to Morgan Brown who's our National Legislative Director and we're going to talk about some of those policy priorities that are directly in the space of the Department of Veterans Affairs and

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that impact our members as veterans. So Morgan, I'm going to turn it over to you.

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Morgan Brown

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Right well, thank you Heather and

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Hello everyone.

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I'd like to begin by talking about our first significant legislative victory of 2022.

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As many of our listeners know staffing deficiencies have had a direct impact on the SCI-D system of care and VA has been struggling to hire medical personnel.

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Part of the problem is the amount of pay and compensation that VA provides to its doctors and nurses. HR 5575 the VA Nurse and Physician Assistant Raise Act

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changes the current salary caps and provides for higher maximum salaries for registered nurses and physician assistants working at the Veterans Affairs Department.

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to reduce turnover in VA's healthcare workforce. Congress recently passed the raise act as part of the \$1.5 trillion dollar omnibus spending bill for fiscal year 2022.

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I should also know this legislation was a key part of a ten point human infrastructure plan that the department released last month.

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So, looking at some of the other legislation for most veterans institutional care is unwanted and unnecessary.

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And for several months PVA has been working with Congress of legislation that would enable veterans to age at home, enjoy a higher quality of life and support their caregivers.

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HR 6823 and S 3854 the Elizabeth Dole Home and Community Based Services for Veterans and Caregivers Act would make critically needed improvements to HCBS programs and services.

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I'm not going to cover all the provisions of the bill, but some of the key ones that are of interest to PVA Members are that it raises the cap on how much the VA to pay for the cost of homecare from 65% to 100%.

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It requires VA to administer it's For Veterans Directed Care Program, The Homemaker and Home Health Aide Program,

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The Home Based Primary Care Program and the Purchase Skilled Homecare Program at all medical centers within two years of a date of enactment of this legislation.

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It would also direct VA to make the VDC Program and then the Homemaker Home Health Aide Programs available in the U.S. territories and to native veterans using the Indian Health Service tribal urban health organizations.

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Another provision expands access to home and community based services.

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Excuse me, and then establishes a pilot project to address home health aide shortages.

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And then, finally, it requires VA to provide a coordinated handoff for veterans and caregivers that are being denied or discharged from the program of comprehensive assistance for family caregivers into any other home care program they may be eligible for.

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The Senate Companion Bill was just introduced a couple of days ago so it's very new.

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But this legislation was one of eight bills examined during a March 16 House Veterans Affairs Health Subcommittee hearing and pending legislation PVA testified in support of this bill at that hearing and you'll be able to find links to the hearing and our testimony on the PVA webpage at [www.pva.org](http://www.pva.org).



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So next we have HR 2734 and S 1280 the veteran families health service act which expands and improves access to assisted reproductive technologies like IVF for service members and veterans.

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As well as HR 1957 the veterans infertility treatment act of 2021.

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which allows VA to provide both infertility treatments and preservation services and ensures VA provides fertility counseling to veterans or their partners.

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Both bills are continued to be examined by Congress, but I should note that Congress approved the continuation of existing IVF services that both veterans affairs and the Department of Defense in the fiscal year 2022 omnibus spending package I spoke of earlier.

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HR 5607 and S 3483 Justice for ALS Veterans Act allows survivors of veterans who died from service connected ALS to receive the DIC Kicker payment, which is an extra \$300 or so

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added to the basic amount of DIC they receive. The House bill underwent a formal examination during an HVAC hearing last year and the Senate bill was introduced a couple of months ago.

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The house bill has received a favorable score from the Congressional Budget Office, but the cost is still significant enough that Congress has had trouble coming up with a way to pay for the bill.

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and we continue to have discussions with the House and Senate Veterans Affairs Committees on ways that we might be able to move this bill forward.

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Another bill addressing survivor issues HR 3402 and S 976

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The Caring for Survivors Act allows additional survivors to receive DIC benefits and increases the monthly benefit amount to match benefits provided by other federal survivor programs.

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The rate of compensation paid to survivors of service members who died in the line of duty or veterans who died from service related injuries or disease.



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Diseases was created in 1993 and has been minimally adjusted since then. This bill would set the rate for DIC at 55% of 100% disabled veterans compensation.

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Again, this as another bill extremely high costs associated with it, but it continues to remain in play, and we continue to have discussions with

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the committee staff on its passage.

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HR 1361 and S 444 the Auto for Veterans Act authorizes an additional VA automobile allowance grant to eligible veterans.

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HR 3304 the Cars for Vets Act also allows a second automobile allowance, but it has additional language that codifies the provision of certain vehicle modifications for qualified veterans with non service connected disability.

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A draft bill incorporating the provisions from the Auto For Veterans Act and Cars For Vets Act was reviewed at a legislative hearing in April of 2021.

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The Senate version of the Auto for Veterans Act was also reviewed during a Senate Veterans Affairs Committee legislative hearing in April 2021 as well.

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The cost is the principal factor holding these bills back, but we're still talking with both committees which have indicated that passing this legislation is a top priority for them in 2022.

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PVA continues its effort to improve VA's home modification grant programs as well.

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HR 5819 The Autonomy for Disabled Veterans Act would increase HISA grant rates to 10,000 for veterans with service connected disabilities and 5,000 for veterans with a non-service connected disability.

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And it will also will tie them to an inflation formula to help keep them relevant in future years. This was the second major PVA bill examined during the March 16 House Veterans Affairs Subcommittee hearing on pending legislation.

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All the witnesses supported raising rates including VA, but there were some recommended adjustments that will have to be considered before we can expect to see movement on this legislation.

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HR 4794 and S 2533 the making advances in mammography and medical options for veterans or the mammo act improves access to breast imaging services for SCI-D veterans.

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It would also mandate, a study on the accessibility and mammography services within VA and require the department to update its policies and directives for community care, ensuring sites are accessible and are informed on best practices for screening paralyzed and disabled veterans.

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Efforts are underway in the Senate to fast track this legislation, and we are simply waiting the outcome of that effort.

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Finally, the requirement for veterans to reapply annually for the clothing allowance is burdensome for VA and veterans alike. And we believe veterans with static conditions should not have to reapply every year. S 2513 the Brian Newman VA Clothing Allowance Improvement Act or HR 4722

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The Marco Brian and VA Clothing Allowance Improvement Act would make clothing allowance payments automatic until VA determines the veteran is no longer eligible to receive the benefit

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Or the veteran indicates they no longer want to receive it. There's a high probability this legislation could pass this year, probably not as a standalone bill, but it would most likely be rolled into a package of other veterans related legislation sometime in the near future.

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So that sums up our policy efforts and I will turn this back over to Heather.

Heather Ansley

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Well, thanks Morgan and and Susan again as well, for all of those updates, I know

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There was a lot

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of bill titles and bill numbers and they can all jumble together after a while. So the good news is that to stay up to date



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you can follow PVA on social media and visit [pva.org](http://pva.org) under the research and resources we have legislative priorities, all the information that we discussed about legislation today.

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is available there. We also remind you to sign up for PVA Action Force, which is our grassroots portal and it allows you to send

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letters directly to your Members of Congress about the priorities that we've discussed today.

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And you can also reach that portal again by going to [PVA.org](http://PVA.org) and looking at our legislative priorities. We really want to thank you for taking the time to listen to these updates

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and helping us to continue to push advocacy forward. We look forward to being able to speak with you again in the near future, thank you.

