

United States Senate

WASHINGTON, DC 20510

February 17, 2022

The Honorable Denis McDonough
Secretary of Veterans Affairs
U.S. Department of Veterans Affairs
810 Vermont Ave, NW
Washington, D.C. 20420

Dear Secretary McDonough:

We write to express concern regarding the number of applications to the Program of Comprehensive Assistance for Family Caregivers (Caregivers Program) denied by the Department of Veterans Affairs (VA) and the need for better guidance from VA to the veteran community on how to navigate the Caregivers appeals process. As you consider regulatory changes to bring the Caregivers Program into line with Congressional intent, the Department must also provide clear guidance for veterans, caregivers, and advocates.

Between October 1, 2020, and August 1, 2021, VA received approximately 97,100 Caregivers applications. The total rate of denied applications for this period is 88 percent, according to your August 2021 letter in response to Chairman Tester and Senator Murray's inquiry.

While we believe VA needs to take all measures to ensure that decisions are made correctly the first time and are in the veteran's best interest, thousands of veterans will appeal their denied Caregivers Program application in fiscal year 2022 and 2023. In December 2021, the Board of Veterans' Appeals estimated that 40,368 Caregivers Program cases will be appealed to the Board in fiscal year 2022, and 52,043 cases in fiscal year 2023. If these estimates hold, the Board would not have the resources to process these appeals.

Veterans in our communities and across the country are receiving letters notifying them of their denial and the option to appeal their Caregivers Program application. However, congressional offices and Veterans Service Organizations (VSOs) do not have clear and uniform guidance on how to best serve veterans as they navigate the appeals process. For that reason, we ask VA to conduct outreach and provide information to both congressional offices and VSOs, so we can best assist our veterans.

We have also heard from our constituents that VA's Patient Advocates are not able to provide guidance on navigating the appeals process. We ask that you ensure that there are enough Caregiver Support Coordinators, equipped with all necessary resources, to effectively manage the workload and be able to deliver quality, focused assistance to veterans and their caregivers. VA care like the VA Caregivers Program should not require hurdles and exclusive access on best practices for applying and appealing.

As a nation, we must ensure the physical and mental wellbeing of our veterans, their families, and their caregivers is at the forefront. Because of this, we also continue to urge VA to reverse the previous administration's regulation limiting eligibility, such as the activity of daily living

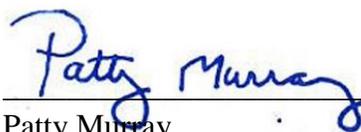
(ADL) and the 70 percent requirements to ensure that veterans and their caregivers may receive the support that they deserve. Finally, we ask that VA take a holistic approach to how it proceeds with the VA Caregivers Program, including allowing for consideration of how the current backlog in disability ratings decisions and appeals due to COVID-19 have likely led to claims-related obstacles for entry into the Caregivers Program.

The VA serves as a cornerstone of our nation's system to provide care for veterans. We thank you for your committed leadership to veterans and look forward to the update VA can provide on the VA Caregivers Program.

Sincerely,



Margaret Wood Hassan
United States Senator



Patty Murray
United States Senator



Kyrsten Sinema
United States Senator



Sherrod Brown
United States Senator



Richard Blumenthal
United States Senator



Bernard Sanders
United States Senator



Marsha Blackburn
United States Senator