

STATEMENT OF
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PARALYZED VETERANS OF AMERICA
BEFORE THE
HOUSE COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
CONCERNING
A REVIEW OF VA'S LOAN GUARANTY AND SPECIALLY ADAPTIVE HOUSING GRANT
PROGRAMS

FEBRUARY 10, 2016

Chairman Wenstrup, Ranking Member Takano, and members of the Subcommittee, Paralyzed Veterans of America (PVA), thanks you for the opportunity to testify for this oversight hearing regarding the Department of Veterans Affairs' (VA) Loan Guaranty and Specially Adaptive Housing Grant programs. Our testimony will be directed to the adaptive housing grant programs which are vital to veterans who have acquired a disability as a result of their service to our nation.

PVA is an organization of veterans who are catastrophically disabled by a spinal cord injury or disease. Access to housing, employment, and transportation are critical to ensuring that these veterans are able to fully return to their communities. Many of our members have benefited from VA's Specially Adapted Housing (SAH) grant program as they worked to rebuild their lives after acquiring a life-altering disability. Veterans who are unable to obtain accessible housing are in danger of being forced to live in more restrictive settings, away from their friends and family members.

Authorized under Chapter 21 of Title 38 of the United States Code, VA's SAH program provides assistance to veterans and servicemembers who need to remodel an existing home or build or purchase a home that will accommodate their disability-related needs.

Accommodations may include wider doorways, ramps, roll-in showers, and other modifications that allow individuals with significant disabilities greater independence.

VA's SAH program is an ancillary benefit available to veterans who are permanently and totally disabled as a result of their military service. Some of those veterans who are eligible for SAH include those who have lost or lost the use of both legs or both arms, those who have lost or lost the use of one leg together with the residuals of organic disease or injury, or those who have lost or lost the use of a leg together with the loss or loss of use of one arm. Veterans are eligible to use the grant a maximum of three times up to the current grant maximum. The benefit is indexed for the cost of construction. For fiscal year 2016, the grant is \$73,768. In fiscal year 2015, VA approved 1,648 SAH grants for a total amount of \$94,449,587.

The VA's Special Housing Adaptation (SHA) grant is available for veterans who have blindness in both eyes with 20/200 visual acuity or less, those who have lost or lost the use of both hands, those who have severe burn injuries, and those with certain severe respiratory injuries. Like the SAH grant, SHA eligible veterans may use the grant three times up to the current grant maximum. For fiscal year 2016, the amount available is \$14,754, as indexed for the cost of construction. In fiscal year 2015, VA awarded 161 grants for a total amount of \$1,877,354.

Providing a catastrophically disabled veteran with an accessible home is an investment that pays dividends in lower health and long-term care costs. Veterans with catastrophic disabilities who are able to live safely in their homes with their families also reap benefits beyond those that are easily quantifiable. Consequently, we hope that every effort will be made to strengthen VA's adaptive housing grant programs and increase the benefits available for these veterans. This includes investments in staffing, streamlined and expedited grant processing for veterans with terminal diseases, increased benefits, and improved outreach.

STAFFING CONCERNS AND RESPONSIVENESS

In many parts of the country, it appears that there are too few SAH agents charged with too many responsibilities. PVA's service officers overwhelming report that insufficient numbers of SAH agents is a problem for their veterans. Inadequate staffing contributes to delays in processing and results in poor customer service for veterans. Agents are not able to handle the large workload, including the influx of veterans living with amyotrophic lateral sclerosis (ALS).

According to our service officers, many veterans have a difficult time contacting their SAH agents. Phone calls and emails to agents are often not returned in a timely manner. PVA believes that veterans' inability to connect with their SAH agents is not only unfair to them but also to the agents who are trying to serve veterans despite too many tasks and too few resources.

In general, we believe that most agents genuinely try to fulfill their duties to the veterans in their caseloads. Many are simply stretched too thin due to the demands on their schedules. For example, SAH agents are required to review VA appraisals, which is unrelated to their role in helping veterans with housing adaptations. We understand that VA is hoping to eliminate this process through the use of electronic reports. In light of the chronic staffing needs of this program, which serves veterans with the most significant service-connected disabilities, we hope that VA will reassign these and other similar duties so that agents will be able to fully focus on their SAH-related duties.

Insufficient staffing also leads to retention problems as agents leave their positions due to the excessive workload and extensive travel requirements. PVA's service officers reported frequent turnover which overburdens agents who must carry increased workloads when other agents leave. In addition, we understand that some agents cover large geographic areas and must travel hundreds of miles one way to meet with eligible veterans, which also leads to delays in responding to veterans and processing grants.

Limited numbers of SAH agents mean that every agent must do his or her part to fulfill their obligations to the veterans in their caseloads. Increased accountability measures are needed to ensure that all agents are performing at peak capacity. Underperforming agents are a burden to other agents struggling to keep up with the demands of their positions.

VETERANS LIVING WITH ALS

Grant Processing and Approval

One of the biggest challenges PVA encounters in the SAH grant program is the length of time it takes for grants to be processed and approved. This is especially true for veterans living with ALS. ALS is presumptively related to a veteran's military service and is rated at 100 percent regardless of how advanced the veteran's disease is at the time of rating. ALS veterans are also presumed medically eligible for SAH even if the disease has not yet resulted in loss of use of limbs or other significant impairments.

Veterans with ALS are critical users of the SAH grant program and the housing adaptation assistance it provides. VA's SAH grant process, however, is not well suited to veterans with rapidly changing diseases like ALS. As a result, it may be difficult for veterans with ALS to receive the types of accommodations they need when they need them.

In its recommendations to the 114th Congress, the co-authors of *The Independent Budget* (IB), Disabled American Veterans, PVA, and the Veterans of Foreign Wars, recommended requiring VA to expedite SAH grants for veterans who are terminally ill, including those with ALS. This includes encouraging the use of waivers where appropriate to prevent adaptations unneeded due to a veteran's level of disability. Projects that take a long time to complete are not able to meet the needs of a rapidly progressive disease like ALS.

Ultimately, the SAH program must be flexible enough to assist veterans who have relatively static disabilities, such as spinal cord injuries, and those who have rapidly changing diseases such as ALS. For example, SAH agents should be given permission to approve all paperwork needed in order to get these projects underway instead of following standard procedures which require the agent to gather the paperwork and submit it for approval to the regional loan center (RLC). We believe that this will eliminate months of waiting and delays, which will allow veterans with ALS to have faster access to bathrooms and other crucial areas of their homes.

Implementation of expedited procedures for veterans living with ALS may also help VA continue to streamline the grant process for all eligible veterans. Although VA recently revised its internal processing procedures, some veterans continue to encounter bureaucratic processes. The need for waivers of project requirements and delays in receiving final grant approval once agents have submitted all paperwork to the RLCs continues to cause concern for many veterans.

Veterans' Mortgage Life Insurance

VA's Veterans' Mortgage Life Insurance (VMLI) program provides veterans who are eligible for an adaptive housing grant with insurance benefits that pay down or off their home's mortgage in case of their death. The VMLI program is designed to provide a mortgage insurance option for veterans who would otherwise not be eligible for such coverage due to their catastrophic disabilities. Coverage begins when an eligible veteran receives final approval of his or her adaptive housing grant. Unfortunately, delays in processing grants for veterans with diseases such as ALS can delay final approval and prevent veterans' families from accessing the mortgage protection available through VMLI.

To ensure that veterans with ALS and other similar diseases are able to receive mortgage protections available through VMLI for their families, VMLI must be available to these veterans earlier in the grant process. One incremental change would be to approve VMLI at the same time as the final grant instead of waiting until the funding is in escrow. Another option would be to approve eligibility for VMLI coverage for these veterans as soon as VA determines that they meet all applicable requirements, with the exception of final approval of the adaptive housing grant. If the veteran's adaptive housing grant does not receive final approval, then VMLI coverage could be terminated.

CONTRACTORS

Another difficulty many veterans face is locating a contractor who will agree to work through VA's adaptive housing grant process. Due to the length of the process, many contractors are no longer willing to work with VA. In addition, VA provides veterans with little guidance about how to locate contractors who are willing to work through the process. We understand that VA is working to improve its relationship with contractors and educate veterans. We applaud these efforts.

VA should work more closely with contractors to ensure that they are aware of VA requirements up front. Providing contractors with this information might prevent all the haggling over materials and equipment in the early stages of the contract. Additional thought should also be given to the level of detail involved in providing information about the project.

For example, floors tiles must have the slippage coefficient and color identified and approved prior to final grant approval. While the slippage coefficient is understandable, requiring identification of the color in most cases is not. There are many examples of too much information being required from contractors that is not critical to ensuring completion of a quality, safe project.

SUPPLEMENTAL GRANT FOR ADAPTATION OF A NEW HOME

Although veterans with catastrophic disabilities are able to access VA's adaptive housing grant programs three times, up to the statutory funding limit, this benefit may be insufficient to assist a veteran who must move due to employment, health, family, or other needs. For veterans who have used up their remaining eligibility for these programs, they may have fewer options to acquire a new accessible home. Many homes are not built with universal design or other features that would allow these veterans the opportunity to live independently and remain healthy.

The IB for the 114th Congress recommends establishing a supplementary housing grant to cover the costs of housing adaptations for veterans who have already exhausted their eligibility. This grant would be available to allow veterans with catastrophic disabilities to build or adapt another home to ensure safety and independence. Without proper living accommodations, veterans who could otherwise live in their homes may be forced to reside in expensive, restrictive settings.

Providing a supplemental grant is an investment in veterans who have acquired catastrophic disabilities as the result of their military service. It ensures that veterans will not be forced to choose between the need to relocate and having a home that accommodates their needs. Until the nation's housing stock provides a greater supply of homes universally designed to accommodate individuals with varying abilities, the lack of affordable, accessible housing will remain an issue.

Alternatively, Congress could choose to increase the amount of funding available through the current adaptive housing grant programs to provide veterans with more funding throughout their lifetimes. Public Law 110-289 increased the maximum allowable grant amounts available through VA's adaptive housing grant programs and also provided for indexing the grants based on the cost of construction. Due to indexing, the SAH grant amount has risen from \$60,000 to \$73,768 as of October 1, 2015.

Despite these increases, which have been crucial to the program, the total amount of funding remains inadequate. It can be difficult for veterans with catastrophic disabilities

to have the kitchen or additional bathrooms adapted. Consequently, additional funding for the grant would not only allow veterans to better adapt their homes to fully meet their needs but would also increase the probability that veterans would have funds remaining to allow them to adapt another home in the future. It would also make it easier for veterans to get the help they need without being forced to cobble together assistance from other programs such as the Home Improvements and Structural Alterations grant program.

IMPROVED OUTREACH TO ELIGIBLE VETERANS

Access to housing adaptation assistance is fairly limited outside of VA. Discovering the benefits available through VA for housing adaption may not only be life changing, but also lifesaving. When a veteran is determined by VA to be eligible for ancillary benefits, such as the adaptive housing grant programs, VA provides the veteran with a decision that includes information about those benefits. Such a notice typically includes the requisite forms to apply for the benefits.

We have noticed, however, that the required forms are not always provided with the notice of eligibility. For veterans who are not represented by a veterans service organization, it may be difficult for them to locate these forms and subsequently navigate the sea of benefits for which they may be eligible. This may be especially true for veterans and their families who are overwhelmed by their circumstances and unable to fully appreciate the ancillary benefits available to them, including how to obtain them.

Without additional staff support for the adaptive housing grant programs, PVA is concerned that efforts to increase outreach would only lead to increased wait times for veterans who are seeking to use them. Aside from increased staffing to perform new outreach efforts, VA should seek to implement partnerships with nonprofit organizations that assist veterans with catastrophic disabilities. It is important to ensure that partners are aware of VA's adaptive housing grant programs and how to direct veterans to VA for assistance. Additional outreach will also be critical to assisting veterans who have ALS to ensure that they understand the importance of beginning the adaptation process before it is needed so that they will be able to remain as independent as possible, for as long as possible.

Everyone has a role to play in increasing awareness of VA's adaptive housing grant programs. For its part, PVA's service officers communicate with the veterans they assist to ensure that they understand the benefit and its importance. Some service officers even provide agents with veterans' contact information as soon as eligibility is established to ensure that the agent is prepared to move forward as soon as he or she is assigned the case.

In addition, PVA seeks to increase awareness by providing information about adaptive housing benefits on our website and by including articles on the grant program and housing adaptation in our membership magazine. PVA also assists veterans with disabilities by providing information about how to design a wheelchair accessible home.

Furthermore, PVA supports broader efforts to increase affordable, accessible housing for all people with disabilities.

Recent efforts include supporting increased assistance for veterans who need help with housing adaptations beyond that available through VA. Specifically, we support the Veterans Homebuyer Accessibility Act of 2015 (H.R. 3975). This legislation, sponsored by Representatives James Langevin (D-RI), Paul Cook (R-CA), and Dina Titus (D-NV), would provide a veteran first-time homeowner or a current veteran homeowner with a refundable tax credit of up to \$8,000 for adaptive housing improvements. The credit may also be assigned to another individual making the improvements. We support these and other efforts to expand the help available to our members.

We appreciate the Subcommittee's focus on VA's adaptive housing programs. Many of PVA's members have greatly benefited from the SAH program. We hope that additional resources will be provided to this program and that it will continue to serve as a cornerstone in the efforts of veterans with catastrophic disabilities to remain independent.

PVA thanks you for this opportunity to express our views. We would be happy to answer any questions that you may have.

Information Required by Rule XI 2(g)(4) of the House of Representatives

Pursuant to Rule XI 2(g)(4) of the House of Representatives, the following information is provided regarding federal grants and contracts.

Fiscal Year 2016

Department of Veterans Affairs, Office of **National Veterans Sports Programs & Special Events** — Grant to support rehabilitation sports activities — \$200,000.

Fiscal Year 2015

Department of Veterans Affairs, Office of **National Veterans Sports Programs & Special Events** — Grant to support rehabilitation sports activities — \$425,000.

Fiscal Year 2014

No federal grants or contracts received.

Disclosure of Foreign Payments

Paralyzed Veterans of America is largely supported by donations from the general public. However, in some very rare cases we receive direct donations from foreign nationals. In addition, we receive funding from corporations and foundations which in some cases are U.S. subsidiaries of non-U.S. companies.

Heather L. Ansley, Esq., MSW

Heather L. Ansley is the Associate General Counsel for Corporate and Government Relations at Paralyzed Veterans of America.

Ms. Ansley began her tenure with the organization in January 2015. Her responsibilities include corporate legal matters, government relations, and disability advocacy. She also works to promote collaboration between disability organizations and veterans service organizations by serving as a co-chair of the Consortium for Citizens with Disabilities (CCD) Veterans and Military Families Task Force. Additionally, she serves as an officer on CCD's Board of Directors.

Prior to her arrival at Paralyzed Veterans of America, she served as Vice President of VetsFirst, a program of United Spinal Association. She has also served as the Director of Policy and Advocacy for the Lutheran Services in America Disability Network.

Before arriving in Washington, D.C., she served as a Research Attorney for The Honorable Steve Leben with the Kansas Court of Appeals. Prior to attending law school, she worked in the office of former U.S. Representative Kenny Hulshof (R-MO) where she assisted constituents with problems involving federal agencies. She also served as the congressional and intergovernmental affairs specialist at the Federal Emergency Management Agency's Region VII office in Kansas City, Missouri.

Ms. Ansley is a Phi Beta Kappa graduate of the University of Missouri-Columbia with a Bachelor of Arts in Political Science. Ms. Ansley also holds a Master of Social Work from the University of Missouri-Columbia and a Juris Doctorate from the Washburn University School of Law in Kansas.

She is licensed to practice law in the State of Kansas and before the United States District Court of Kansas.