

**STATEMENT
OF TIFFANY ELLETT
HEALTH POLICY COORDINATOR
THE AMERICAN LEGION
TO THE
SUBCOMMITTEE ON HEALTH
HOUSE COMMITTEE ON VETERANS' AFFAIRS
ON
"BEYOND DEBORAH SAMPSON: IMPROVING HEALTHCARE FOR AMERICA'S
WOMEN VETERANS IN THE 117TH CONGRESS"**

MARCH 18, 2021

Chairwoman Brownley, Ranking Member Bergman, and distinguished members of the subcommittee; on behalf of National Commander James W. "Bill" Oxford, and the nearly 2 million members of The American Legion, we thank you for inviting The American Legion to submit this statement on "Beyond Deborah Sampson: Improving the Healthcare for America's Women Veterans in the 117th Congress."

Background

In 1973, when conscription came to an end and the United States Armed Forces moved to an all-volunteer military, women represented 2 percent of the enlisted forces and 8 percent of the officer corps. Today, women represent 16 percent and 19 percent, respectively.¹ Women are the fastest growing demographic within the armed forces and the evolution of women's roles in the military are reshaping the profile of the veteran population.² By 2045, it is projected that 33 percent of the veteran population will be younger than 50 years old.³ As a result of these demographic changes, the Department of Veterans Affairs (VA) will see an increased number of women veterans, specifically those that fall within childbearing age. Women are a vital part of the armed forces and the veteran community; thus, it is imperative that the nation recognize the importance of their service and take action to meet their needs.

The American Legion's commitment to the needs of women veterans has been longstanding. In 1919, the year we were chartered by Congress, the Legion welcomed the voice of women veterans through membership and voting, supporting the opinion of women who served this nation before their voice was recognized by the national government with the passage of the 19th Amendment to the U.S. Constitution.⁴ The American Legion does not look at gender equality as

¹ Council on Foreign Relations. (2020, July). *Demographics of the U.S. Military*. Retrieved from <https://www.cfr.org/backgrounder/demographics-us-military>

² Barroso, A. (2020, August 6). *www.pewresearch.org. The Changing Profile of the U.S. Military: Smaller in Size, More Diverse, More Women in Leadership*. Retrieved from Pew Research Center: <https://www.pewresearch.org/fact-tank/2019/09/10/the-changing-profile-of-the-u-s-military/>

³ Bailik, K. (2020, May 30). *5 Facts about U.S. Veterans*. Pew Research Center. Retrieved from <https://www.pewresearch.org/fact-tank/2017/11/10/the-changing-face-of-americas-veteran-population/>

⁴ Gorbulja-Maldonado, A. (2020, March 17). *'We can do it:' The history of women in military service*. The American Legion. Retrieved from <https://www.legion.org/womenveterans/248582/%E2%80%98we-can-do-it->

a woman issue, instead views it as a social and economic priority that requires bringing visibility to women and creating a system of accountability.⁵

Each population of veterans has unique needs that require a variety of dedicated resources. These resources should be presented in a supportive, safe, and accepting environment while offering a full spectrum of health services to meet all veteran's physical and mental health needs. This includes gender-specific diagnostic equipment, treatment plans, medication, therapies, prosthetics, rehabilitative services, and reproductive care.

Legislative Progress

Congress has made great strides already to improve healthcare for women veterans, most recently by passing the *VA Mission Act of 2018* (S. 2372) and the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020* (H.R. 7105). Part of the VA Mission Act expanded the ability for veterans to receive healthcare services through community care.⁶ Though the original Deborah Sampson Act (H.R. 3224) was not passed in its entirety, most sections were absorbed under Title V of H.R. 7105. Title V, also referred to as the *Deborah Sampson Act of 2020*, focused on women veterans through initiating directives for improving access to VA healthcare, increasing cultural competency of staff, eliminating harassment and assault, and collecting and reporting data on women veterans.

These improvements in VA healthcare have cultivated pathways for equity to grow. However, women veterans remain on uneven terrain in matters of primary, newborn, maternity, and reproductive care. Additionally, there remains a gap in research and implementation of gender-specific treatment, therapies, and rehabilitation plans.

Beyond Deborah Sampson

Currently there is limited support for reproductive services in the Veteran Health Administration (VHA). The American Legion's focus is to ensure VA provides reproductive care for women veterans, to include access to women providers at all VA locations for women's wellness exams, preventative care for gender specific diseases and infections, cost-free birth control options, and more inclusive in vitro fertilization (IVF) services. The American Legion also urges VA to continue improvement in creating environments that offer the full spectrum of services, including physical and mental health, and that these environments be free of judgement, harassment, and fear.^{7, 8}

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service#:~:text=The%20American%20Legion%2C%20which%20celebrated,recognition%20as%20their%20male%20peers.

⁵ Gorbulja-Maldonado, A. (2020, March 17). 'We can do it:' *The history of women in military service*. The American Legion. Retrieved from <https://www.legion.org/womenveterans/248582/%E2%80%98we-can-do-it-history-women-military->

service#:~:text=The%20American%20Legion%2C%20which%20celebrated,recognition%20as%20their%20male%20peers.

⁶ VA Mission Act of 2018, S.2372, 115th Cong. (2018). <https://www.congress.gov/bill/115th-congress/senate-bill/2372>

⁷ The American Legion Resolution No.147 (2016): [Women Veterans](#)

Oversight and Accountability

The American Legion calls on Congress to maintain oversight on the VA's implementation of programs related to women veterans through ensuring and verifying compliance of VA leadership and staff at all levels. The American Legion also calls on VA to meet mandated timelines of expected reports, with the assumption that once Congress provides responsive feedback and recommendations VA will publish updated timelines and corrective actions on how they will implement suggested recommendations to ensure compliance and improvement.⁹ Additionally, The American Legion asks Congress to assist VA by providing requested resources to facilitate improvements.

Under H.R. 7105 (SEC. 5303), Congress mandated that VA establish an anti-harassment and anti-sexual assault policy.¹⁰ The American Legion will work with Congress to maintain oversight and hold VA accountable in retrofitting a safe and welcoming climate for women veterans. Furthermore, successful governance and strong leadership are built on the shoulders of transparency and accountability. Based on this belief, The American Legion also calls for VA to instill a standard that communicates to staff and veterans that claims of sexual harassment or assault will be taken seriously and will be acted upon efficiently.¹¹

Staffing and Veterans Choice of Providers

According to VHA's Directive 1330, Health Services for Women Veterans, the current goal for women's primary care is for 85 percent of women veterans to be assigned to a designated women's health primary care provider.¹² The American Legion supports the VA's continued endeavors on staffing designated primary care provider's for women's health and calls for an increase in the number of women providers including doctors, nurse practitioners, and physicians assistants who can perform women's wellness exams and preventative care (e.g. pap smear, gynecological pelvic exam, breast exam). While Deborah Sampson established that a veteran can choose the sex of the provider only in the case of examinations relating to claims for a mental or physical health condition that resulted from a physical assault or harassment of a sexual nature, The American Legion believes that women veterans should be able to choose the sex of their provider under any circumstance to ensure that their needs are met.¹³

⁸ The American Legion Resolution No.163 (2016): [*Legislation to Provide Reporting, Tracking, and Action Dealing with Sexual Assaults at Department of Veteran Affairs Facilities*](#)

⁹ The American Legion Resolution No. 39 (2012): [*Women Veterans Strategic Plan*](#)

¹⁰ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, H.R.7105, 116th Cong. (2020). <https://www.congress.gov/bill/116th-congress/house-bill/7105/text?q=%7B%22search%22%3A%5B%22H.R.7105%22%5D%7D&r=8&s=2>

¹¹ The American Legion Resolution No.163 (2016): [*Legislation to Provide Reporting, Tracking, and Action Dealing with Sexual Assaults at Department of Veteran Affairs Facilities*](#)

¹² Veteran Healthcare Administration. (2018, July 24). VHA Directive 1330.01(2): Health Services for Women Veterans. https://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=7484

¹³ The American Legion Resolution No.147 (2016): [*Women Veterans*](#)

Legislative Recommendations

The American Legion fully supported the original *Deborah Sampson Act* (H.R. 3224) that looked to enhance VA care for women veterans through improvement in health services, facility upgrades, suitable legal services, and an increase in data collection and reporting.¹⁴ The American Legion stood by this piece of legislation based on the conviction that women veterans deserve equitable care and opportunities to pursue said care.¹⁵ Many women veteran needs were addressed in Title V of H.R. 7105, however there is one subject that was excluded from the original *Deborah Sampson Act* that The American Legion wishes to address; the omission of Sec. 204, titled: Improvement of Health Care Services Provided to Newborn Children by Department of Veteran Affairs.¹⁶ This section would have mandated a change from 7 days to 14 days for newborn care. The American Legion continues to urge VA to become better prepared to assist women veterans by offering extended and quality newborn care in VA medical facilities.¹⁷

The American Legion also supports the *Protecting Moms Who Served Act*, which would commission the first-ever comprehensive study of the scope of increased maternal mortality and morbidity among women veterans, with a particular focus on racial and ethnic disparities in maternal health outcomes, and would make investments in maternity care coordination for women veterans.¹⁸ This legislation would lay an essential foundation as VA prepares to serve an increasingly younger, more diverse veteran population. The American Legion supports continued improvements in VA's reproductive care to ensure that women veterans' needs are being met through comprehensive health services.¹⁹

Currently there is a gap in research and implementation of gender-specific treatment, therapies, and rehabilitation plans. Sections identified under Subtitle D of H.R. 7105 covers data collection and reporting. Within these sections are directives to disaggregate VA research data by gender.²⁰ The disaggregation of this information can assist with analysis to better relate gender to appropriate diagnosis, treatment plans, and rehabilitative services. The American Legion calls for VA to recognize differences in gender make-up and how women respond to treatments in addition to identifying the gender-specific plans of action. Concurrently, The American Legion

¹⁴ Deborah Sampson Act, H.R.3224, 116th Cong. (2019). <https://www.congress.gov/bill/116th-congress/house-bill/3224?q=%7B%22search%22%3A%5B%22H.R.+3224%22%5D%7D&s=4&r=4>

¹⁵ The American Legion. (2020, March). Statement for the Record of The American Legion to the Committee on Veterans' Affairs, Subcommittee on Health, United States House of Representatives on Resilience and Coping: Mental Health of Women Veterans. <https://archive.legion.org/handle/20.500.12203/14623>

¹⁶ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, H.R.7105, 116th Cong. (2020). <https://www.congress.gov/bill/116th-congress/house-bill/7105/text?q=%7B%22search%22%3A%5B%22H.R.7105%22%5D%7D&r=8&s=2>

¹⁷ The American Legion. (2021, March). [The American Legion Legislative Agenda for the 117th Congress | The American Legion](#)

¹⁸ Protecting Moms Who Served Act, H.R. 6141, 116th Cong. (2020). <https://www.congress.gov/bill/116th-congress/house-bill/6141?q=%7B%22search%22%3A%5B%22H.R.+6141%22%5D%7D&s=8&r=1>

¹⁹ The American Legion Resolution No.147 (2016): [Women Veterans](#)

²⁰ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, H.R.7105, 116th Cong. (2020). <https://www.congress.gov/bill/116th-congress/house-bill/7105/text?q=%7B%22search%22%3A%5B%22H.R.7105%22%5D%7D&r=8&s=2>

calls for VA to conduct long-term studies on women veterans to gain knowledge on the best path forward in meeting their current and future healthcare needs.²¹

Conclusion

The American Legion believes that a veteran is a veteran, and all veterans deserve the same equity in care regardless of gender. While VA has made significant advancements in women veterans healthcare throughout the VA healthcare system, there is still room for improvements.

The American Legion wants every woman veteran who walks through the doors of a VA medical facility to feel that it was designed with them in mind and no longer has the looks of a “For Male” only building. Passage of the *Deborah Sampson Act of 2020* was a major step forward in facilitating changes to the previously established male-oriented infrastructure of VA healthcare. We expect it to be a catalyst in the movement toward equity for women veterans. The American Legion will continue to work with Congress and VA to identify and close remaining gaps in such areas as primary, newborn, maternity, and reproductive care; research; and implementation of gender-specific treatment, therapies, and rehabilitation plans.

Again, The American Legion is thankful for the invitation to submit this statement for the record and stands ready to assist when needed on these issues and any others that may arise.

For additional information regarding this testimony, please contact Mr. Jeff Steele, Legislative Associate, at jsteele@legion.org or (202) 861-2700.

²¹ The American Legion Resolution No.147 (2016): [Women Veterans](#)