

**STATEMENT OF BLAKE C. ORTNER
DEPUTY GOVERNMENT RELATIONS DIRECTOR
PARALYZED VETERANS OF AMERICA
FOR THE
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS
OF THE
HOUSE COMMITTEE ON VETERANS' AFFAIRS
CONCERNING
PENDING LEGISLATION**

SEPTEMBER 13, 2017

Chairman Bost, Ranking Member Esty, and members of the Subcommittee, Paralyzed Veterans of America (PVA) would like to thank you for the opportunity to provide our views on pending legislation before the Subcommittee.

H.R. 1721, designation of American World War II cities

This bill would recognize specific cities not just for their great contributions on the home front during World War II, but also their efforts to preserve the city's structures and relics from that era. PVA supports this bill which encourages cities to preserve this great heritage.

H.R. 1900, the “National Veterans Memorial and Museum Act”

PVA supports designating the Veterans Memorial and Museum in Columbus, Ohio, currently being constructed, as a National Veterans Memorial and Museum. It is the only museum of its kind, and it is intended to reach veterans of all eras, from every part of the United States, and from all branches of service. Given the scope of the project and its intended audience, a national designation is appropriate.

H.R. 3122, the “Veterans Care Financial Protection Act of 2017”

This proposal would require the Secretary to work with federal and state officials to establish standards to protect against unscrupulous actors that take advantage of veterans in need of aid and attendance benefits. According to organizations such as AARP and the Federal Trade Commission, senior veterans have increasingly become subject to scams involving insurance agents and financial planners trying to convince the veterans to make quick decisions about pursuing aid and attendance in addition to their pension incomes. Some scammers use false representations like suggesting automatic entitlement to benefits. Of greater concern, though, are those who help the veteran restructure financial assets in order to qualify for pension and/or aid and attendance. For example, moving financial assets into a pooled-asset irrevocable trust might render a veteran eligible for pension and aid and attendance, despite having assets in excess of the qualifying income thresholds. While it appears that this benefits the veteran, what these salesmen do not tell them is that this type of restructuring might preclude them from Medicaid eligibility because of rules such as a five-year look-back period, which considers whether one has moved substantial assets at less than market value. These financial products are specifically managed by the alleged “veterans advocates” who are offering to help veterans secure enhanced

benefits from VA. There is an objective conflict of interest, and implementing standards to protect against this behavior is necessary.

H.R. 3656, a bill to provide a consistent eligibility date for headstones and markers

PVA supports H.R. 3656, which would establish a consistent eligibility date for provision of memorial headstones and markers for eligible non-veteran individuals. Currently, spouses and children have different eligibility dates, sometimes forcing VA to provide a marker for the parent, but not the children. This bill would reconcile this arbitrary difference and treat spouses and children the same.

H.R. 3657, a bill to authorize provision of headstones and markers in tribal cemeteries

Consistent with our prior support for H.R. 1390, which would expand VA's authority to transport the remains of a deceased veteran to a tribal cemetery or state cemetery instead of a national cemetery, we likewise support this bill which ensures that the accompanying benefits, such as a headstone or marker, are provided to veterans buried in tribal cemeteries.

Draft Bill, the "Veterans Fair Debt Notice Act of 2017"

Failure to resolve debt issues in a timely manner can have a lasting, catastrophic impact on a veteran. It is not uncommon for a veteran to find that the Veterans Health Administration (VHA) has updated contact information, while the Veterans Benefits Administration (VBA) does not, or vice versa. So if VBA sends out notice of overpayment of benefits, or some other circumstances producing a debt owed by the veteran, it is essential that VBA know whether that notice actually reached the veteran prior to the veteran going into default. It is important to

ensure that veterans are not going into default for lack of notice, especially in circumstances where the debt itself is a product of VA's mistakes and overpayments.

Mr. Chairman and members of the Subcommittee, we appreciate your commitment to ensuring that veterans receive the best benefits and care available. We look forward to working with the Subcommittee and would be happy to answer any questions you or the members may have.

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 2017

Department of Veterans Affairs, Office of **National Veterans Sports Programs & Special Events** — Grant to support rehabilitation sports activities — \$275,000.

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.

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.