

Veteran's Family, Caregiver, and Survivor Advisory Committee Team,

Thank you for confirming a reservation time for my public comment during the Veterans' Family Caregiver and Survivor Federal Advisory Committee meeting on Wednesday, January 25th, 2023, from 3:50 - 3:55 p.m. For the official meeting record I am submitting the following brief 2-page summary of my public comments. Due to the 1–2-page limitation, I will expand upon my comments more thoroughly during my reserved speaking time on January 25th, 2023.

Public Comment:

During the last virtual meeting held in October, this committee acknowledged they received my comments. My comments encompassed concerns regarding the dismissal of 90% of participants from the Program of Comprehensive Assistance for Family Caregivers, racial discrimination, and lack of equity in the reassessment process for Black veterans participating in the PCAFC. My comments referenced findings found in the study titled "Predictors of Discharge from the VA Caregiver Support Program" published by The American Journal of Managed Careⁱ. At the bottom of my submitted comments, I asked this Committee four important questions and, in my closing, I also asked the committee to help foster policies that support equity among applicants and participants of color. Specifically Black veterans who were found to be discharged at greater rates compared with White veterans from the PCAFC in 22% of networks.

Chair of the Family and Caregiver subcommittee, Melissa Comeau, acknowledged my comments, stating that the committee wants to make sure that they're getting the assessments right and that they're making them equitable to all, no matter their race, gender, sexual orientation, or era of service. So then, what actionable steps does this committee plan to take to ensure that the VA implements policies that support equity and trust among applicants and participants in the PCAFC?

Earning trust continues to be a hallmark issue in the VA Caregiver Support Program. These concerns regarding trust and transparency have sparked lawmakers to hold numerous hearings with VA officials, VSOs, and stakeholders regarding the inequitable practices continuing to plague the Programⁱⁱ. Inequitable practices that have led to the unjust denials, discharges and downgrades of countless participants and applicants since 2016. More recently, the VA determined that 90% of legacy participants were slated to be discharged from the Program after reassessment. This was due to VAs decision to finalize regulations for the Program's expansion in 2020, that tightened eligibility in a manner not intended by Congress. Congress had counseled VA to not make any regulatory changes that might prevent access to the PCAFC.

This Program has now been allocated by the U.S. Government for this Fiscal Year 2023, a discretionary budget of \$1.9 billion dollarsⁱⁱⁱ. A budget, trusted to be allocated to support the health and wellness of veterans by providing stipend payments and support services to help empower family caregivers. Similarly, this Committee's work is aimed towards providing support to America's veterans by representing their network of loved ones. This Committee is thereby tasked with finding solutions that examine the problems and matters which are the most urgent, solvable, and will make the biggest impact; subsequently advising Secretary McDonough on these matters through their proposed recommendations.

Upon submitting my comments last week, this Committee had not made available to the public their proposed recommendations. This lack of transparency stands a roadblock for stakeholders to provide valuable commentary which fully addresses matters pertinent to the proposed recommendations. Proposed recommendations that veterans, families, caregivers, and survivors trust will align with their most dire concerns and not with those of lobbyists and private sector companies whose concerns reflect only their special interests. Some of whom may have very close relationships with individuals attending these committee meetings^{iv}.

I'm a legacy caregiver of a medically discharged, Post 9/11 OIF - USMC veteran. Given Housebound status - Rated 100% P&T for TBI, along with a host of other debilitating injuries - invisible and physical. My concerns echo the same concerns expressed by hundreds of thousands of caregivers and veterans disenfranchised from the PCAFC due to VAs lack of transparency, equity, and most importantly - accountability. The questions I'm asking this Committee involve matters which are the most urgent, solvable, and will make the biggest impact for PCAFC applicants and participants. These questions are:

#1. What actionable steps has this Committee taken that would help align the PCAFC with the intent of Congress?

#2. What solutions has this Committee addressed in their proposed recommendations that will accomplish the goal of expanding vs restricting enrollment to the PCAFC?

This last question is the easiest to solve but let me add some context first. The U.S. Court of Appeals for the Federal Circuit struck down VA's definition of "need for supervision, protection, or instruction" because of Veteran Warriors' lawsuit against the Secretary. Thus, invalidating the reassessments that would have removed 90% of participants from the Program. These inaccurate assessments remain in the veterans' medical record. So, my 3rd and Final Question is:

#3. What has this Committee done to ensure that the VA retracts these invalid and damaging assessments from their records?

Lastly, I want to thank the Program's new Executive director Dr. Colleen Richardson and her team for their valiant efforts to steer this program in the right direction. It must be extremely difficult to correct the mismanagement^v of this Program when former National Director Meg Kabat was at the helm of it.

Regards,

L. Hickerson

ⁱ "Top 5 Most-Read AJMC® Journal Articles of 2022." AJMC, www.ajmc.com/view/top-5-most-read-ajmc-journal-articles-of-2022.

ⁱⁱ "Caregivers Take Fight Right to McDonough, Issue "Remy Challenge."" DisabledVeterans.org, 15 Sept. 2022, www.disabledveterans.org/2022/09/15/caregivers-take-fight-right-to-mcdonough-issue-remy-challenge/

ⁱⁱⁱ Leahy, Patrick. "Key Areas of Funding for the Department of Veterans Affairs." United States Senate Committee on Appropriations, 17 Dec. 2022, www.appropriations.senate.gov/imo/media/doc/MilCon%20VA%20FY%2023.pdf.

^{iv} "VA Caregiver Program Purges: Who Is behind What?" DisabledVeterans.org, 20 Sept. 2022, www.disabledveterans.org/2022/09/20/va-caregiver-program-purges-who-is-behind-what/

^v Program of Comprehensive Assistance for Family Caregivers: Management Improvements Needed Office of Audits and Evaluations. 2018. <https://www.va.gov/oig/pubs/VAOIG-17-04003-222.pdf>