

United States Senate

WASHINGTON, DC 20510

April 24, 2018

The Honorable Robert Wilkie
Acting Secretary of Veterans Affairs
810 Vermont Avenue, NW
Washington, District of Columbia 20240

Dear Acting Secretary Wilkie,

We write today to request that the Department of Veterans Affairs (VA) conduct a retrospective review of the eligibility determinations of caregivers who were discharged from the VA Program of Comprehensive Assistance for Family Caregivers (PCAFC) on the basis of veteran clinical eligibility prior to April 17, 2017. These discharges occurred before the agency's internal analysis of program procedures and temporary suspension of discharges. We believe these caregivers and the veterans they care for should have their cases reevaluated using the improved and standardized procedures VA adopted following its internal review and that they deserve to have any inconsistent or inaccurate eligibility decisions rectified.

As you are aware, media reports prior to PCAFC's April 17, 2017, suspension of discharges identified significant numbers of caregivers who felt they were discharged from the program with inadequate, unclear, and inconsistent explanations. This information prompted the VA to temporarily suspend discharges from the program while the agency reviewed the program's practices. We are encouraged by the improvements VA has made to PCAFC's operations in response to this review, including its issuance of VHA Directive 1152, its training of program staff on new procedures and requirements, and its development of standardized materials to better communicate with caregivers and veterans. We are hopeful that these steps will begin to improve the operation of PCAFC and ensure that participating caregivers across the country are treated consistently and provided the essential supports they need.

However, these steps fail to address the inconsistent discharges of caregivers and veterans that prompted the VA's internal review and programmatic improvements. To that end, as a matter of good governance, we urge the VA to review all discharges made on the basis of veterans no longer meeting PCAFC clinical eligibility criteria that were initiated in fiscal years 2015 and 2016 and in fiscal year 2017 previous to the April 17th suspension of discharges. Specifically, we request that this review involve the following:

- Evaluation by medical professionals other than those that made the initial discharge recommendation;
- An assessment of whether each discharge decision conforms to PCAFC's current standardized procedures; and

- Assurance that adequate medical record documentation exists to support all discharge decisions.

For cases in which the VA cannot establish that a discharge decision conforms to its current procedural standards or in which it cannot find adequate medical record documentation to support a discharge decision, we urge the VA to proactively offer to reinstate the caregivers and veterans in question into PCAFC if they meet the current eligibility criteria of the program. VA should also consider how it could fairly compensate individuals whose discharge decisions are determined to have been improperly executed. We request that the VA initiate this retrospective review immediately.

This review constitutes a logical and necessary next step following the VA's acknowledgement, supported by internal audit findings, of inconsistencies in PCAFC operations before April 17, 2017. We believe reevaluating these discharges and rectifying any potentially incorrect or inconsistent discharge decisions is essential to furthering the agency's commitment to corrective strategies intended to enhance the PCAFC program and improve caregivers' and veterans' confidence in the program.

We also ask that you provide us information on how the VA is tracking the implementation of the PCAFC improvements rolled out in 2017. We ask that this include information on how the VA is ensuring that program administrators at all VA facilities nationwide use identical procedures and tools to evaluate participant eligibility and support needs, as well as information on how the VA is advising program administrators on when phone calls versus in-person meetings are required when informing participants of eligibility and discharge decisions. Please also provide information on how the VA is ensuring that all facilities have sufficient staff to effectively run the PCAFC program, including VA's position on what constitutes an appropriate staff-to-participant ratio. If there are still significant challenges to ensuring that all veterans and caregivers are treated consistently nationwide, we ask that you describe these challenges and what additional steps could be taken to address them.

We have a sacred responsibility to support the men and women who have made sacrifices in service of this nation and the family, friends, and loved ones who care for them when they return home. We look forward to working with VA to do right by those caregivers and veterans who were discharged from PCAFC prior to April 17, 2017, as well as those individuals who continue to benefit from this essential program.

Sincerely,



Robert P. Casey, Jr.
U.S. Senator



Dean Heller
U.S. Senator