

LEGISLATIVE UPDATE – VETERANS AND CAREGIVER SUPPORT LEGISLATION

Key Provisions of S.1963, the Caregivers and Veterans Omnibus Health Services Act of 2009—

Senate Floor Action Tentatively This Week - Week of November 16, 2009

S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2009 was introduced on October 28 by Senator Daniel Akaka (D-HI). The legislation contains a number of provisions to help wounded veterans, their informal caregivers, homeless veterans, women and veterans living in rural areas. The measure has been blocked by Senator Coburn (R-OK) who objected to a number of provisions, citing the inability to pay for the services, and the duplicative nature of some of the services that the VA already administers. However, an agreement was reached between Senator Akaka, Chairman of the Senate Veterans' Affairs Committee and Senator Tom Coburn (R-OK) late on November 10. The Chairman believes that the bill will be on the Senate floor this week, the week of November 16.

Highlights of the measure:

The bill merges two omnibus veterans' health bills, S.801 and S. 252 which passed the committee in September with bipartisan support. One of the key benefits in the measure is caregiver assistance for the nation's most seriously wounded veterans who were injured after September 11, 2001. The bill also contains provisions to improve access to care for veterans in rural areas by increasing access to telecommunications with the VA doctors and specialists, and by establishing Centers of Excellence in a number of rural areas.

Monthly Stipend for Caregivers of Veterans - Authorizes the VA to pay a monthly stipend (in 2010 up to \$2,350) to a family member or friend who is designated as the personal caregiver of a severely injured veteran who meets certain criteria.

Travel Benefits - Allows the VA to pay for transportation, lodging, and subsistence expenses of family members and other caregivers of veterans who are traveling to VA facility or another site for medical or rehabilitative care. Currently, lodging and subsistence expenses of non-veterans are not reimbursable under current law. CBO estimates that in 2010 the VA would reimburse about 34,000 non-veterans about \$1,950 a year for travel and lodging expenses. The VA estimates that about 150,000 non-veterans by 2014 would qualify for these benefits.

Caregiver Education, Training and Counseling - Requires the VA to evaluate veterans and their caregivers to determine the type of care veterans need and the training their caregivers require, provide that training, education and counseling and establish an interactive Website with more information.

Oversight of Caregivers - The legislation would also require the VA to conduct regular oversight of caregivers including home visits. The VA is expected to contract with home health care agencies to conduct oversight of 500 caregivers initially at a cost of about \$325 a month per caregiver.

Benefits During Caregiver Training - The measure would provide respite care and travel benefits to caregivers while they are undergoing a two week training course at VA facilities throughout the nation.

Respite Care Services - The VA would provide respite care services while the primary caregiver is undergoing training as well as up to 30 days of additional respite care and respite if the primary caregiver cannot carry out their obligations for medical problem.

Medical Care to VA Caregivers - The bill authorizes the VA to provide medical care to caregivers if such caregivers lack any other health plan. The bill also establishes mental health services to both the veteran's primary personal care attendant, and a family member who provides personal care services. The bill does not prohibit two individuals from serving in those different capacities. Family members would be eligible for training, counseling, respite care services, medical care and mental health services.

Survey of Family Caregivers - The legislation also authorizes the VA and DOD to contract for a national survey of family caregivers of seriously disabled veterans and service members and report to Congress with their findings. The VA estimates the survey would cost approximately \$2 million over the four year period.

Veterans' Administration Opposition

The VA has expressed opposition to many elements of this bill. They cite soaring program costs - \$62.5 billion over 10 years; sweeping changes in the role of the VA by permitting family members of veterans to access medical care and mental health services from the VA; and creating a new class of benefits for one group of veterans over another. At this time, the Administration has not indicated its support or opposition to the legislation.

CBO Cost Estimate: The CBO believes that these provisions would cost \$5.6 billion in FY 2010, \$26.8 billion in FY 2011, and \$62.5 billion over 10 years. For more information. see, <http://thomas.loc.gov/cgi-bin/cpquery/T?&report=sr080&dbname=111&>.

**If you have further questions, feel free to contact Meg Cooch at meg@caregiving.org.

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Meg Cooch, MPP

Director of Programs and Operations
National Alliance for Caregiving
4720 Montgomery Lane
Bethesda, MD 20814

P-301-718-8444
F-301-951-9067

www.caregiving.org