

**STATEMENT FOR THE RECORD**  
**PARALYZED VETERANS OF AMERICA**  
**FOR THE**  
**HOUSE VETERANS' AFFAIRS COMMITTEE**  
**SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS ON**  
**"THE ONE PERCENT: SUPPORTING AMERICA'S SURVIVING MILITARY FAMILY COMMUNITY"**  
**JANUARY 30, 2024**

Chairman Luttrell, Ranking Member Pappas, and members of the Subcommittee, Paralyzed Veterans of America (PVA), would like to thank you for the opportunity to submit our views on improving support for the survivors of our nations' veterans. PVA members and their families understand the full scope of benefits and care provided by the Department of Veterans Affairs (VA) better than most veterans due to their spinal cord injuries or disorders (SCI/D). The complexities that PVA members experience range from treatment within the SCI/D system of care to the need for relevant and up-to-date benefits such as special monthly compensation and caregiver support. Upon the death of their veteran, survivors often face insurmountable challenges that make accessing relevant VA benefits more difficult.

VA offers many benefits for surviving family members of deceased veterans, such as financial, educational, and emotional support. One critical benefit for service-connected veterans is Dependency and Indemnity Compensation (DIC), a monthly, tax-free cash payment for eligible surviving spouses, children, and dependent parents. Other benefits include survivors' pension, burial assistance, education assistance, and health insurance through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA). Eligibility requirements are unique to the benefits offered, but accessing those benefits can often be challenging.

The time immediately following the death of a servicemember or veteran is when most survivors must make significant life decisions, including burial arrangements and consideration of financial and living situations. This is when survivors often need the greatest level of support and ensuring assistance is available from informed professionals is critical. Having help can alleviate some of the stress and uncertainty survivors encounter while also navigating profound grief.

For many of our oldest PVA members, their spouses have served as their primary caregivers for 40 years or more. When a service-connected SCI/D veteran passes away, monthly compensation, which could have been upwards of \$10,000 a month stops, and suddenly the surviving spouse is then reliant on the DIC benefit, currently about \$1600 per month, as their sole income. If the veteran was rated totally disabled for a continuous period of at least eight years preceding death, their eligible surviving spouses can receive an additional amount known as the

DIC “kicker.” Although the kicker, currently about \$350 per month, is vital and offers some help towards paying the bills and maintaining the household, the overall support provided through DIC is limited. The precipitous drop of revenue into the home following the veterans’ passing can be daunting. Also, because caregivers give so much of themselves when supporting and caring for their veterans, many are unable to work outside of their caregiving role, and therefore, lack Social Security retirement credits. As a result, some surviving spouses may be forced to sell their homes and rely on friends or family members for support.

### **Improving Access to Benefits for Survivors**

After being a caregiver to a veteran, possibly for decades, the loss of love, companionship, and purpose is profound. Not only are many survivors of PVA members navigating the application process for benefits, but they may also need to return medical supplies such as hospital beds or Hoyer lifts to the VA and other providers. There may also be ventilators or other necessary medical equipment that must be removed from the home. How is a survivor expected to grapple with the loss of financial support, return medical equipment, and fill out mounds of VA paperwork to access benefits while grieving? Grief is inevitable after loss, but many survivors must put their suffering on pause.

Suppose a PVA member passes away, and our National Service Officers (NSO) have a Power of Attorney (POA) for the deceased veteran. In that case, the NSO may be able to assist the surviving spouse with the DIC application. However, if the survivor notifies the VA upon the death of their veteran or if the veteran passes away at a VA medical center, our NSOs no longer have access to those records in the Veterans Benefits Management System (VBMS). The survivor then must file a separate POA to be represented by our NSOs again. This unnecessary process causes preventable delays and needs to be corrected.

Filing for DIC and burial benefits while grieving a loved one can be a daunting task. The application for DIC alone is 20 pages long; 11 pages of instructions with 9 pages to fill out, and an application for burial benefits, is another 10 pages. Much of the information on either application is already known by the VA, yet survivors are expected to provide this information promptly to access critical benefits. As the VA expands its integration of automated systems, Congress should prioritize streamlining and improving the DIC and burial application process to reduce stress on survivors.

### **Increasing the Amount of DIC**

The rate of compensation paid to survivors of servicemembers who die in the line of duty or veterans who die from service-related injuries or diseases was created in 1993 and has seen little increase since then. However, monthly benefits for survivors of federal civil service retirees are calculated as a percentage of the civil service retiree’s Federal Employees Retirement System or Civil Service Retirement System benefits, up to 55 percent. This

difference presents an inequity for survivors of our nation's heroes compared to survivors of federal employees.

DIC payments were intended to provide surviving spouses with the means to maintain some semblance of economic stability after the loss of their loved ones. Survivors who rely exclusively on DIC benefits face significant financial hardships at the time of their spouse's death. PVA strongly believes DIC should be indexed to 55 percent of a 100 percent disabled veteran's compensation. This increase would provide parity between Federal Employee benefits and veteran survivors. This is why Congress should not delay in passing H.R. 1083, the Caring for Our Survivors Act of 2023, which would increase the rate of DIC and reduce the number of years a veteran must be rated totally and permanently disabled for the survivor to qualify for benefits.

### **Additional Financial Benefits for Surviving Spouses of ALS Veterans**

Another complication for spouses is when a veteran's life-limiting diagnosis means there is practically no way for them to access additional DIC benefits once their veteran passes. This is the situation of spouses of veterans diagnosed with Amyotrophic Lateral Sclerosis (ALS). ALS is an aggressive disease that quickly leaves veterans incapacitated and reliant on family members and caregivers. The VA recognizes ALS as a presumptive service-connected disease, and due to its progressive nature, automatically rates any diagnosed veteran at 100 percent once service-connected. As stated before, many spouses stop working to provide care for their loved one, who, once diagnosed with ALS, only has an average lifespan of between three to five years.

Because so few veterans survive beyond five years, the surviving spouses of veterans with ALS rarely qualify for the DIC "kicker." Jann Vasiloff, the surviving spouse of PVA member George Vasiloff, was disqualified for this exact reason. Determined not to let this happen to other spouses, Ms. Vasiloff helped PVA craft H.R. 3790, the Justice for ALS Veterans Act, to make the surviving spouses of future veterans with ALS eligible for the DIC kicker, regardless of how long the veteran had the disease. Congress should not delay the passage of this critical legislation that would provide additional resources to the surviving spouse of a veteran who passes away from ALS.

### **Parity for Dependent Children in Health Care Coverage**

The surviving spouse and eligible children of veterans with service-connected disabilities may qualify for CHAMPVA. Even though an NSO may have a POA to assist surviving family members in filing for this benefit, representatives are not copied on any correspondence from the VA regarding their application. Absent any personal follow-up, NSOs are in the dark on the status of their request. It would be beneficial if NSOs were notified about the status of these claims.

There are also parity issues for the children of service-disabled veterans who rely on CHAMPVA. Coverage for children under CHAMPVA currently expires when they turn 18 unless they are full-time students; in this case, they continue to receive care until they turn 23 or stop attending school full-time. In 2010, all commercial health insurance coverage increased the age for

covered dependents to 26 years by the provisions of the Patient Protection and Affordable Care Act (ACA) (Public Law 111-148). At this time, the only qualified dependents that are not covered under a parent's health insurance policy up to age 26 are those of 100 percent service-connected disabled veterans covered under CHAMPVA. Congress should pass H.R. 2414, the CHAMPVA Children's Care Protection Act, to achieve parity with the ACA.

### **Employment Needs for Survivors**

PVA's Veterans Career Program maintains an active client list of more than 500 transitioning servicemembers, veterans, spouses and other family members, and caregivers. In recent years, we have seen an increase in the number of surviving spouses, many of whom also served as caregivers, seeking our assistance.

PVA has identified two reasons for increasing survivor engagement with our career program. First, many survivors are concerned about the economy, such as increased housing costs, food prices, and medical care, and there are fears around meeting their financial needs. Second, due to the death of a veteran spouse, the reduction in benefits for the household is pushing them into the labor market. In many cases, the survivor has been out of the workforce for years, if not decades, and lacks relevant employment skills. They engage with our career program to gain education or employment opportunities. Many of these survivors have spent years caring for their veteran and may not have other sources of income, such as retirement accounts.

One possible solution to help veterans' survivors transition back into the workforce could be tax credits for employers that prioritize hiring survivors, particularly those who have served as caregivers. Congress could expand the Work Opportunity Tax Credit (WOTC), which offers federal tax credits to employers who invest in workers who have consistently faced barriers to employment. Expanding existing employer incentive programs to include surviving spouses may be one way to help survivors transition back into the workforce.

The issues faced by survivors, particularly those who also served as caregivers, are complex and we must ensure that their service and sacrifice is recognized and celebrated. To ignore the challenges, they face does a disservice to their commitment to our nation's most vulnerable veterans. Many of these challenges can be addressed with simple common-sense solutions that would improve the processes, supports, and benefits for survivors.

PVA would once again like to thank the Subcommittee for the opportunity to submit our views on VA's survivor programs and benefits. We look forward to working with the Subcommittee on this important issue.

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

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

### **Fiscal Year 2023**

Department of Veterans Affairs, Office of National Veterans Sports Programs & Special Events — Grant to support rehabilitation sports activities — \$479,000.

### **Fiscal Year 2022**

Department of Veterans Affairs, Office of National Veterans Sports Programs & Special Events — Grant to support rehabilitation sports activities — \$ 437,745.

## **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.