

#### What is the Federal Advisory Committee Act (FACA)?

The Federal Advisory Committee Act is a Federal statute that governs the **establishment**, **termination and management** of Federal Advisory Committees (FAC). Enacted to promote openness and <u>transparency</u> and <u>accountability</u> to regulate the number and duration of FACs.

#### When does FACA apply?

FACA applies to all groups with at least one non-Federal employee established or utilized by an agency to obtain advice or recommendations, unless an exception applies.

#### What are Federal Advisory Committee requirements?

- Signed/filed Charter;
- Designated Federal Officer (DFO);
- Public meetings with agenda announced in Federal Register 15 days in advance of the meeting and an opportunity for public to speak or submit written comments;
- Balanced membership; and
- Records maintained and available for public inspection.



#### What constitutes a Federal Advisory Committee (FAC) meeting?

- A published Federal Register Notice of Meeting
  - $\circ~$  Open, Closed or Partially Closed
- A Designated Federal Officer (DFO)
- A FACA Committee that:
  - Meets in-person, virtual or through tele- and video-conference
  - Provides advice or recommendations
- A <u>quorum</u> unless otherwise established in the Committee's charter or legislation.
  - Majority (more than one half) of the committee's authorized membership including ex-officio members (i.e. 50% plus one)
- An approved agenda



#### What constitutes a "closed" meeting?

FAC meetings may also be closed in whole or in part under limited circumstances, such as when discussing trade secrets, personal information, and criminal matters.

Per FACA, there are three common exemptions to "close" a meeting:

- Discussion of classified information
- Reviews of proprietary data submitted in support of Federal grant applications (i.e., research committee)
- Deliberations involving considerations of personal privacy (i.e., Veterans' PII, VA Medical Center tours, etc.)

Note: OGC must concur on the meeting closure.



#### May FACs ever meet privately?

Yes. According to the FACA Final Rule, FACs can conduct two types of work without a public meeting:

- 1) Preparatory work.
  - a) Two or more Committee or Subcommittee members gather to solely gather information, conduct research, analyze relevant issues, facts in preparation for a FAC meeting or to draft papers for deliberation by FAC; and
  - b) Since this isn't a FAC meeting, a submission to the Federal Register is not required.

#### and

**2) Administrative work.** Two or more Committee members gather to discuss administrative matters of the FAC.



#### What are "Administrative" Calls?

During an administrative call, the Committee members are allowed to discuss the following:

- ✓ Conduct FACA 101 session with Jeffrey Moragne (15 to 20 minutes)
- ✓ Conduct Ethics Training session

Using Ethics Training slides (30 to 45 minutes)

Ensure members take the VA OGC Ethics Training for Special Government Employees located at: <u>https://www.va.gov/OGC/docs/SGE/10.html</u>

- ✓ Provide / Obtain the SGE Self-Certification Statements from members
- ✓ Review, discuss, complete Financial Disclosures form 450s, if applicable
- ✓ Vendorize Committee member in VA systems, if needed
- ✓ Discuss research (i.e. what to include on the agenda, SMEs, topics)
- ✓ Finalize meeting agenda
- ✓ Finalize travel plans
- ✓ Finalize meeting logistics (i.e. date, location, number of days)

However, they are <u>not allowed to engage in discussing any REPORTS or</u> <u>RECOMMENDATIONS</u>. <u>This is not a regular FAC meeting</u>.

**Revised as of July 2020** 



Can Committee Members testify/speak on Federal Advisory Committee matters?

#### PERMISSIBLE

- If asked to testify, you may speak about FAC matters only in your <u>personal capacity.</u>
- Your testimony should clarify that you are providing your personal opinion and are not speaking on behalf of VA or the FAC.
- As a courtesy, we appreciate you informing the FAC's DFO if you are going to testify.

#### **MISCONDUCT**

- Federal Advisory Committee members do not have authority to testify on behalf of the Committee and do not speak for VA.
- Since you are acting in your personal capacity if you testify or speak, VA cannot not reimburse you for expenses or pay a stipend.



#### **VA Federal Advisory Committee Best Practices**

- ✓ <u>Master Your Committee Calendar</u>...plan 18 months of committee meetings in advance during the next meeting or an administrative call
- Know your role:...understand the Committee's Charter and guidance located in the VA Committee Members Handbook
- ✓ <u>Subcommittees</u>...formally establish these groups in accordance with the VA guidance to do the heavy lifting on research and assist with drafting recommendations
- Meeting Mechanics...dedicate meeting time to discuss individual presentations and how they connect to the Committee's advice/recommendations
- ✓ <u>Cross Committee Collaboration</u>...use your Subcommittee to engage other FACs
- ✓ <u>SMART Template</u>...use the template to achieve better results
- ✓ <u>VA Library Services</u>...use this service for data and information searches
- ✓ <u>Subject Matter Experts</u>...recommend stakeholders for the Committee to engage
- <u>Annual Field Visits</u>...do field visits and Capitol Hill meetings to better understand Veterans, Caregivers, Survivors, Stakeholders and VA Employees challenges
- ✓ FACA and Ethics questions...ask your Designated Federal Officer for guidance



December 12, 2023







**U.S.** Department of Veterans Affairs

- 1. Official Designation. Advisory Committee on United States Outlying Areas and Freely Associated States (Committee).
- 2. Authority. The Committee is authorized by statute, subchapter III of 38 U.S.C. Ch 5, amended to include section 548, Advisory Committee on United States Outlying Areas and Freely Associated States, as stipulated in P.L. 117-263 § 5102. The Committee operates under the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. Ch. 10.
- **3. Objectives and Scope of Activity.** The Committee provides advice and guidance to the Secretary of Veterans Affairs on matters related to covered Veterans as outlined in section 4 of this charter.

The term covered Veteran is defined as a Veteran residing in American Samoa, Guam, Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau.







- 4. Description of Duties. The Committee shall:
  - Advise the Secretary on matters relating to covered Veterans, including how the Secretary may improve the programs and services of the Department to better serve such Veterans;
  - b. Identify for the Secretary evolving issues of relevance to covered Veterans;
  - c. Propose clarifications, recommendations and solutions to address issues raised by covered Veterans;
  - d. Provide a forum for covered Veterans, Veterans Service Organizations (VSO) serving covered Veterans and the Department to discuss issues and proposals for changes to regulations, policies and procedures of the Department;
  - e. Identify priorities for and provide advice to the Secretary on appropriate strategies for consulting with VSOs serving covered Veterans;
  - f. Encourage the Secretary to work with the heads of other Federal departments and agencies and Congress to ensure covered Veterans are provided the full benefits of their status as covered Veterans;







#### 4. Description of Duties continued...

- g. Highlight contributions of covered Veterans in the Armed Forces;
- h. Conduct other duties as determined appropriate by the Secretary; and
- i. Submit, not less frequently than once every 2 years, to the Secretary and the appropriate Congressional committees a report containing recommendations as the Committee may have for legislative or administrative action; and describing the activities of the Committee during the previous 2 years.

Additionally, not later than 120 days after the date on which the Secretary receives a report, the Secretary shall submit to the appropriate Congressional committees a written response to the report after giving the Committee an opportunity to review such written response; and including in such written response any comments the Committee considers appropriate.







- **5. Official to Whom the Committee Reports.** The Committee reports to the Secretary, through the Executive Director, Outreach, Transition and Economic Development (OTED), Veterans Benefits Administration (VBA).
- 6. Office Responsible for Providing Necessary Support to the Committee. VBA OTED provides administrative and logistical support for all Committee activities.
- 7. Estimated Annual Operating Costs in Dollars and Staff Years. The annual operating cost for the Committee is estimated at \$680,000 and 2.5 staff per year and must be budgeted as such. All members will receive travel expenses and a per diem allowance, in accordance with Federal Travel Regulations, for any travel made in connection with their duties as members of the Committee.







- 8. Designated Federal Officer. The Designated Federal Officer (DFO), a full-time VA employee, will approve the schedule of committee and subcommittee meetings. The DFO, or a designee, will be present at all committee and subcommittee meetings, and each meeting will be conducted in accordance with an agenda approved by the DFO. The DFO is authorized to adjourn any meeting when he or she determines it is in the public interest to do so.
- **9. Estimated Number and Frequency of Meetings.** The committee shall meet in-person with the Secretary not less frequently than once each year and hold monthly conference calls as necessary. Meetings may be conducted virtually if determined necessary based on Department protocols, timing and budget considerations.
- **10. Duration.** The duration of the Committee is continuing, subject to the termination section below.
- **11. Termination Date.** Pursuant to 38 U.S.C § 548(k), the Committee shall terminate on December 23, 2032, which is 10 years after the enactment of section 548. However, unless renewed by appropriate action prior to expiration, the charter will expire 2 years from the date it is filed.







#### 12. Membership Specifications.

- a. The Committee shall be comprised of 15 voting members appointed by the Secretary. In appointing members, the Secretary shall ensure the following: the Secretary will appoint the Chair from the Committee members; at least one member is appointed to represent covered Veterans in each of the areas specified in section 3 of this charter; not fewer than half of the members appointed are covered Veterans, unless the Secretary determines that an insufficient number of qualified covered Veterans are available; each member appointed resides in an area in section 3 of this charter; and in addition to the members appointed pursuant to section 12a, the Committee shall be comprised of such Ex-officio members as the Secretary of State and the Secretary of the Interior shall appoint from among employees of the Department of State and the Department of the Interior, respectively.
- b. Terms The Chair and Committee members shall be appointed for a term of 2 years and may be reappointed to serve an additional 2-year term.
- c. Vacancies Not later then 180 days after the Secretary (or in the case of Ex-officio member, the Secretary of State or the Secretary of the Interior, as the case may be) receives notice of a vacancy on the Committee, the vacancy shall be filled in the same manner as the original appointment.
- d. The members of the Committee may be Special Government Employees, regular Government employees or Representatives.







- **13. Subcommittees.** With the DFO's approval, the Committee is authorized to establish subcommittees to perform specific projects or assignments as necessary and consistent with its mission. The Committee Chairperson shall notify the Secretary, through the DFO, of establishing any subcommittee, including its function, membership and estimated duration. The objectives of the subcommittees are to make recommendations to the chartered Committee with respect to matters related to the responsibilities of the chartered Committee. Such subcommittees may not work independently of the chartered Committee and must report their recommendations and advice to the full committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the parent Committee nor can they report directly to VA.
- **14. Recordkeeping.** Records of the Committee shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedules. Those records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.
- 15. Filing date. 6/15/2023.







# Questions







U.S. Department of Veterans Affairs



### Ethics Training for Special Government Employees

Office of General Counsel Ethics Specialty Team Department of Veterans Affairs

### Who is an SGE?

Advisory Committee members appointed to serve not more than 130 days during any 365-day period (with or without compensation)

- Assume here that Committee members will serve less than 60 days in any 365-day period
- Not an SGE if you serve on Committee as representative of an outside organization or another Federal agency.

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### Why This Matters

Maintaining a reputation for high ethical standards is critically important to ensuring our Veterans trust us to provide their services.

The Secretary is ultimately responsible for the administration of VA's government ethics program.

□BUT, we all have a role to play.

### Legal Framework

When carrying out our daily duties, we regularly face situations that involve ethical questions.

- The public's perception of the integrity of the work we do, both individually and collectively, is at stake.
- ■Sometimes gut instincts and good intentions may help us know the right thing to do, but good instincts and intentions are <u>not</u> enough when the integrity of our work could be questioned.

Set of principles, along with a specific and enforceable set of standards and laws to help guide our conduct.

- 14 General Principles
- Standards of Ethical Conduct for Employees of Exec. Branch
- Criminal Conflict of Interest Statutes

## Why Get Advice?

 Seeking advice from an ethics official in advance of taking action and complying with that advice will, in virtually all cases, protect an SGE from criminal prosecution or other administrative action

Good idea to get advice in writing



- Ethics rules apply even if SGE serves without compensation
- Ethics rules apply even on days when SGE is not directly performing Government services
- SGEs <u>are</u> Government employees for ethics purposes, but are subject to less restrictive conflict of interest requirements and ethics rules

### **Financial Disclosure**

- Unless exempted by written DAEO determination all SGE Advisory Committee members must submit Confidential Financial Disclosures
- Regular Government Employee members of Advisory Committees should submit reports as well (if already a filer – a copy of most recent OGE 450 or SF 278 is acceptable)
- Report must be certified before SGE can participate in any deliberative meeting

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- Criminal conflict of interest statutes; 18 U.S.C. §§ 201-209
- Standards of Ethical Conduct for Executive Branch Employees; 5 C.F.R. part 2635
- Other, Constitution, Hatch Act . . .

### **Conflicts of Interest**

### • 18 U.S.C. § 208

It is a crime for you to participate <u>personally and</u> <u>substantially</u> as a Government officer or employee in a <u>particular matter</u> which will <u>directly</u> <u>and predictably</u> affect your financial interest, or a financial interest imputed to you.

### Persons whose Financial Interests are Imputed to You

- Spouse
- Minor Child
- General Partner
- Organization in which SGE serves as officer, director, trustee, general partner, or employee
- Person or organization with which SGE is negotiating with, or has, arrangement concerning prospective employment

### **Defining "Particular Matter"**

- Deliberations, decisions, actions focused on interests of:
  - specific parties (e.g., a contract, grant, or case in litigation)
  - OR
  - general applicability (focused on a discrete and identifiable class such as an industry)
- NOT broad policy directed at large and diverse group

### "Direct and Predictable Effect"

- Yes: Close causal link between decision or action to be taken and any effect of the matter on the financial interest
- No: Link between financial interest and effect of matter is attenuated or effect is contingent upon occurrence of events that are speculative or independent of the matter

# Exception for Particular Matter of General Applicability

- SGEs may participate in particular matters of general applicability where the disqualifying financial interest arises from the SGE's <u>non-Federal employment or</u> prospective employment
- ONLY where there is no "special or distinct effect" on SGE or the non-Federal employer other than as part of a class
- Exception does not cover interests arising from stock ownership
- Non-Federal employment must involve actual employer/employee relationship (not contractor)

### **Other Exceptions**

### Individual Waiver (in writing)

- Need for SGE services outweighs potential for conflict
- -Waiver issued by appointing official

### Multi-campus Exception

 Can participate in matter affecting one campus of multi-campus State institution of higher education where disqualifying interest arises from employment with separate campus of the same institution; no multicampus responsibilities

### **Appearances Matter**

- Standard of conduct issue, not criminal, but analysis similar to criminal conflict of interest law
- SGE/employee cannot participate in specific party matter where a person with whom you have a "covered relationship" is, or represents, a party

### **Appearances Matter**

- You have a "covered relationship" with all persons whose interests are yours under criminal conflict law, plus others
- Bottom line-would a reasonable person with knowledge of all the relevant facts question your impartiality in the matter?

### **Prohibited Compensation**

- For regular Federal employees No non-Federal compensation for performance of official duties, except from treasury of State, local, municipal government. 18 U.S.C. § 209.
  - N/A to SGEs
- For all employees -- No \$ to be influenced to perform your duties. 18 U.S.C. § 201

### **Switching Sides**

- SGE is prohibited from receiving compensation based on their representation or anyone else's before any Federal agency or court in connection with <u>any specific party</u> <u>matter in which they participated personally and</u> <u>substantially</u> as a Government employee. 18 U.S.C. § 203.
- SGE is prohibited from acting as agent or attorney, with or without compensation before any Federal agency or court in connection with any specific party matter in which they participated personally and substantially as a Federal employee. 18 U.S.C. § 205.

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 Post-Government employment concept of no side switching. 18 U.S.C. § 207.

 Lifetime Ban – representing back to the Government in connection with particular matter involving specific parties in which SGE participated personally and substantially ("behind the scenes" advice OK)

# Side Switching

- Related Standard of Conduct prohibition
- SGE may not serve as an expert witness for party opposing the Government where SGE participated in the underlying proceedings as a Government employee
- SGE may not serve as an expert for party opposing their own agency where they serve on a committee established by statute or serve for more than 60 days



# **Standards of Conduct**

"Public Service is a public trust"

- 14 Principles boil down to two main prohibitions:
  - Do Not Use Your Public Office for Private Gain
  - Do Not **Give Unauthorized Preferential Treatment** to Any Private Organization or Individual



# **Misuse of Position**

No use of non-public information to engage in any financial transaction or to further own private interest or that of another

- No use of Government property for other than authorized purposes
- No use/allowing use of official title, position or authority to imply that the Department officially endorses/sanctions a private product, service or activity

# Teaching, Speaking, and Writing

No compensation for Teaching, Speaking, or Writing that relates to official duties

- Relates to Official Duties if:
  - Undertaken as part of official duties,
  - Invitation extended primarily because of official position,
  - Invitation from someone whose interests may be substantially affected by member's Government duties,
  - Information conveyed draws substantially on nonpublic information, or
  - Subject matter deals significantly with any specific party matter to which SGE is assigned or was assigned within past year of current SGE appointment

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# **Teaching, Speaking and Writing**

 Exception – Teaching a course requiring multiple presentations offered as part of regular curriculum of an elementary/high school or institution of higher education or training program sponsored by the Federal Government. Gifts

May not accept gift given because of official position OR from a "prohibited source"

# Prohibited Source:

- Entity seeking official action by VA
- Entity doing/seeking business with VA
- Entity could be substantially affected by Committee decisions
- Entity of which a majority of members are prohibited sources

# Gifts

- Exception MAY accept meals, lodgings, transportation and other benefits arising from outside employment when benefits not offered due to status as Federal employee.
- Other minor exceptions exist, e.g., de minimis \$20 per occasion, \$50 during calendar year – consult an ethics official.

# **Charitable Fundraising**

 SGE may engage in fundraising in a personal capacity as long as SGE does not personally solicit funds or support from a person whose interests may be substantially affected by the performance or nonperformance of the SGE's official duties

# **Other Laws and Regulations**

**Emoluments Clause** 

- Prohibits employment with, receipt of gifts decoration or titles of nobility from a foreign government or public university or commercial enterprise owned or operated by a foreign government, except to extent authorized by Congress. U.S. Constitution, Art. 1 § 9, cl.8
- Foreign Gifts and Decorations Act
  - No gifts > \$375 from foreign government or international organization (includes travel unless takes place entirely outside U.S.)
- Foreign Agents
  - No acting as agent of a foreign principal registered under Foreign Agents Registration Act unless deemed in national interest by head of agency where SGE employed

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# Hatch Act

- Restricts certain political activities of Government employees
- Applies to SGEs <u>only</u> when engaged in Government business:
  - No political activity on duty, on Government property, or while using a Government vehicle
  - No soliciting/receiving political contributions
  - May be candidate for public office in partisan elections
    - but no campaign work while on duty

# Where to Get Ethics Advice?

VA Ethics Officials: <u>GovernmentEthics@va.gov</u>

Tracianna Winston, Chief Counsel, Ethics Specialty Team

Designated Agency Ethics Official (DAEO)

VACO Deputy Ethics Officials:

Carol Borden, Chris Britt, Brenna Daugherty, Jonathan Fields Office of General Counsel (023) 810 Vermont Avenue, NW Washington, DC 20420 (202) 461-7694 or (202) 461-6000

# W

# Where to Get Ethics Advice?

Outside VACO:

OGCNorthEastEthics@va.gov for ME, NH, VT, MA, RI, CT, NY, NJ, DE, PA, OH, WV, MI, WI

OGCSouthEastEthics@va.gov for VA, NC, SC, GA, FL, MS, AL, LA, southern TX, Puerto Rico

OGCMidwestEthics@va.gov for DC, MD, IN, KY, TN, AR, MO, IL, IA, MN, ND, SD, NE, KS,

OGCWestEthics@va.gov for northern TX, OK, NM, AZ, CO, UT, WY, MT, ID, NV, CA, OR, WA, HI, AK, Guam, Philippines



# **Questions?**



12/19/2023





Veterans Administration Federal Advisory Committee for Outlying Areas and Freely Associated States

Shereef Elnahal, MD, MBA Under Secretary for Health

December 12, 2023

**Veterans Health Administration: Four Missions** 

VHA Mission: To Honor America's Veterans by providing exceptional health care that improves their health and well-being.

#### **VHA's Four Statutory Missions:**

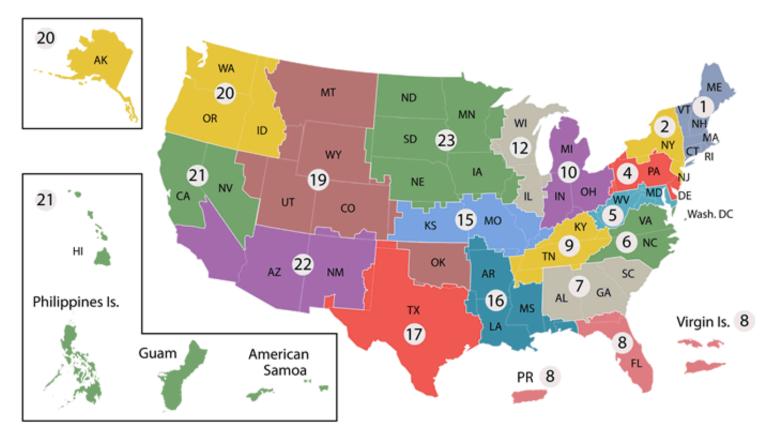






### **VHA By The Numbers**

- The Veterans Health Administration is America's largest integrated health care system.
- 1,355 health care facilities
  - 170 medical centers
  - 1,173 outpatient sites of care of varying complexity (VHA outpatient clinics)
- In FY23:
  - 9 million enrolled Veterans
  - 87 million completed outpatient appointments
- 410,000+ employees







#### **How VHA Delivers Care**

**Direct Care:** VA health care professionals provide care to Veterans at our medical facilities across the nation.

**Community Care:** VA provides health care for Veterans from providers in your local community outside of VA. Veterans may be eligible to receive care from a community provider when VA cannot provide the care needed. This care is provided on behalf of and paid for by VA. Community care is available to Veterans based on certain conditions and eligibility requirements, and in consideration of a Veteran's specific needs and circumstances. Community care must be first authorized by VA before a Veteran can receive care from a community provider.





#### **Beyond Traditional Health Care**

**Caregiver Support:** The Caregiver Support Program (CSP) offers clinical services to caregivers of eligible and covered Veterans enrolled in the VA health care system. The program's mission is to promote the health and well-being of family caregivers who care for our Nation's Veterans, through education, resources, support, and services. There is a CSP team located at every VA facility. CSP carries out its mission through two programs:

- Program of General Caregiver Support Services (PGCSS)
- Program of Comprehensive Assistance for Family Caregivers (PCAFC)



**Whole Health:** Whole Health centers around what matters to patients, not what is the matter with them. It focuses on self-care, skill building and support. These services are not diagnosis or disease based but support the personal health plan of each Veteran. Approaches such as stress reduction, yoga, tai chi, mindfulness, nutrition, acupuncture, and health coaching are available.



**Homelessness:** The mission of the Homeless Programs Office (HPO) is to assist Veterans and their families in obtaining permanent and sustainable housing with access to high-quality health care and supportive services. Our vision is to end homelessness among all Veterans and their families by using evidence-based, innovative practices and partnerships that provide access to permanent housing and deliver other critical services.

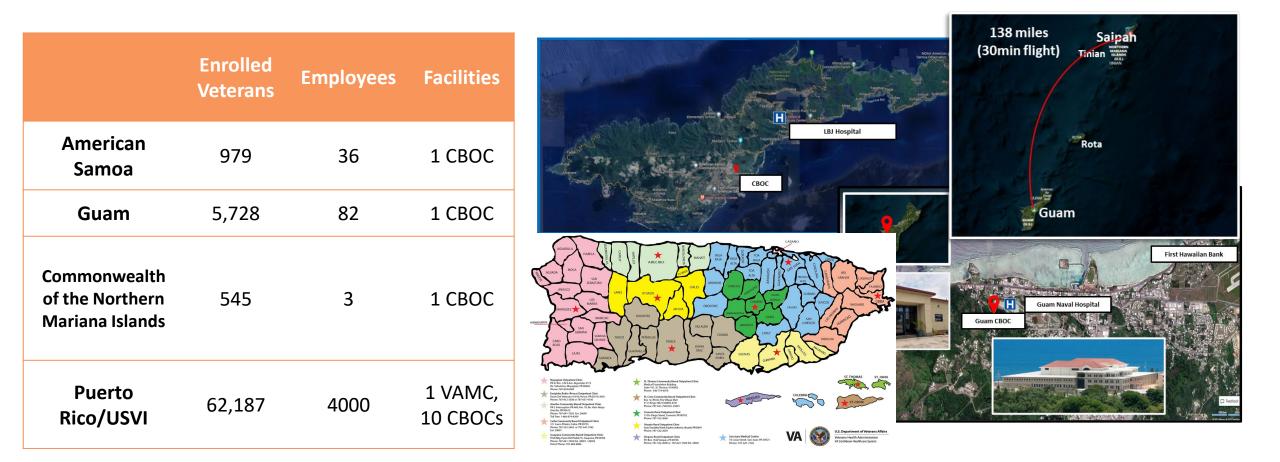


**Suicide Prevention:** VA's National Strategy for Preventing Veteran Suicide and the White House's national strategy to reduce military and Veteran suicide focus on clinical interventions and community-based outreach prevention strategies. That means everyone—friends, relatives, caregivers, community members, and health care providers—has a role to play in keeping Veterans safe and healthy. This whole-of-community approach to preventing suicide can be seen in VA-lead programs and initiatives, such as the Governor's and Mayor's Challenges to Prevent Suicide Among Service Members and the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program.





#### **Outlying Areas Overview**







#### **Outlying Areas Common Concerns**

# VISN 8

- Language Barrier
- Beneficiary Travel
- Travel Burden to Veterans from USVI
- Access to Specialty Care
- Through Community Care Network in USVI
- Difficulty Recruiting Due to Tax Structure in PR

# VISN 21

- Cost of Beneficiary Travel
- Travel Burden to Veterans
  - Financial (For Those Who Don't Qualify for Beneficiary Travel, Time Burden
- Access to Specialty Care Through Community Care Network
- Difficulty Recruiting Due to Tax Structure in PR





#### **Freely Associated States Overview**

- Freely Associated States
  - Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau
  - Enrolled Veterans: 115
  - Estimated # of Veterans: several hundred
- Current State:
  - VA is prohibited by law from providing health care outside the Unites States and its territories.
  - The Foreign Medical Program available for service-connected specific care.
  - Veterans in Freely Associated States must travel to US state or territory to receive VA care.







#### **Freely Associated States Common Concerns**

- Law Preventing VA From Providing Care Outside US
- Lack of Beneficiary Travel for Veterans
- Lack of Travel Support for Compensation Exam
- Foreign Medical Program Shortfalls
  - Limited to care for service-connected care
  - No coverage for preventive care
  - Trouble finding mental health providers
  - Outdated reimbursement







#### We Need You!

**Committee Charge:** To provide advice and guidance to the Secretary of Veterans Affairs on matter relating to covered Veterans residing in American Samoa, Guam, Puerto Rico, The Commonwealth of the Northern Mariana Islands, The Virgin Islands of the United States, The Federated States of Micronesia, The Republic of the Marshall Islands and the Republic of Palau.

How You Can Help VHA:

- Aggregating data
- Validating data
- Provide recommendations/solutions
- Outreach and communication





#### Questions







#### VA Foreign Medical Program (FMP) – Information Briefing

**19 December 2023** 

Andrew Szymczak Program Management Officer



U.S. Department of Veterans Affairs Veterans Health Administration Office of Integrated Veteran Care



- FMP Program Overview
- Eligibility
- Application Process
- Claims Process
- FMP Payments
- Key Points of Consideration / Helpful Tips
- Accessing Ask VA (AVA) for FMP Inquiries
- Improving FMP Predictability and Transparency
- Health Care Capabilities and Limitations in the Pacific Islands
- Additional Resources and Further Information
- Q&A Session



# Program Overview

- FMP provides reimbursement to Veterans living and travelling abroad for health care services, medications, and durable medical equipment for service-connected conditions and conditions associated with and held to be aggravating a serviceconnected condition.
- VA may authorize foreign medical services for any condition if you are participating in the VA Veterans Readiness and Employment Program (formerly known as the Vocational Rehabilitation Program - Title 38, U.S. Code, Chapter 31).
  - Claims associated with this program <u>must</u> have a referral and current treatment plan from a VBA Case Manager.
- FMP only covers treatment for service-connected conditions, even for 100% permanent and total service-connected disabled Veterans.



# Eligibility

- Veterans with service-connected disabilities are not required to be living outside of the United States. Veterans with service-connected disabilities travelling outside of the United States are also eligible.
- Veterans with service-connected disabilities, regardless of the percentage of the rating, are eligible to participate in the program.
- Veterans in the Chapter 31 VA Veterans Readiness and Employment (VRE) Program can have medical or dental services reimbursed for non-serviceconnected conditions as long as the case manager deems the treatment is necessary to continue in the program.



# **Application Process**

- Veterans must register for the program prior to filing a claim.
- Applications can be downloaded from the following website: <u>https://www.va.gov/vaforms/medical/pdf/vha-10-7959f-1.pdf</u>
- FMP applications can be emailed to <u>hac.fmp@va.gov</u>, faxed to 303-331-7803 or mailed to:

VHA Office of Integrated Veteran Care ATTN: FMP PO Box 469061 Denver, CO 80246-9061

 Veterans will receive an FMP benefits authorization letter and handbook after the application is processed.



# **Claims Process**

- Veterans have two years to submit a claim for payment from the date of service or date of discharge from the hospital.
- FMP claims must contain the following information:
  - Full Name of the medical provider
  - Medical Title
  - Office Address
  - Office telephone number
  - Billing address if different from the office address
  - Date of service(s)
  - Diagnosis
  - Procedure(s) performed
  - Date and name of drugs prescribed
  - Billed charges
  - Proof of payment (only if Veteran is seeking reimbursement)



# FMP Payments

- All FMP payments are made via paper US Treasury checks. Delivery timeframes vary widely depending on the overseas destination.
- US Treasury checks will be sent to the mailing address annotated on the FMP Claim Form when the Veteran has paid for the services out of their own pocket.
- Reimbursement requests that go to foreign medical provider addresses must be clearly annotated on the FMP Claim to prevent missent mailings.
- Efforts are in place to enable Electronic Fund Transfer (EFT) payments to domestic and foreign bank accounts. Progress updates on this project will be published as milestones are accomplished.



# Key Points of Consideration / Helpful Tips

- Register for FMP before filing claim. FMP claims may not be processed if a Veteran is not registered in the program.
- 100% Permanent and Total (P&T) disabled Veterans can only be reimbursed for services directly tied to service-connected disabilities.
- FMP cannot authorize reimbursement for medications that are not FDA approved.
- Durable Medical Equipment (DME) claims must include a doctor's prescription with a statement of the medical need and the estimated length of time the equipment will be needed.
- Drugs, supplies, treatments, and descriptions of services performed must clearly show a diagnosis that is linked to a service-connected disability.

 $\odot$  Unclear or questionable treatments are reviewed and adjudicated by a clinical nurse.

 $\odot$  Vague descriptions or omitted information on claims may be rejected.



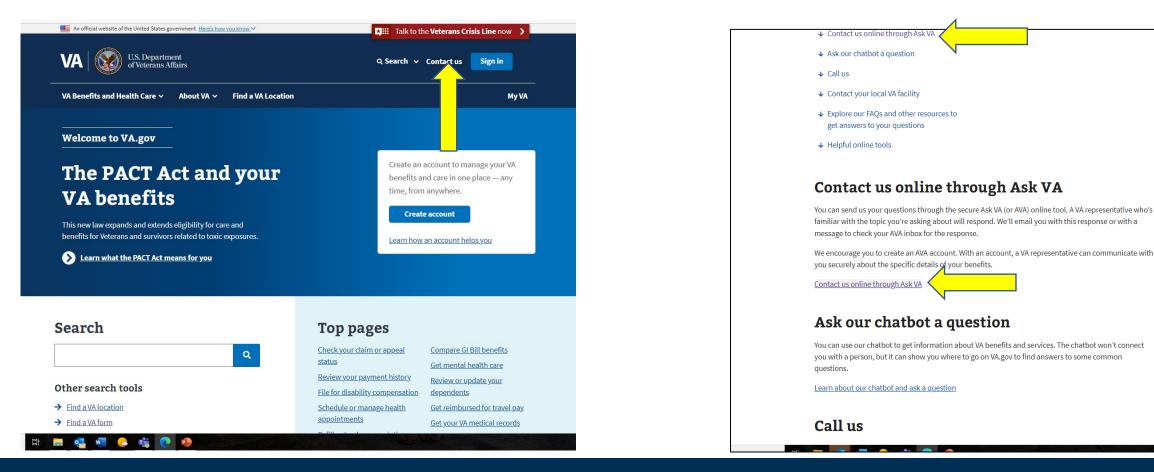
# Key Points of Consideration / Helpful Tips (con't)

- FMP cannot pay for any kind of travel costs, including emergency ambulances and travel to Compensation and Pension (C&P) exams.
- FMP claims are usually processed and adjudicated within 80 days of receipt. The delivery timeframe of payments can vary depending on the overseas destination.



# Accessing Ask VA for FMP Inquiries

Veterans are encouraged to use the Ask VA (<u>AVA</u>) system for all escalated and pre-determination FMP inquiries.
 This system is a much more transparent and easily accessible platform that allows all Veterans to get an individualized inquiry tracking number for future reference.

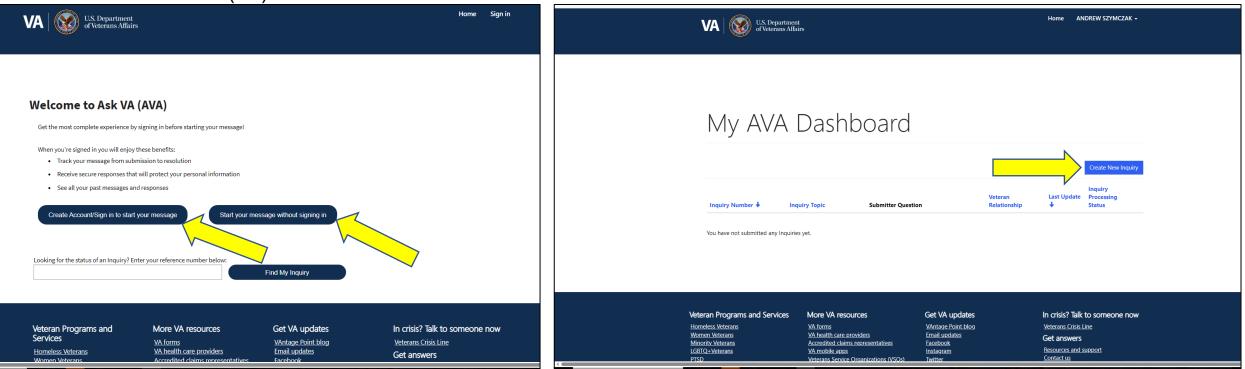




# Accessing Ask VA (AVA) for FMP Inquiries - Continued

Either log-in option works, but logging in using your Department of Defense Self Log-in ("DS" Log-in) is more secure and allows us to share Personally Identifiable Information (PII)

#### This is the AVA Dashboard when you log-in

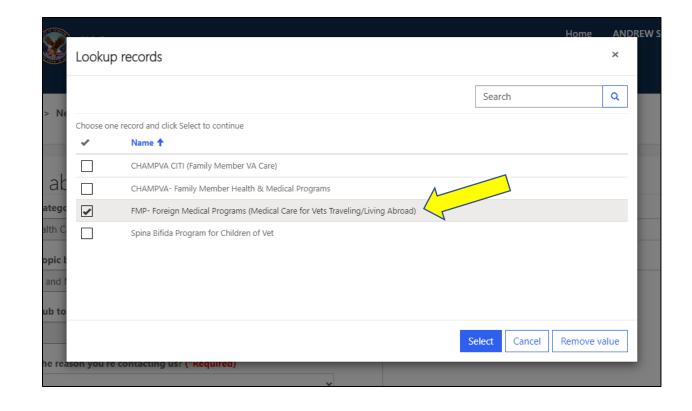




# How to Select FMP in Ask VA.gov

Here are the correct drop-down menu selections Veterans should use to get their FMP questions routed appropriately:

	A	k.VA.gov > New Inquiry		
	C	96		
	Т	ell us about your question		
		Which category best describes your question? * (*Required)		
		VA Health Care	×	۹
		Which topic best describes your question? * (*Required)		
	>	Health and Medical Programs for Family Members	×	۹
		Which sub topic best describes your question? ("Required)		
	>	FMP- Foreign Medical Programs (Medical Care for Vets Travelir	×	۹
		Tell us the reason you're contacting us? (*Required)		
				~
		My inquiry is: (*Required)		
				~
		Medical Center		
				Q





# Improving FMP Predictability and Transparency

• The Foreign Medical Program is in the middle of onboarding new staff for two newly authorized sections:

• Eligibility, Enrollment, and Verification (EEV)

Escalation

- The EEV team consists of:
  - 1 GS-0343-9/11 Supervisory Program Analyst
  - $\circ$  1 GS-0962-8 Lead Contact Representative
  - 7 GS-0962-6/7 Contact Representatives
- The purpose of the EEV team is to:

 $\odot$  Process pre-determination requests for treatments and services.

 Facilitate the resolution of any other kind of inquiry that pertains to eligibility or verification of authorized benefits.



## Improving FMP Predictability and Transparency - Continued

- The Escalation team consists of:
  - 1 GS-0343-12 Supervisory Program Analyst
  - 8 GS-0343-9/11 Program Analysts
- The purpose of the Escalation team is to:

 $\circ$  Provide analysis and feedback on provider claim reconciliation requests.

 Facilitate the resolution of any other kind of inquiry that pertains to submitted claims or clarification of program scope.



# Health Care Capabilities and Limitations in the Pacific Islands

- Guam, Saipan, American Samoa, and the Philippines have VA facilities with limited-service capacity that are managed by the VA Integrated Service Network (VISN) 21:
  - Guam Community-Based Outpatient Clinic (CBOC): The purpose of this CBOC is to provide primary health care and minor acute care to eligible Veterans using available resources.
  - Saipan (Commonwealth of the Northern Mariana Islands) VA Clinic: The purpose of this CBOC is to provide primary health care and minor acute care to eligible Veterans using available resources.
  - American Samoa Faleomavaega Eni Fa'aua'a Hunkin VA Clinic: The purpose of this clinic is to provide primary care, minor acute care, laboratory services and routine prescription processing.
  - Philippines VA Manila Outpatient Clinic: The purpose of this clinic is to provide limited, in-person medical appointments, with the focus on completing specialty care services (Audiology, Cardiology, Dermatology, Ear/Nose/Throat (ENT), Pulmonology, and Ophthalmology) in-person. The VA Manila Clinic continues to provide most primary care and mental health services via telephone appointments.
- All other non-service-connected medical treatments for service-disabled Veterans residing in or traveling to the Pacific Islands must be obtained on their own.
  - FMP can only provide claim reimbursement for health care that treats service-connected conditions (disabilities) and conditions associated with and held to be aggravating a service-connected condition.
  - All other costs for non-service-connected treatments and services must be paid for by the Veteran (out of pocket or private health insurance).
- FMP is unable to pay for foreign transportation costs.
  - This cost-prohibitive limitation is a primary reason why Veterans residing in remote Pacific Islands do not use FMP more frequently.



## FMP Resources and Further Information

Additional information about FMP can be found on the following websites:

#### **General Information:**

https://www.va.gov/COMMUNITYCARE/programs/veterans/fmp/index.asp

https://www.youtube.com/watch?v=eY6zyRRhk8E

#### **FMP Claims, Benefits, and Exclusions:**

https://www.va.gov/COMMUNITYCARE/programs/veterans/fmp/fmp\_benefits\_claims.asp

### How to file an FMP claim:

https://www.va.gov/COMMUNITYCARE/docs/pubfiles/factsheets/FactSheet\_04-02.pdf

#### **FMP Care Benefits Guide:**

https://www.va.gov/COMMUNITYCARE/docs/pubfiles/programguides/FMP Guide.pdf#





## U.S. Department of Veterans Affairs

Veterans Benefits Administration Medical Disability Examination Office (MDEO) FAS Advisory Committee Meeting Date: Dec 2023

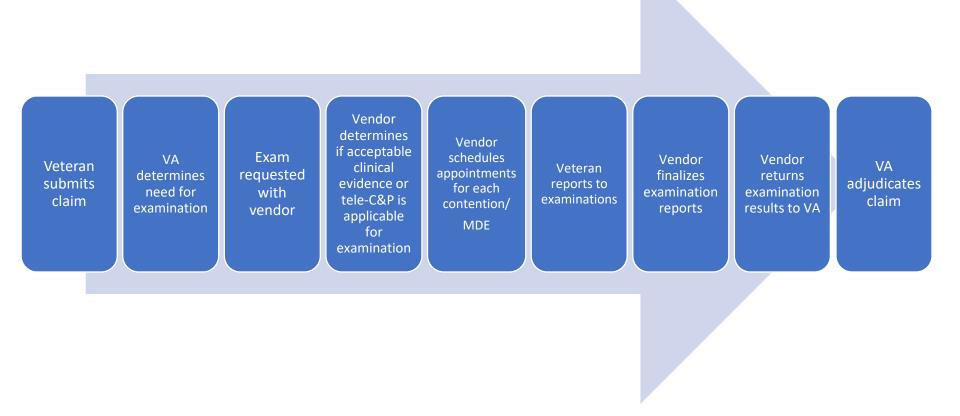
Briefed by: Jeffrey F. London Executive Director MDEO







## **Examination Process Overview**







- Veterans Evaluation Services (VES) and QTC Management (QTC) conduct C&P examinations
- Both vendors have multilingual speaking professionals for scheduling and conducting appointments locally (subject to availability)
- Appointments will be scheduled with a multilingual provider if the Veteran makes the preference known at the time of scheduling (subject to availability)
- Traveling providers may only speak English





# **C&P Examination Expectations**

- A C&P exam is not a normal medical exam
- The provider will not treat any illness or injury, give the Veteran referrals to other providers, or prescribe medicine
- The purpose of the exam is to gather information that will be used to make a decision for the Veteran or Service members claim





# govDelivery

- govDelivery is a system MDEO uses to proactively contact claimants via e-mail utilizing a "va.gov" account
- Emails inform the claimant of upcoming communication from Vendors to schedule C&P examinations
- This proactive contact serves as a verification from a VA source that a claimant will be contacted to schedule an appointment with an MDEO designated Vendor
- Helps to encourage their willingness to be responsive to notifications/calls and attend their scheduled exams





# **Gender Preference**

- A claimant can request a male or female provider in these situations:
  - If they are having a reproductive health, breast, rectal, or mental health exam, **or**
  - If the claim is related to a mental or physical health condition resulting from military sexual trauma (MST)
- The claimant should notify the vendor of their provider preference at the time the appointment is scheduled
- VBA will work with a vendor and Veteran to honor these requests on a case-by-case basis







# **C&P Examination Scheduling**

- Written notification of appointments are required
  - Delivered via USPS, FedEx, UPS, or email with appointment date/time/location
  - Provides Examiner information (ex. name and training)
- MDE Vendors attempt to call each examinee prior to scheduling
- MDE Vendors will attempt to take into consideration claimants schedule
- MDE Vendors will attempt to call, text and email using information provided to the VA





# **Examination Rescheduling**

- If a claimant needs to reschedule the exam, they should contact their scheduled vendor at least 48 hours prior to the examination
- Claimants can only reschedule once per exam for contract examinations
  - Rescheduled appointment must be within 5 days of the original appointment
- If the claimant is not available during those 5 days, they should tell the vendor and should call VA at 1-800-827-1000 or 1-412-395-6272





### **Travel/Mileage Requirements for Contract Examinations**

- The contract states the contractor shall schedule examinations no further than 50 miles from the Veterans home for non-specialist examinations and 100 miles for specialist examinations
- Authorization may be granted for additional mileage when the Veteran/Service Member expressly indicates willingness to exceed the above limits
- The Veteran's/Service Member's express consent must be part of the record when the mileage limitations are exceeded







## **Travel Reimbursement**

- Travel for Veterans (not Service Members) is reimbursable in the U.S. Territories only
- For Veterans residing in the U.S. Territories, vendors have processes in place to pay for travel outside of U.S territories at **no cost** to the Veteran







- For Veterans residing in the FAS, vendors may follow one of two processes: Single-Source Subcontracted Examination (SSSCE) or Alternative Medical Evidence (AME)
- The vendor determines whether SSSCE or AME is the appropriate method based on network capabilities







# **Current Vendor Network Strategies**

- Traveling providers
  - Targeting specialties
  - Used to augment limited medical networks
- Use of alternate modalities
  - Acceptable Clinical Evidence (ACE)
  - Tele-C&P
  - Boothless audio
  - Visual Field Testing (VFT)
  - At home sleep studies
- Establishing local network and clinics





## **Impacts to C&P Examinations**

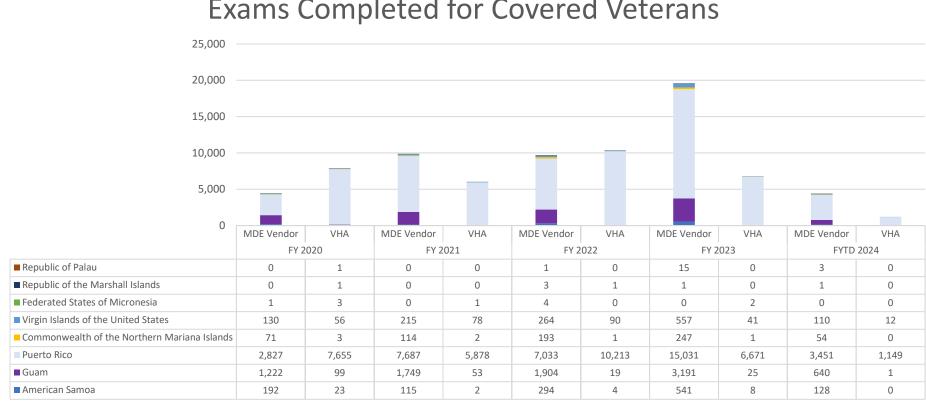
- Veteran contact and availability
- Infrastructure limitations
  - Internet availability
  - Transportation
- Weather impacts
  - Seasonal (Hurricane/Typhoon)
- Limited local medical networks
  - Local specialty providers







### **Completed Exams and Average Days to Complete**



**Exams Completed for Covered Veterans** 

• Total completed exams for Covered Veterans – Veterans residing in American Samoa, Guam, Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the U.S., the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau (FY 2020 - FY 2024 FYTD): 80.082

- MDE Vendor: 47,989, 59.9% of the total exams completed
- VHA: 32,093, 40.1% of the total exams completed

Data Source: Oracle Business Intelligence Enterprise Edition (OBIEE) as of 28 November 2023

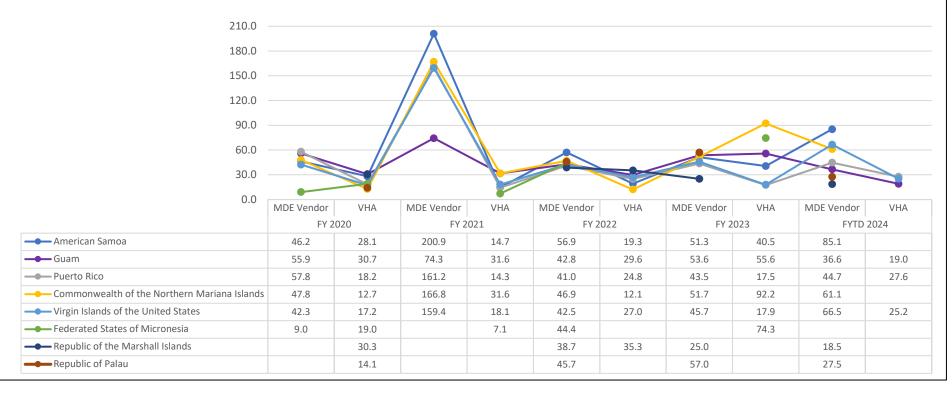






### ADC/Average Processing Time – All Exams

### ADC/Average Processing Times for Covered Veterans



- The average days to complete an exam/processing times for Covered Veterans (FY 2020 FY 2024 FYTD):
  - $\circ~$  MDE Vendor: ADC is based on contractual requirements
  - $\circ~$  VHA: Average processing times

Data Source: Oracle Business Intelligence Enterprise Edition (OBIEE) as of 28 November 2023







## **MDE Vendor Production Trends**

- PACT Act contributing to increase in ESR requests
- Vendors have continuously increased capacity to match increased demand
- Completed 1 million Exam Scheduling Requests (ESRs) faster than any previous FY
- Vendors completed record amount 2.3 million) ESRs in FY 23





# **MDEO Inquiry Resolution**

- MDEO receives inquiries and complaints from a variety of sources, including:
  - Office of the Under Secretary for Benefits, White House Hotline, Congressional Offices, Regional and District Offices, Veterans Service Organizations, Veterans Health Administration, office of the Inspector General
  - Most inquiries and complaints involve:
    - Veteran travel issues, appointment scheduling conflicts, examiner complaints, issues claims processors are experiencing with examination requests, Exam Management System inquiries
  - When an inquiry or complaint is received, MDEO:
    - Logs and tracks all inquiries
    - Thoroughly reviews the inquiry
    - Review VA Systems
    - Thoroughly review the Veterans file, and any completed exams, if applicable
    - Contact MDE vendors for action
    - Contact Veterans for more information or to report resolution
  - After completion of investigation, a formal response is prepared and provided to the requesting party
  - MDEO strives to resolve all inquiries and complaints in 10 days or less
    - MDEO can pursue additional avenues to address emergent issues in a shorter time period





# **Additional Examination Resources**

- How To File A VA Disability Claim | Veterans Affairs
  - Information on filing claims and submitting evidence
- VA Claim Exam (C & P Exam) | Veterans Affairs
  - Answers to commonly asked questions about VA claims exams
- VA Claim Exam (C&P Exam) Information and Exam FAQ Links | Veterans Affairs
  - Provides information on the examination process and links to additional claims related pages
- Inquiries can be submitted to:
  - <u>https://dvagov.sharepoint.com/sites/vacovbamdeoinquirysubm</u> <u>ission/SiteAssets/issueForm/index.aspx</u>, or
  - VAVBAWAS/CO/Contract Examination Inquiries
  - These links are for internal use only







## QUESTIONS









# **VETERANS BENEFITS ADMINISTRATION**

# An update to the VA Advisory Committee on U.S. Outlying Areas and Freely Associated States

# Education Service Joseph Garcia, Executive Director



# **Education Service Update Agenda**



- Stewards of GI Bill Education Program
  - GI Bill History
- Organization Structure
- Vision, Mission & Strategic Initiatives
- Benefits Delivery (Modernization)
- Informed Consumer (Veterans/Schools)
- Program Integrity (Compliance/Oversight)
- Relevant Legislation outlying areas









# **GI Bill® | Program Overview and History of Improvements**

• Providing education opportunities to more than 27+ million Veterans and their families since 1944.

#### **BY THE NUMBERS**



**\$410 Billion** GI Bill education benefits provided since 1944



**21,256** GI Bill approved schools

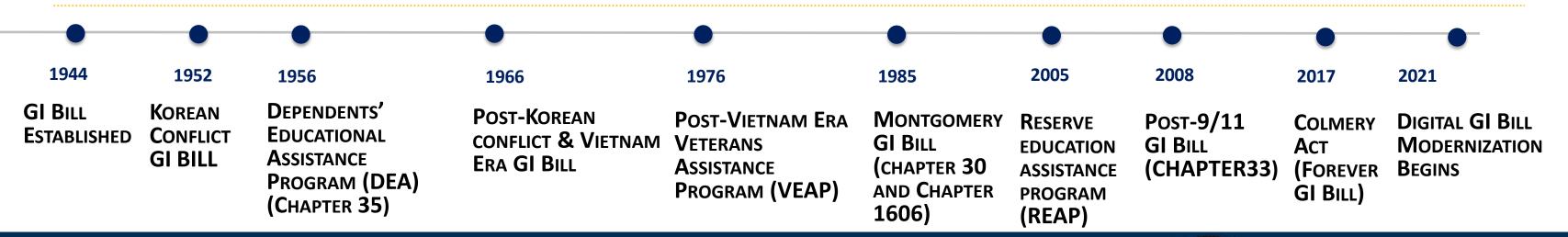


**40,571** Approved educational programs available

Approved OJT/ Apprenticeships

#### POST-9/11 GI BILL PROGRAM

The Post-9/11 GI Bill Program remains the largest VA education benefit with nearly **660,000 students using the benefit** as well as over **184,398 applications submitted each year**. Since inception – **\$127.5B** to **2.5** million beneficiaries.





#### **YELLOW RIBBON: BY THE NUMBERS**



**33,000+** Gi Bill Students for FY22



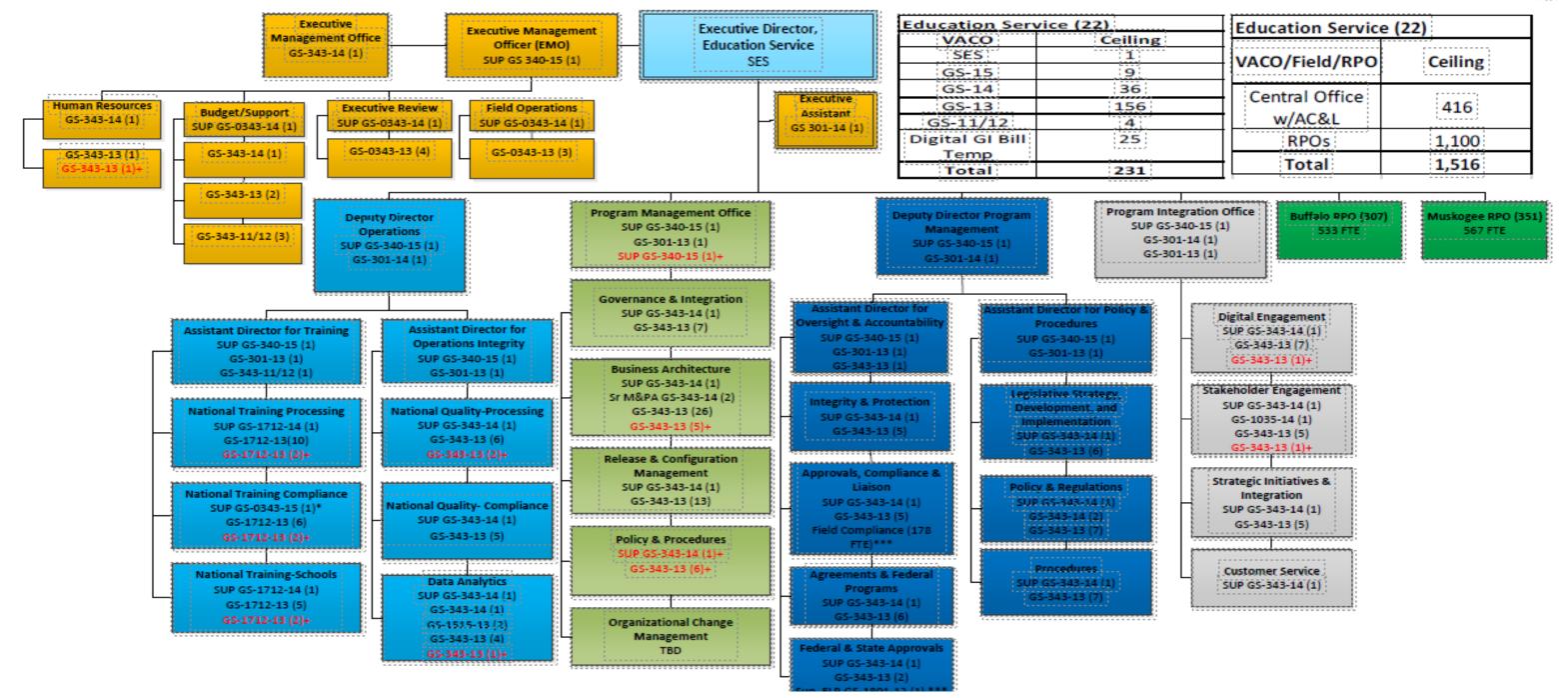
**5,628** Yellow Ribbon Schools



\$163 Million Paid in FY22



# **Education Service Organization**

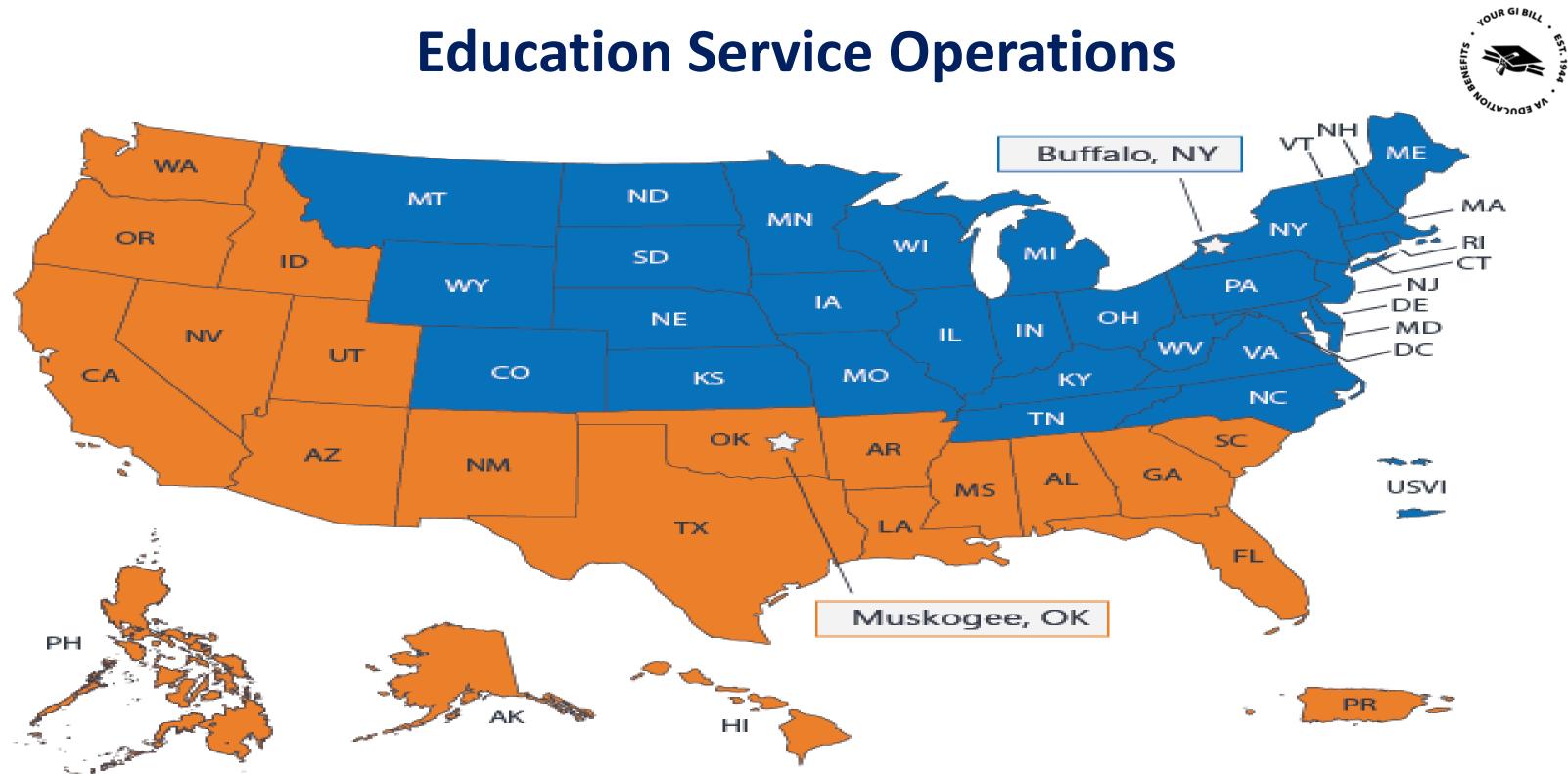
















Vision:	To be the recognized leader in VA for benefits delivery and customer service			
Mission:	Provide <b>timely and accurate delivery of education benefits</b> to Veterans, service members, and their families through effective and efficient claims and enrollment processing; <b>create the informed consumer</b> ; and <b>protect the integrity of GI Bill</b> program benefits.			
Core Values:	Integrity * Commitment * Advocacy * Respect * Excellence			
Strategic Priorities:	ដដដ Customer Service Excellence	<ul> <li>◇←○</li> <li>→□</li> <li>Process</li> <li>Improvement and</li> <li>Innovation</li> </ul>	Platform and Technology Enhancement	ትትይ People Advocacy
Strategic Results:	Provide world-class customer service to GI Bill veterans, beneficiaries, and other stakeholders (i.e., SCOs, SAAs).	Exceed stakeholder expectations through value-added innovative processes and services.	Leverage technology to automate and improve benefits delivery and for other means to support workforce and customers.	Create a people-first culture of empowered employees.





# **Digital GI Bill | Modernization**

### **VETERAN**

#### Complete

### **Enhanced Post-9/11 GI Bill Application**

Updated VA.gov interface to make applying for education benefits faster and easier, with features including:

- Pre-filled service history
- Quicker eligibility decisions
- Intuitive designs
- · Improved access education benefits



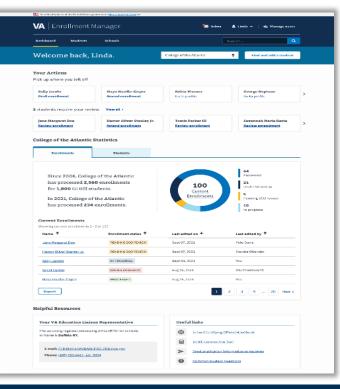
### SCHOOL CERTIFING OFFICIAL

#### Complete

### **Enrollment Manager**

Improving the SCO user experience and reducing manual data entry with:

- Streamlined user experience
- User interface enhancements
- Faster processing times
- Improved workflow

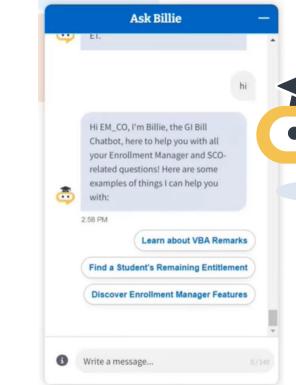


#### **Complete**

### **Chatbot Billie**

A new chatbot feature in Enrollment Manager to provide SCOs with another avenue of information, providing quick access to information such as:

- · Remarks needed for processing
- Information about new legislation
- FAQs





### **VBA STAFF**

#### **In Development**

#### **Benefits Manager**

Improving VA staff user experience, reducing manual data entry, and improving accuracy and efficiency with

- · The ability to process all benefit chapters in one centralized claims processing system
- · Pre-populated data

Home + Students + Jane Na	ergaret Doe	
Jane Marg	aret Doe	
	[Benefit name] – [type] 🛛 🖋 6 credit exclusion - unused	
307-Buffalo	Create a claim	
Student information	Service history Entitlement	Education information Activity log
Biographical inform	ation Edit	Contact information Edit
First name	Jane	Email address 🛊 janemargaretidoe@student.e
Hiddle name	Hargaret	Hobile phone 123-456-78
Last nóme	Doe	Home phone 098-765-4321 (Internation
Suffix		Hailing address 2218 Baker Street, Apt Washington, District
Date of birth	07/23/1992	Columbia, USA 200
Social security number	123-45-6789	Address type Domes
Gender	Female	Preferred contact method Em
Other	Edit	Direct deposit
Education level	High school diploma	Account type Checki
Date received	mm/yyyy	Routing number 1234567
FRY (Parent LOD) date	mm/ddiyyyy	Account number 0001234567
Pawer of Attorney	Name	



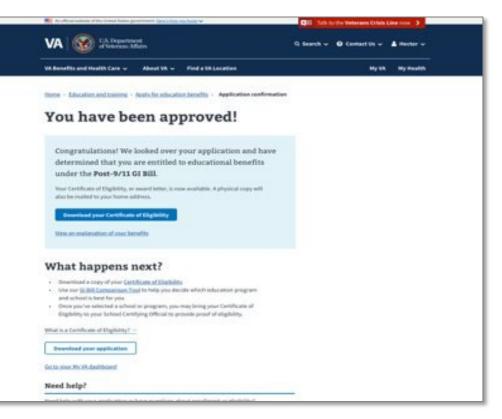
# Applying for the Post-9/11 GI Bill got easier!

Improving the experience for Veterans and Service members applying for the Post-9/11 GI Bill for the first time.

A Benefits and Health Care v About VA v Find a VA Location		My SA My Haabi
sens - Education and training - Apply for education benefits		
Apply for VA education be	nefits Forma	22-1990
Step 3 of 6: Service history		
Review your service history		
Instelati		
Newy Region III, 2011 - July 20, 2014	+	
Navy April 94, 2015 - October 32, 2017	+	
This information is incorrect and to incomplete		
Continue 3		
Application has been served. Last served at 11/11/14/14 at 2+6 p.m.		
Toroith \$100, astacles, allown Lindown		
Need help?		

### **Pre-Filled Service History**

With the enhanced application, applicants can review and confirm their service history data that is prefilled from VA systems – no need to enter it all by hand.



### **Same-Day Eligibility Determination**

Instead of waiting >10 days on average, some applicants now see an immediate application decision after submitting.







C	3	MUSKOGI P	T OF VETERANS EE REGIONAL O O. BOX 8888 OGEE OK 74402-8	FFICE	
JUNE 3	3, 2020				
Dear					
	icate of Eligibi	lity			
		are entitled to bene (38 CFR 21.9590).	fits for an approve	d program of educa	ation or training under
Γ	You must take t		hool. Your school get paid (38 CFR		r enrollment before
Yo	u have 4 months a	nd 1 days of full-tim	e benefits remainin	ng (38 CFR 21.955	0).
		7, 2024 to use you: rom active duty (38			is fifteen years from
trai len	ining offered by an	n institution of highe ctive duty service (3	er education. We d	etermined this perc	GI Bill program for centage based on your based our decision on
	Begin Date	End Date		Training Length	
			(in days)	(in days)	(Service/Training)
	01/01/2001	06/06/2009	2,826	0	2,826
	Т	otal:	2.826	0	2.826

### **Digital Decision Letter**

A digital copy of the applicant's decision letter will be available to download and view – no need to wait up to 5 days for a paper copy to arrive in the mail.



# First Veteran to receive a real-time Education Decision

- "I honestly didn't even realize the process had changed, it was so smooth and instantaneous! I've already told a few of my friends who are out/getting out soon how easy the process was to apply for the Post-9/11 GI Bill<sup>®</sup> and get the go ahead to apply for classes."
- "I appreciate the efforts the VA has made to ease the process for [Veterans]. The Post-9/11 GI Bill is basically an automatic benefit for those who serve out their contracts in the military and the process for applying may have been a deterrent in the past, but that was so easy! I hope this helps more [Veterans] utilize this benefit in the future!"







**U.S.** Department

# **Enrollment Manager launched in March** 2023.



14,311+

Institutions have submitted enrollments.

3,296,469+

Enrollment certifications for all chapters have been submitted since Enrollment Manager go live.

# 19,986+

Cumulative count of distinct users who have accessed the Digital GI Bill system. 99.9% of users who have attempted to log in are in the system.



Active Enrollment Manager internal users (VA)

16,515+

Active Enrollment Manager external users (SCOs and other users with distinct roles)

"So user friendly."

213

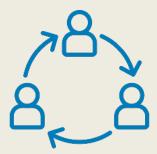
Enrollment Manager emails sent to SCOs, State Approving Agencies (SAAs), EDU staff, and relevant stakeholders.

92.7%\*

Of covered institutions\*\* have at least one SCO that completed all training courses.

> \*as of October 16.2023 \*\*Institutions with at least 20 GI Bill students.





#### What we've heard from SCOs...

"It's always nice to see something updated, and the right way."

"For us to have that [Benefits **Remaining] now in Enrollment Manager** is fantastic. It's life changing."

"I could put in certs all day."

"This is exciting."

"Way better than VA-ONCE. The flow just makes sense."



# **Enrollment Manager Recognized**

Education Service was recently recognized in the VBA Customer **Experience Project of the Year Award** competition (third place) for the effective rollout of Enrollment Manager for School Certifying Officials and the standup of a **Customer Experience Group (CEG)** to support the transition from the legacy system.













#### Veteran Employment Through Technology Education Courses (VET TEC) Program



The VETTEC program began in 2019 to help Veterans gain valuable skills that can empower them to find employment in high-demand technology fields such as coding, cybersecurity, and data science.

#### Applications

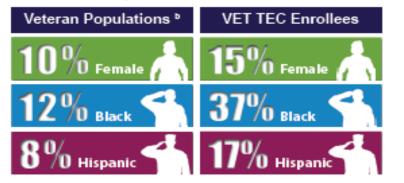
To date, 28% of all eligible applicants have enrolled in the VET TEC program at some point during its lifespan. The largest attrition stage among eligible applicants is enrollment, due in part to the rigorous and highly competitive admissions processes of some programs. <sup>a</sup>



Enrolled in VET TEC 🚊 🚊 16K (28%)

#### Participants

The VET TEC program serves a diverse group of beneficiaries. Approximately one-half are non-white.



#### Enrollments

Enrollment in the program has increased in recent years, reflecting the growing demand for coding and IT support skills. This trend aligns with the projected 26% employment growth for software developers in the next decade, as reported by the Bureau of Labor Statistics.



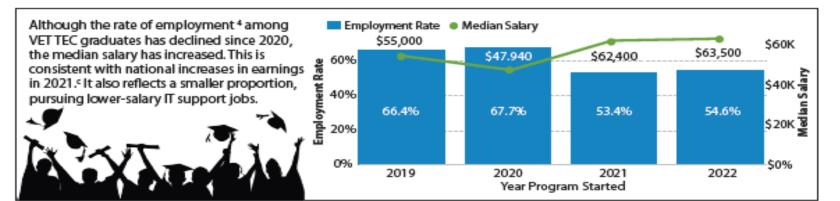
#### Eligibility

Most applicants were 25-49 years old. A large proportion of applicants aged 50 and above were not eligible, likely because they were unaware that their benefits are no longer available.<sup>3</sup>





#### Graduation and Employment Outcomes



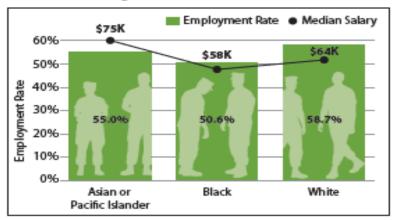
Graduation rates 5 varied little across age groups, but employment rates were higher among younger graduates. The youngest group (18-24) had the highest employment rate but the lowest median salary of \$43,680.



#### Race & Ethnicity

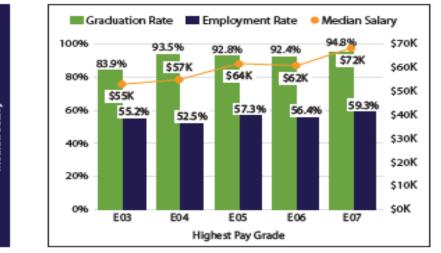
Bridging The Gap: Black graduates face lower employment rates and salaries compared to Asians and Whites. partly due to locality.

- Over 25% of Black graduates reside in states with the 10 lowest household incomes.
- >25% of Whites and >40% of Asians resided in states with the 10 highest household incomes.

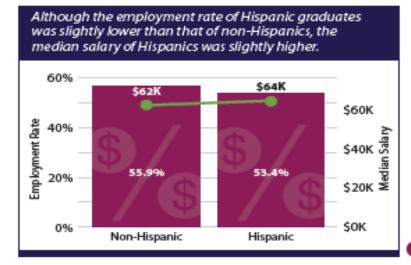




Those with a maximum pay grade of E03-E07 accounted for 90% of participants. Despite little difference in employment rates across pay grade, those with higher pay grades were employed at higher salaries.



A disproportionate number of Black participants (>10%) lived in Georgia. The median individual salary of the 450+ VET TEC graduates from Georgia was within \$5,000 of the median household income of the state.



# **GI Bill Comparison Tool**

Partnering with the Department of Education, the GI Bill Comparison Tool has sufficient data for veterans www. and beneficiaries when choosing the best school and program to fit their individual needs. Since its inception, the comparison tool has had over **50 million page views**.

Institution	School	School
comparison:	<b>AMERICAN</b>	<u>GEORGETOWN</u>
View school information side by side to compare schools	<u>UNIVERSITY</u>	<u>UNIVERSITY</u>
✓ ★ Highlight differences	Remove	Remove





School
<u>UNIVERSITY OF</u> <u>VIRGINIA</u>
Remove



* Location	WASHINGTON, DC	WASHINGTON, DC
★ GI Bill students	625	1033
★ Type of institution	Private school	Private school
★ Institution locale	City	City
★ Size of institution	Medium	Medium
* Tuition and fees	\$53,889	\$62,052
★ GI Bill pays to institution	\$27,120	\$27,120
* Out of pocket tuition	\$26,769	\$34,932
★ Housing allowance	\$2,658	\$2,658



CHARLOTTESVILLE, VA
727
Public school
Suburban
Large
\$20,342
\$20,342
\$0
\$1,932



## **Outreach and Communications**

#### **GI Bill Roadshow – University of** Nevada at Las Vegas (UNLV)

Roadshow stop on Oct 24, 2023 included a School Certifying Officials (SCOs) Workshop, a GI Bill Town Hall and a Veterans Benefits Fair. These events provide Veterans, Service Members, GI Bill Students, their families, SCOs and school leadership the opportunity to connect with EDU and learn about GI Bill modernization and the Enrollment Manager new system.

#### Dillard University, NOLA: Nov 15, 2023

### DILLARD UNIVERSITY

- Outreach Events include:
- University of Nevada @ Las Vegas
- Emory University/Clark University
  - American University
  - George Mason University
- Univ. of Maryland, Baltimore County
  - Purdue University
  - Syracuse University
- Florida Assn Of Veterans Ed. Specialists
- Western Assn Of Veteran Ed. Specialists
- Natl Assn of State Approving Agencies
- American Legion National Convention
  - Student Veterans of America Event
- Natl Assn of Vet Prog. Administrators







### **Comms include: SCO Newsletters Facebook Postings USA Today (Veterans Day Edition) Emails College Leadership Regular Office Hours SCO Resource Page Education Roundtable SCO Collaboration Groups**



**U.S.** Department of Veterans Affairs

## **Compliance Activities**

	Assigned	Completed	Total # of Errors	Total # of Payment Errors	Sum of Underpayment
Compliance Surveys	2517	1635	7016	2255	\$1,047,287.00
TRBR	197	167	1592	768	\$204,480.00
RBS	1318	1193	1203	726	\$70,112.00
Total	4,032	2,999	9,811	3,749	1,321,879.00





U.S. Department of Veterans Affairs

### \$486,984.00 \$6,148,854.00

### \$3,039,322.00

### \$2,622,548.00

### Sum of Overpayment





## VA Support for Legislation – Outlying Areas

#### House: "Increase Chapter 35 Benefits – Republic of Philippines"

- . Amends 38 USC 3532 to remove the requirement for VA to compute the educational assistance allowance for an eligible person at an institution located in the Republic of the Philippines at the rate of \$0.50 for each dollar.
- Provides increased funding for certain individuals pursuing an educational program in Republic of the Philippines
- Currently, chapter 35 trainees living in the Philippines receive half of the published monthly benefit payment
- Under this proposed change, these **individuals will receive the full monthly benefit payment**

#### House: "Deliver for Veterans Act." (Guam representative James Moylan) This is a Veteran-centric bill that potentially increases the automobile or other conveyance allowance benefit for Veterans. Currently, the Veteran bears an unstated and unintended burden for any shipping costs relating to a vehicle's purchase. Amending the law to include the shipping cost would remove a cost burden to any Veteran utilizing this benefit. Mr. Moylan emphasized the additional burden for Guam residents and other outlying areas.

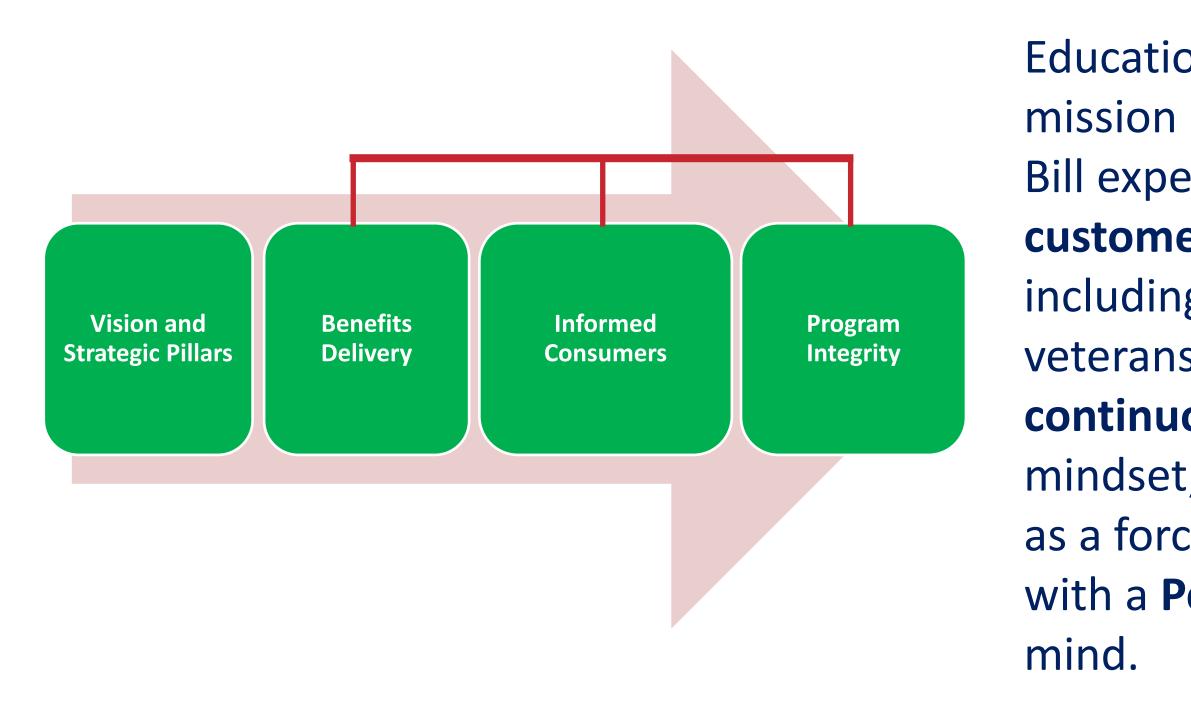








## Summary







**Education Service meets its** mission by transforming the GI Bill experience through a customer centric approach, including those that support our veterans/beneficiaries; a continuous improvement mindset; leverage technology as a force multiplier, and always with a **People-First Culture** in



**U.S.** Department of Veterans Affairs



### **U.S. Department of Veterans Affairs**

### **Veterans Benefits Administration** Compensation Service (CS)

December 2023







### **CS** Leadership

### Beth Murphy Executive Director

Ms. Murphy was appointed Executive Director of Compensation Service on July 25, 2016. Ms. Murphy is responsible for the development and implementation of policies, procedures, quality assurance, interagency dating sharing, site visits, trainings and medical examinations for the administration of VA disability compensation programs to include pre-discharge programs, which paid more than \$130 billion in benefits in fiscal year 2023 to more than 5.6 million eligible Veterans and family members.

Prior to being Executive Director of Compensation Service, Ms. Murphy served as the Deputy Under Secretary for Field Operations from 2014 to 2016. In this position, she was responsible for the effective operation and oversight of 56 regional offices and five district offices in VBA.









### **CS Senior Leadership**









### **Mission and Vision**

#### **Mission Statement**

Guide and support the high-quality work of Veterans Benefits Administration's (VBA's) 56 Claims processing offices in administering disability compensation benefits and services.

#### **Vision Statement**

Optimize delivery of Veterans' benefits through customer-focused program modernization, supporting field consistency with oversight resources and harnessing innovative solutions through guidance and evidence-based policymaking.

#### **Key Objectives**

- Demonstrate commitment to integrity and values through effective risk management to meet goals and objectives
- Modernize, maintain and implement the VA Schedule for Rating Disabilities (VASRD)
- Implement enacted legislation by establishing guidance—regulations, policy letters and procedures
- Formulate CS budget justification to ensure resources are aligned with our mission
- Ensure Service members are provided VA benefits as soon as possible following separation through Pre-Discharge Programs (Integrated Disability Evaluation System (IDES) and Benefits Delivery at Discharge (BDD))
- Update training, support national training of new and seasoned claims processors and create new training on emerging hot topics
- Manage quality assurance portfolio and work with Office of Field Operations to drive quality improvements
- Serve as business owner of VBA IT Systems that impact benefits, identify process systems efficiencies and support VBA automation efforts
- Collaborate with VHA on military exposures and new presumptives through our Military Exposures Team (MET)
- Conduct national stakeholder engagements in support of compensation benefits
- Proactively manage and mitigate Office of Inspector General (OIG)/Government Accountability Office (GAO) audit reviews and implement recommendations







### **Compensation Service Overview**

#### CS Staffing – 368 FTE

- Enables payment of compensation benefits to Veterans with chronic disabilities, diseases or injuries incurred or aggravated during, or as a result of, active military service
- Paid more than \$130B in disability compensation to approximately
   5.6M Veterans/dependents in FY23
- Supports 56 regional offices (ROs)
- Internal GOE budget of \$15.6M for FY24 (excluding FTE)









### **CS** Initiatives

#### Regulations

- Character of Discharge
- Active Service Pay/Drill Pay
- PACT Act implementation (radiation locations, Gulf War presumptives, Agent Orange presumptives)
- VA Schedule for Rating Disabilities (VASRD)
  - 14 body system reg packages
  - 10 completed since 2017
  - Mental Disorders; Respiratory/Ear, Nose Throat; and Digestive pending at final rule stage
  - Neurological pending at proposed rule stage
  - Will be first wholesale update of VASRD since 1945 Schedule

#### Exposures

- Toxic Exposure Risk Activity (TERA) and continued PACT implementation
- Individual Longitudinal Exposures Record (ILER) (Service Member/Veteran access, systems integration)
- Military Exposures Team research
- Disability claims data surveillance capability
- Multi-layer governance process
- Stakeholder inquiries (ex: radiation deep dive)
- Presumptive decision-making process with Veterans Health Administration Health Outcomes Military Exposures (HOME)
- Published Fed Register Notice on intent to consider acute, chronic leukemias and multiple myeloma for presumptive status on July 26, 2023

#### **VSignals CX Surveys**

- Veteran Experience feedback from survey responses and sampling of follow up phone calls
- Supplemental Claim survey launched July 2021
  - Updated Notification
     Letter based on feedback
  - Trends: Exams, assistance to understand claims process
- Disability Compensation (Initial) survey launched April 2023







### CS Initiatives (Cont.)

#### Quality

- Candidate Reviews of specific conditions processed using automation tools (in collaboration with Office of Automated Benefits Delivery.)
- National Accuracy (Oct 2023)
  - Issue Based Rating Accuracy:
  - 12-month rating benefit entitlement – 95.24%
  - 3-month rating benefit entitlement – 93.99%
     Goal 96%
  - Claim-based Non-Rating Accuracy
  - 12-month non-rating benefit entitlement – 91.13% (goal 91.5%)

#### Training

- Warrior Transition Advancement Course (WARTAC) - Skill bridge training program with DoD for transitioning SMs; 689 trained FY23 vs 209 FY22
- Competency Based Training System (CBTS) Journey Level Training - went from blanket 40 hours of training to tailored training based on what employee needs after pre-test.
- Virtual & In- Person Progression (VIP) Training for new processors; >6K students FY23 (>4K FY22; 867 FY21)

#### eSTRs to Support BDD

- Eliminates burden of Service member (SM) getting service treatment records (STRs) to file Benefits Delivery at Discharge (BDD) claim
- Launched 120-day phase in on Sept 5; SM submits STRs while Services provide electronic STRs within 15 days of Notice of Interest (NOI) of BDD claim; test processes and compare results
- Prepares VA and DoD to market BDD to increase % of transitioning SM participation





### **Transitioning Service Members**

#### Filing a BDD Claim

- VA has a Benefits Delivery at Discharge (BDD) Intake Office at Camp Humphreys, Korea Maude Hall (One- Stop Building) Building 6400, Room V301 (just before the SFL-TAP Office) Office Hours: Monday – Friday, 9:00 a.m. to 4:00 p.m. Korea Standard Time
- Contact the BDD Office at Camp Humphreys:
  - <u>Schedule an appointment through VERA</u> (Visitor Engagement Reporting Application), or
  - Call them at DSN 757-2914 (commercial: 050-3357-2914), or
  - Send them an email at <u>KoreaBDD.vbapit@va.gov</u>

#### Referred into the Integrated Disability Evaluation System (IDES)

- A Service member is referred to IDES by their Command, who decides the facility where they will process.
- Air Force, Army, and Navy typically send their service member stateside to process through IDES
- For Air Force, a list of DoD Medical Treatment Facilities (MTFs) in Korea, Guam and Japan is shown below:

Medical Evaluation Board Military Treatment Facility (MEB MTF)	Location
Andersen AFB	Guam
Kadena AB	JPN
Kunsan AB	KOR
Misawa AB	JPN
Osan AB	KOR
Yokota AB	JPN





### **Advisory Committee on Disability Compensation**

- Compensation Service is the office responsible for supporting the Advisory Committee on Disability Compensation (ACDC, or the Committee) and has been since its inception in 2010.
- ACDC is responsible for
  - $\circ~$  reviewing relevant information relating to needs of Veterans with disabilities
  - providing information relating to nature and character of disabilities arising from service in Armed Forces
  - providing on-going assessment of effectiveness of VA Schedule for Rating Disabilities (VASRD) and
  - advising on most appropriate means of responding to needs of Veterans relating to disability compensation in the future.
- ACDC Membership
  - Seven (7) members reappointed in 2023.
  - Appointment of six (6) new members pending approval.







# Questions?







# Backup







### **Benefits Delivery at Discharge (BDD)**

- BDD affords transitioning Service members (SM) the opportunity to apply for disability compensation benefits between 180 and 90 days before their expected separation date
- Primary benefits of applying through BDD are:
  - Replacing 2 examinations with 1: SMs who receive a VA Separation Health Assessment (SHA) examination are not required to complete a separate DoD exit physical
  - Completing as much of the claims process as possible while still on active duty, including examinations, which assists in identifying in-service conditions
- BDD claims can be processed as early as day following discharge for active duty, with goal of providing SMs with VA rating decision within 30 days of separation
- From FY 2022 to present, average time to complete BDD claims has held steady around 60 days after significant drop in 2021 (from 101 days)
- VA has Military Services Coordinators (MSCs) at military installations, along with Public Contact Personnel at ROs available to assist SMs in submitting BDD claims.
- Number of transitioning SMs utilizing BDD has grown significantly in last 4 years due to increased communication on social media campaigns, podcasts, print media and engagement with Office of Outreach, Transition and Economic Development.
- SMs applying for benefit through BDD increased from 32K in FY18 to > 52K in FY23





### Integrated Disability Evaluation System (IDES)

- IDES is a joint VA-DoD program that provides transitioning SMs with a single process to have their fitness for continued service assessed at same time as service-connected disabilities, with 1 examination
- SMs do not apply for IDES they are referred by Military Service Branches when diagnosed with a condition(s) that appears disqualifying for continued service
- When SMs are referred to IDES, they are provided a designated Physical Evaluation Board Liaison Officer and a VA Military Service Coordinator to advise/assist them throughout process
- SMs receive a single disability rating that is binding on both VA and DoD
- SMs receive payment of VA benefits after discharge (goal within 30 days)
- IDES reduces overall time it takes a SM to progress from referral to Medical Evaluation Board (MEB) until receiving VA benefits
- In FY 2023, VA:
  - Received 28,202 IDES referrals from service branches
  - Completed 27,314 **proposed** rating decisions in average of 29.0 days
  - Completed 24,675 final rating decisions in average of 27.6 days







### VASRD Modernization Project

BODY SYSTEM	EFFECTIVE DATE	STATUS	
Dental and Oral	09/10/17	Published	
Endocrine	12/10/17	Published	
Еуе	05/13/18	Published	
Gynecological Conditions/Breast	05/13/18	Published	
Skin	08/13/18	Published	
Hematological and Lymphatic	12/09/18	Published	
Infectious Diseases, Immune Disorders/Nutritional Deficiencies	08/11/19	Published	
Musculoskeletal	02/07/21	Published	
Genitourinary	11/14/21	Published	
Cardiology	11/14/21	Published	
Digestive	TBD	Targeted to publish in Q2 of FY24	
Respiratory/Ear Nose Throat	TBD	Final Rule pending costing	
Mental Disorders	TBD	Final Rule pending costing	
Neurological	TBD	In concurrence.	



Proposed Rule









#### Transition Assistance Program (TAP) Overview Outreach, Transition and Economic Development Veterans Affairs Benefits Administration

Christina Zais Assistant Director for TAP







### Background

- The Transition Assistance Program (TAP) is an interagency program designed to provide Service members with benefits and services information to ease their transition from military to civilian life.
- NDAA FY 1991 Created TAP
- Veterans Opportunity to Work (VOW) to Hire Heroes Act of 2011, New and improved TAP.
- NDAA FY 2019 Requires Service members to attend TAP no later than 365 days prior to separation
- MOU established in 2014 outlines roles and responsibilities for transition activities.



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### **Inter-Agency Governance Structure**

#### Joint Executive Committee (JEC)

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The Joint Executive Committee is the primary coordinating body overseeing and supporting joint activities to enhance the overall social, physical, emotional, mental health and well-being of Service members, Veterans and their eligible beneficiaries by enhancing coordination and shared resources across VA and DoD ensuring interoperability, accountability, collaborative growth and long-term stewardship.

#### Transition Assistance Program Executive Council (TAP-EC)

Secretariat Senior Leaders of the DoD, VA, and DOL provide oversight and direction to the interagency partnership that formulates and delivers transition assistance to transitioning Service members of the Active Component and Reserve Component.

- · Co-Chairs are DoD, DOL & VA; Chair rotates each fiscal year
- · Membership includes DoD, VA, DOL, ED, DHS, SBA, OPM and the Services

#### Senior Steering Group (SSG)

Resolves friction points; promotes alignment; measures progress; applies synergies and improvements; ensures legal review; coordinates with group leaders; and are accountable operational guidance to TAP-EC Members.

- · Co-Chairs are DoD, DOL & VA; Chair rotates each fiscal year
- · Membership includes DoD, VA, DOL, ED, DHS, SBA, OPM and the Services

#### Transition Assistance Interagency Working Group (TAIWG)

Chair is rotated each fiscal year between Co-Chairs from DoD, VA and DOL; monthly group meetings with representatives from all partners and Services to identify friction points, promote alignment, measure progress and coordinate working group efforts. Applies synergies and improvement, coordinates with group leaders and are accountable to SSG Members on policy and operational objectives.

• Membership includes DoD, VA, DOL, ED, DHS, SBA, OPM and the Services





TAP

Interagency

Governance

Structure





experts and lead within TAP supporting specific functions and task administered by SSG

Serve as subject matter

nd Decisions, strategic, and

### **VA TAP**

Event Name	Event Description
VA Benefits and Services Courses	Lead the VA portion of the mandatory TAP curriculum to help TSMs learn about VA benefits, introduce them to helpful services and tools and demonstrate how to navigate VA web portals.
MLC (MLC) Modules	Conduct MLC modules to improve understanding and awareness of benefits, services and resources throughout military careers on important topics.
One-On-One Assistance Sessions	Provide one-on-one Assistance sessions, in person, via phone or email to explain benefits, answer questions and connect TSMs with resources including VA Medical Centers and Vet Centers.
Installation Engagement Events	Participate in new arrival events, Yellow Ribbon Reintegration Program events, local resource fairs, career-preparedness activities and spouse events to provide information on where and how to learn more about benefits, programs and services.
DoD Capstone Events	Participate in DoD-facilitated Capstone events to answer questions and connect TSMs with resources, so they meet Career Readiness Standards and make an Individual Transition Plan.

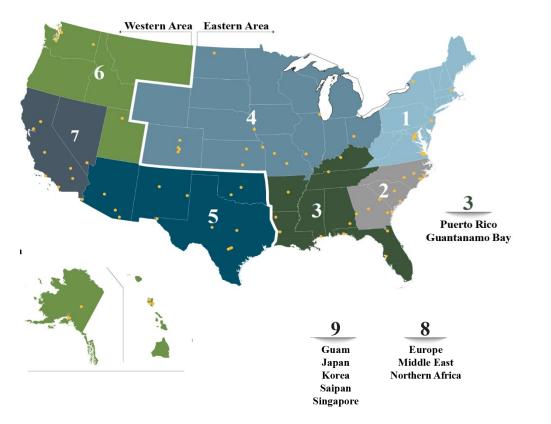






### **VA TAP Execution**

- VA currently supports more than 300 installations in the United States and overseas organized into nine operational regions.
- In a normal operating model, VA uses a regional hub-and-spoke model to deploy VA Benefit Advisors (BAs) globally to engage TSMs, Veterans and their families and caregivers.
- VA TAP Regional Managers coordinate with TAP Managers to ensure VA BAs have the logistical support needed to conduct in-person or virtual delivery of the VA Benefits and Services course to TSMs, their families, and their caregivers.
- BAs facilitate multiple types of VA TAP events to include; one-on-one assistance, MLC courses, Reserve and National Guard Yellow Ribbon events and Installation events as requested.









### **MLC Module Offerings**

#### **13 MLC modules** focused on the topics most important to Service members and their loved ones..

MODULE NAME	MODULE OVERVIEW	MODULE NAME	MODULE OVERVIEW
<u>VA EDUCATION</u> <u>BENEFITS</u>	Provides information about Defense Department (DOD) and VA education benefits to include Post- 9/11 benefits that may help Service members pay for or offset the cost of tuition, housing, books and supplies.	<u>VET CENTERS</u>	Describes how to connect with local Vet Centers and how Service members, Veterans and their loved ones can use Vet Centers as a free resource.
VA EDUCATION AND TRAINING BENEFITS FOR SPOUSES AND	Communicates relevant information about education benefits, including Post-9/11 benefits, that can help eligible family members and caregivers pay for or offset tuition, housing, books	DISABILITY COMPENSATION	Introduces the VA disability compensation benefit that may be available to eligible transitioning Service members and Veterans and shows where to find key resources.
<u>DEPENDENTS</u>	and supplies costs.		Discusses the different types of VA life insurance benefits to help determine the best choice for Service members and their loved ones based upon interests and needs.
<u>VA BENEFITS 101</u>	Highlights VA benefits and services to include education, home loan guaranty, health care and insurance and memorial benefits.	<u>VA LIFE INSURANCE</u> <u>BENEFITS</u>	
		RESERVE COMPONENT	Provides an overview on drill pay, compensation eligibility and dual payment.
SOCIAL AND EMOTIONAL HEALTH RESOURCES	Describes services and provides information on resources for coping with life experiences and stressors that may impact social and emotional health.	DUAL PAYMENTS	
		<u>SURVIVOR AND</u> CASUALTY	Provides an overview on VA and DOD survivor benefits and eligibility, and what to do in the event of a loss.
MENTAL HEALTH FOR FAMILIES	Helps families of Service members and Veterans	ASSISTANCE RESOURCES	
	understand the mental health resources, programs and services available to them and how to access these resources.	COMMUNITY INTEGRATION RESOURCES	Explains how to identify local services and community organizations that can provide assistance and aid to Service members and their loved ones.
<u>VA HOME LOAN</u> <u>GUARANTY</u> <u>PROGRAM</u>	Offers a general overview of the VA Home Loan Guaranty Program including eligibility, processes, costs and other available resources.	OTHER THAN HONORABLE (OTH)	This course provides an overview of VA benefits and services available for former Service members who separated with an Other Than Honorable (OTH) character of discharge.







### Women's Health Transition Training (WHTT) Curriculum



This session features interactive exercises designed to encourage the participants to engage with and personalize the material to their individual health care journey.







### **Transition Highlights**



#### VA One-Day Transition Assistance Program (TAP) Course

The next iteration of the VA Benefits and Services Course (BAS version 6.0) will feature a condensed training program. This will allow time for our VSO partners, working on or near a military installation, to make direct connections with transitioning Service members while providing them with information about their services.

#### VA Solid Start



VA Solid Start is an innovative outreach program to proactively contact all newly separated Veterans, regardless of their character of discharge, by phone during their first year of transition from the military.

From December 2019 through September 2023, VASS successfully connected with **398,081** recently separated Veterans (representing **70.7%** of the eligible population). eligible population).

#### Personalized Career Planning and Guidance (PCPG)

PCPG, also known as Chapter 36, fulfills 38 U.S.C. § 3697A by supporting transitioning Service members, Veterans and qualified dependents by offering personalized career and academic counseling to achieve goals and ensuring the use of VA benefits. Since the inception of the PCPG program in FY 2021, PCPG has provided career and academic services to over 13,000 transitioning Service Members, Veterans and eligible dependents.







