

**STATEMENT OF STEVEN HENRY
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PARALYZED VETERANS OF AMERICA
BEFORE THE
HOUSE COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
CONCERNING THE EFFECTIVENESS OF VA'S VOCATIONAL REHABILITATION
AND EMPLOYMENT PROGRAMS**

June 4, 2019

Chairman Levin, Ranking Member Bilirakis, and distinguished members of the House Veterans' Affairs Committee, Subcommittee on Economic Opportunity, Paralyzed Veterans of America (PVA) appreciates this opportunity to testify before the subcommittee about the effectiveness of the Department of Veterans Affairs' (VA's) Vocational Rehabilitation and Employment programs (VR&E).

Vocational rehabilitation has been an integral part of this nation's commitment to veterans with disabilities since Congress first established a system of veterans' benefits upon entry of the United States into World War I in 1917. VR&E, which is sometimes referred to as the Chapter 31 program, provides services to eligible service members and veterans with service-connected disabilities to help them prepare for, obtain, and maintain suitable employment or achieve independence in daily living. Unfortunately, because VR&E is such a small program, it receives a lot less attention and much less funding than other programs in the Veterans Benefits Administration like disability compensation.

In Fiscal Year (FY) 2017, VR&E had 132,218 veterans who participated in a rehabilitation plan,¹ including those who began a plan in that year or previous years. About three-quarters (76 percent) of the veterans participating in VR&E have a serious employment handicap, which must result in substantial part from a service-connected disability. These veterans, when participating in the program, may receive additional supportive services, which include extensions of entitlement and adaptive equipment.

¹ <https://www.benefits.va.gov/VOCREHAB/docs/2017LongStdy>.

PVA believes that the effectiveness of VA's VR&E programs could be greatly improved through a number of changes that include greater outreach to veterans to raise awareness about the benefit; continued collaboration with outside agencies and programs; and increased follow up time with participants.

Lack of Communication and Outreach to Veterans

PVA has found that VR&E usage throughout our membership is rather low. We do not believe that this is due to a lack of interest, but rather a lack of understanding of how the program works. One PVA member recently noted that he learned about the program only after he had returned to the workforce following his injury. Another was vaguely aware of the program but thought he was no longer eligible even though he actually retained eligibility. These are common occurrences, and it's possible that the program is being overshadowed by the Forever GI Bill which is widely advertised through a multitude of venues.

We often hear how great and beneficial VR&E is; however, there is a clear lack of communication and outreach to all disabled veterans. In FY 2018, roughly 4.75 million veterans had service-connected disabilities,² but less than 3 percent of them utilized VR&E services. If you were to ask the average veteran about VA benefits, most could explain key elements of the disability compensation program, but very few know basic facts about VR&E.

VA must do a better job explaining the advantages of participating in VR&E to veterans with service-connected disabilities. Unfortunately, many younger disabled veterans see VR&E as strictly an employment program and feel they are better suited for the Forever GI Bill. VA should conduct a national outreach effort, perhaps in collaboration with veterans service organizations, regarding VR&E services.

Ensure Access to Services

A veteran's eligibility period for receiving services from VR&E is for a 12-year period beginning on either: (1) the date of separation from military service, or (2) the date the veteran receives a VA disability rating. To receive services, a veteran must need vocational rehabilitation to overcome employment barriers due to a service-connected disability. A veteran's entitlement to participate in VR&E services is 48 months.

For veterans who have incurred a catastrophic disability, the 12-year delimiting date may not be sufficient to allow them to meet their vocational rehabilitation goals. Furthermore, many of these veterans have disabilities that may continue to evolve and worsen over time, which may cause them to need additional assistance. Veterans with service-

² https://www.va.gov/vetdata/docs/QuickFacts/SCD_quickfacts_FY2018.PDF.

connected disabilities must have access to the vocational rehabilitation services that allow them to continue to work throughout their lives.

Although a VR&E counselor may waive the 12-year limit for veterans with serious employment barriers, veterans living with the wounds, injuries, and illnesses associated with military service should have certainty that if they need assistance in staying in or returning to the workforce in the future that this program will be there to assist them.

Limiting eligibility harms veterans, particularly those with catastrophic disabilities by failing to foster the conditions necessary to allow them to be a part of their communities and contributing members to our nation's economy. Ensuring continued access to VR&E services could help veterans with disabilities fulfill their full potential and we greatly appreciate this subcommittee's recent approval of H.R. 444, the Reduce Unemployment for Veterans of All Ages Act of 2019, which seeks to lift the arbitrary 12-year time limit.

Continue Collaboration with Public and Private Partners

As a result of the barriers to employment faced by our members, PVA launched its own vocational rehabilitation and employment program in 2007, Paving Access for Veterans Employment (PAVE). With offices in Philadelphia, Atlanta, Long Beach, Richmond, San Antonio, Minneapolis, and San Diego PAVE serves all veterans nationwide using a hybrid, integrated approach to assist veterans and transitioning service members who face significant barriers to employment, as well as their spouses and caregivers.

PAVE offices were originally co-located in VA medical facilities, increasing the collaboration between VR&E and PAVE personnel and ensuring a stronger safety net for veterans with disabilities. Due to space constraints at VA medical facilities, this is no longer the case, and only the Richmond and San Antonio PAVE staff work side-by-side with VR&E. PVA has seen a decrease in referrals from VR&E since when we had to move staff to other locations.

PAVE provides clients with one-on-one career counseling and assistance. The program's services are available to any veterans with disabilities, including those whose disabilities are not related to their military service. PAVE counselors offer proactive, rapid engagement to ensure newly injured or ill veterans quickly learn about the services and supports available to help them return to work. Importantly, the program is a partner for life to ensure clients' continuing success. All services are provided at no charge.

Continuing to foster new partnerships to ensure that veterans with disabilities, particularly those who have catastrophic disabilities, can be successful in returning to work is needed

to stretch VR&E's existing resources. For example, PAVE counselors have noted that they can more quickly begin providing vocational assistance because there are fewer procedural hurdles to clear for eligibility. Another important aspect of these partnerships is the ability of private partners to serve veterans who are ineligible for VR&E services, along with the caregivers and family members of all veterans who may need these services. Thus, these partnerships allow more veterans to receive high-quality assistance.

VA's VR&E program must also continue to foster relationships with other government programs that have responsibilities to help veterans with disabilities obtain and retain employment. For example, the Department of Labor's Veterans' Employment and Training Service (VETS) administers programs that play a key role in assisting veterans with disabilities in obtaining employment. We are pleased that VR&E now reports that 100 percent of VR&E clients are referred to the state workforce system and the assistance available through federally-funded Disabled Veterans' Outreach Program (DVOP) specialists. We urge continued and increased collaboration and an evaluation of the success of these referrals for VR&E clients.

Collaborating with public and private partners is an important way to ensure that veterans with disabilities will be able to receive the services and supports needed to allow them to build successful employment outcomes. VR&E must continue to do community outreach to find experienced, credible partners to meet gaps that will result in more veterans with disabilities being placed in competitive, integrated employment sooner. Sometimes, as was the case when PAVE moved out of VA facilities, out of sight can mean out of mind.

Increase Follow Up Time

VR&E counselors typically follow veterans for 60 days once they are placed in a job. After that time, VA will close the veteran's case, and the placement will be deemed a success. We are concerned, however, that 60 days is not enough time to determine whether or not a veteran who has a catastrophic disability has successfully adjusted to working as a person with a disability.

Most people find it at least somewhat challenging to settle into a new job. For someone who has acquired a disability, there are additional challenges that must be met including those related to needed accommodations, evolving medical needs and appointments, and other disability-related matters that can unfold over a period of time. Furthermore, employee probationary periods may be longer than 60 days, in some federal positions probationary periods can last up to a year or even longer.

PVA believes that, at the very least, VR&E should study whether or not the current tracking standard of 60 days is sufficient follow up time. For employees with probationary periods over 60 days, longer follow up time may allow for problems that could lead to

dismissal to be addressed, resulting in the veteran remaining employed. Regardless of the length of a probationary period, if any, it makes sense to increase the follow-up time to ensure that the veteran has the supports, if needed, to ensure a successful transition to the workforce. That's why our PAVE counselors conduct ongoing follow up for veterans placed through their program.

Long-term support may be needed to help a veteran with a catastrophic disability to not only successfully transition back to the workforce but also to remain in the workforce. If a veteran is not successful in the workplace, they may suffer setbacks to include a belief that work is not possible, even when the problem was lack of support. Not all jobs turn out to be the right fit, but no veteran should feel that their only option is to leave the workforce when the proper supports and assistance would allow him or her to be successful. America cannot afford to waste the talent of these veterans who have much to offer to our society.

Enhance Independent Living

Despite best efforts, veterans who have significant disabilities may be unable to enter the labor market. In 1980, Congress passed a pilot program designed to assist these veterans by providing them with needed services and resources to increase their independence and ability to participate in their families and communities. Through the Independent Living program, VA can guide these veterans in the development of goals and provide the information, referrals, and continuing case management needed for success in achieving them. A number of creative alternatives to employment preparation can be recommended, purchased, or approved by a veteran's counselor to enhance a veteran's quality of life.

VA's Independent Living (IL) program was initially limited to 500 veterans. Over time, the program proved to be a critical option for improving the rehabilitation experiences of catastrophically disabled veterans. Congress raised that number a couple of times, and currently, 2,700 veterans are permitted to begin the IL program each year. This limit can be waived to accommodate veterans who have been adversely affected by a natural or other disasters, as determined by the VA.³

PVA believes the cap should be raised so VA can accept any veteran who could benefit from the program. Also, VR&E counselors must be well-versed in the Independent Living program to ensure that those who are eligible and who would benefit most from participation are given the opportunity to do so. Once a veteran is in the program, counselors must also closely track referrals for VA service and benefits to ensure that

³ See 38 U.S.C. 3120(e)(2). This change was made by Section 701(c) of [P.L. 112-154](#), Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012.

those referrals are addressed. Otherwise, the program will fail the veterans it serves, and their independence will be compromised.

In sum, without the proper services and supports, veterans with catastrophic disabilities are in danger of falling out of the workforce permanently. Such a loss means decreased financial security and social opportunities. VA's VR&E program provides critical access to needed services and supports for veterans with service-connected disabilities. An investment in VR&E is an investment in helping veterans with disabilities return to work and ensuring their long-term rehabilitation and success.

PVA thanks the subcommittee for the opportunity to express our views and we welcome any follow-up questions you 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 2019

Department of Veterans Affairs, Office of National Veterans Sports Programs & Special Events — Grant to support rehabilitation sports activities — \$193,247.

Fiscal Year 2018

Department of Veterans Affairs, Office of National Veterans Sports Programs & Special Events — Grant to support rehabilitation sports activities — \$181,000.

Fiscal Year 2017

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

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.

Steven Henry

Steven Henry is an Associate Legislative Director for Paralyzed Veterans of America (PVA) representing PVA to federal agencies, most notably the Department of Veterans Affairs (VA) on issues regarding veteran's benefits. Prior to joining PVA, Steven represented The American Legion at the Board of Veterans Appeals, served as American Legion's only service officer in Washington, DC and conducted site visits to VA Medical Centers across the United States to assess them for timeliness and quality of care.