

Congress of the United States

Washington, DC 20515

The Honorable Joshua Jacobs
Under Secretary for Benefits
U.S. Department of Veterans Affairs
810 Vermont Ave., NW
Washington, DC 20420

February 15, 2024

Dear Under Secretary Jacobs,

We write today to convey our concern over the performance of contracted providers responsible for conducting claim and pension (C&P) exams in Connecticut. We have heard from many constituents about their ongoing struggles with the C&P exam scheduling process, which has far too often left them with unworkable appointment times and locations. This situation has significantly impacted the ability of many veterans to secure a timely disability rating for monetary and healthcare purposes, making clear that swift action by the Veterans Benefits Administration (VBA) is necessary to improve the C&P exam process. We request that you ensure vendors live up to their contractual obligations and provide veterans reliable access to the convenient and timely C&P appointments they need and deserve.

C&P exams are a crucial part of the Department of Veterans Affairs (VA) claims process, which deliver an accurate determination of disability ratings and eligibility for benefits including disability compensation.¹ While we understand that contracting out C&P exams aims to improve capacity, as VA has increased its reliance on contracted providers, our offices continue to hear from veterans across Connecticut about a deterioration in service and support as they have tried to access C&P examinations in a convenient location and timely manner. Connecticut veterans have made it clear that there remains a need to improve the C&P examination process, particularly when it comes to scheduling.

To that end, we first urge VBA to ensure that contractors have capacity to prioritize accessible appointments and reasonable rescheduling practices for all veterans. Current VA policy stipulates that contractors shall schedule appointments within 50 miles of the veteran's home of record for non-specialist examinations and 100 miles for specialist exams, unless the veteran provides express consent to travel beyond those prescribed limits.² However, records indicate that in Q3 and Q4 of fiscal year 2023, 577 Connecticut veterans – 11.5% of those who scheduled appointments – were forced to travel over 50 miles for non-specialty exams. Additionally, our

¹ See VA claim exam (C&P exam), U.S. Department of Veterans Affairs, <https://www.va.gov/disability/va-claim-exam/>

² Report, Department of Veterans Affairs Office of Inspector General, *The Medical Disability Examination Office Needs to Better Monitor Mileage Requirements for Contract Exams* (April 20, 2023), <https://www.vaog.gov/sites/default/files/reports/2023-04/VAOIG-22-02067-82.pdf>

staff have heard repeatedly that the current contractor-operated scheduling system often won't offer appointments at accessible, nearby providers and instead restricts them to selecting slots with seemingly arbitrarily assigned providers located farther away.

More troubling still, the fiscal year 2023 numbers above do not account for those veterans who declined to travel to an appointment that exceeded the mileage limit. This suggests that there are Connecticut veterans not accounted for by VBA data who are unable to travel beyond 50 or 100 miles for their appointments, and as a result, have been delayed or derailed in their efforts to secure a disability determination and begin receiving benefits. Constituents regularly report that requesting to reschedule an appointment within the required range, even to accommodate a disability, can result in significant delays or hamper adjudication of their disability claim. We urge VBA to examine this issue closely and to ensure that contractors have the capacity to prioritize ensuring accessible appointments and reasonable rescheduling options for all veterans.

Second, we call on VBA to develop and execute a plan to ensure that no veterans face unreasonable barriers to accessing C&P exams going forward. The personal accounts and troubling trends we have observed in Connecticut suggest that the vendors available in our state are not meeting the C&P exam needs of local veterans. The inadequate provision of exams forces far too many Connecticut veterans – especially those with limited mobility due to disabilities or unreliable transportation access – into inconvenient, and often untenable, situations as they seek to access the benefits they have earned.

More broadly, we would encourage VBA to consider the impact that a decades' shift towards contracting out C&P exams has had on the service quality and accessibility available to veterans. Again, we understand the goal here – to free up VA providers to focus on health care provision. Still, we worry that the overreliance on contract authority for C&P exams ignores that the private sector may not always have the same incentives or the capacity to meet the need, particularly for vulnerable veterans who could benefit the most from expanded exam capacity.

With these priorities in mind, we request that VBA provide answers to the following questions no later than 60 days from today:

1. What information does VBA currently collect from its C&P exam contractors regarding examiners and sub-contracted providers with respect to their office location, proximity to veterans, and appointment availability throughout the course of contract implementation?
2. How does VBA determine which contractor available in Connecticut receives the exam scheduling request? What mechanisms are in place to confirm the contractor's ability to comply with contract requirements before assignment?
3. How does VBA currently inform veterans of their right to decline to consent to travel outside of the applicable mileage limit? Are providers required to disclose this information in communication with the veteran?
4. In fiscal year 2023, how many veterans in Connecticut have declined to provide consent to travel outside of the established range limits for specialty and non-specialty exams?

5. In cases where a veteran does not provide consent to exceed the applicable milage limitation, what is the average wait time to reschedule an appointment within the contract milage limitation?
6. What steps has VBA taken to ensure that reasonable rescheduling requests do not significantly delay veterans' claims?
7. Overall, how does VBA assess the shift towards contracting out C&P exam provision has impacted overall convenience, access, and reliability of these services for veterans in Connecticut and across the country?
8. How does VBA suggest improving the existing system for C&P exam scheduling and provision to address the difficulties facing many Connecticut veterans in securing an accessible, timely appointment? How can Congress support progress on this issue?

We look forward to your response and working together with you in support of our nation's veterans. Thank you for your attention to this important issue.



Christopher S. Murphy
United States Senator



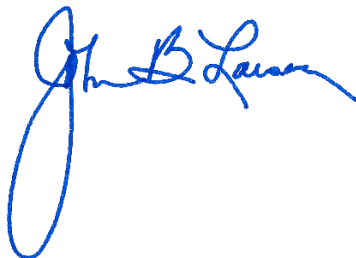
Richard Blumenthal
United States Senator



Rosa L. DeLauro
Member of Congress



Joe Courtney
Member of Congress



John B. Larson
Member of Congress



James A. Himes
Member of Congress

A handwritten signature in blue ink that reads "Jahana Hayes". The signature is written in a cursive, flowing style.

Jahana Hayes
Member of Congress