



Federal Update for November 3 - 7, 2014



POW/MIA Commemorative Chair Act

United States Senators Elizabeth Warren (D-Mass.), Kelly Ayotte (R-N.H.), Jeanne Shaheen (D-N.H.), Marco Rubio (R-Fla.) and Edward J. Markey (D-Mass.) on 27 FEB introduced bipartisan legislation to honor American servicemembers who are Prisoners of War (POW) or Missing in Action (MIA). The POW/MIA Commemorative Chair Act will honor these approximately 83,000 service members by establishing a permanent commemorative chair on the grounds of the United States Capitol. “Our nation’s POW-MIAs should never be forgotten. This bill will help every American visiting the nation’s capital recognize the incredible sacrifice made by those brave Americans whose fate is still unknown and the courage of the families that are left behind,” said Senator Edward Markey, “I appreciate the efforts of President Joe D’Entremont and the members of the Massachusetts Chapter of Rolling Thunder to ensure that our service members receive the recognition they earned through their noble service to our nation.”

The POW/MIA Commemorative Chair Act would direct the Architect of the Capitol to place a commemorative chair bearing the logo and colors of POW/MIA service members in a prominent location at the U.S. Capitol. This chair would remain unoccupied to serve as a reminder of the ongoing challenge of accounting for America’s missing service members and in recognition of their sacrifices for our nation. The Act is supported by veteran’s advocacy groups such as the National League of POW/MIA Families, the Veterans of Foreign Wars (VFW), the American Legion, the Military Officers Association of America (MOAA), and Rolling Thunder.

Upon introduction of the bill in the Senate the following comments were made by the bill’s cosponsors:

- “All three of my brothers served in the military, and I understand the sacrifices our service members and their families make to defend our country every single day. We must honor the contributions of our brave men and women in uniform, including those who have not made it home,”

said Senator Warren, "I am proud to display the POW/MIA flag outside my office, and I am pleased to support Rolling Thunder Massachusetts Chapter 1's efforts to establish a commemorative chair on the U.S. Capitol grounds."

- "More than 83,000 American service members remain missing or unaccounted for from past conflicts - including 49 missing service members from Vietnam and Korea from the State of New Hampshire alone," said Senator Kelly Ayotte, a member of the Senate Armed Services Committee. "Placing a commemorative POW/MIA chair on the Capitol grounds would serve as an enduring reminder of our nation's commitment to never forget our fallen and missing soldiers who made such tremendous sacrifices on behalf of our country."
- "Service members have made great sacrifices for our country, and the POW/MIA Commemorative Chair Act will serve as an enduring reminder of the bravery and courage of the men and women who have served," Senator Jeanne Shaheen said. "This symbol of our nation's gratitude on the Capitol Grounds will underscore our commitment to American service members still missing and provide a measure of solace to the families of our nation's heroes who have also made extraordinary sacrifices."
- "I am proud to support this commemorative act to honor the thousands of POW/MIA servicemembers and their families, all of who have made great sacrifices for the protection and freedom of our nation," said Senator Marco Rubio, "While this can't fully express our gratitude to these brave men and women, this small act will serve as a reminder to everyone who visits the U.S. Capitol to never forget the service and sacrifices of our armed forces and their families."

On 02/27/2014 the bill was read twice and referred to the Committee on Rules and Administration. And there it sits with only six cosponsors as of 16 OCT.

POW/MIA Recoveries

"Keeping the Promise", "Fulfill their Trust" and "No one left behind" are several of many mottos that refer to the efforts of the Department of Defense to recover those who became missing while serving our nation. The number of Americans who remain missing from conflicts in this century are: World War II (73,539) Korean War (7,877), Cold War (126), Vietnam War (1,642), 1991 Gulf War (0), and

OEF/OIF (6). Over 600 Defense Department men and women -- both military and civilian -- work in organizations around the world as part of DoD's personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home. For a listing of all personnel accounted for since 2007 refer to http://www.dtic.mil/dpmo/accounted_for. For additional information on the Defense Department's mission to account for missing Americans, visit the Department of Defense POW/Missing Personnel Office (DPMO) web site at <http://www.dtic.mil/dpmo> or call or call (703) 699-1169. The remains of the following MIA/POW's have been recovered, identified, and scheduled for burial since the publication of the last RAO Bulletin:

Vietnam

- Army Staff Sgt. James L. Van Bendegom, 18, of Kenosha, Wis. He was assigned to Company B, 1st Battalion, 12th Infantry Regiment, 4th Infantry Division. On July 12, 1967, Private First Class Van Bendegom and other members of his 4th Infantry Division were on patrol when they engaged a hostile force in the Ia Drang Valley, Pleiku Province. PFC Van Bendegom was wounded and treated by a medic. He was left behind when his unit's position was overrun, and he was captured. According to other U.S. POWs released during Operation Homecoming, it was rumored that PFC Van Bendegom was taken from Pleiku Province into Cambodia and was treated at a field hospital. His name did not appear on the PRG died in captivity list. He was declared dead/body not recovered in May 1973. In April 1989, a U.S. field team in Vietnam interviewed former officers assigned to the B-3 Front, the People's Army of Vietnam theater headquarters in command of operations in Pleiku Province. They were unable to provide any information on PFC Van Bendegom. During 1992, U.S. investigators in Vietnam received information describing the death of three Americans in captivity. One death was correlated to PFC Van Bendegom. His returned remains will be buried with full military honors on a date and location yet to be determined.

Korea

- The Department of Defense POW/Missing Personnel Office (DPMO) announced 24 OCT that the remains of a U.S. serviceman, missing from the Korean War, have been identified and will be returned to his family for

burial with full military honors. Army Sgt. **Cameron M. Flack**, 18, of Union Mills, N.C. will be buried Nov. 2, in Union Mills, N.C. In November 1950, Flack was a member of Company L, 3rd Battalion, 31st Regimental Combat Team (RCT), 7th Infantry Division, operating along the eastern banks of the Chosin Reservoir in North Korea. From Nov. 27 – Dec. 1, 1950, the Chinese People's Volunteer Forces overwhelmed U.S. positions and U.S. troops were forced to withdraw south to more defensible positions. Following the battle, Flack was one of many men reported missing in action. Between 1991 and 1994, North Korea turned over to the U.S. 208 boxes of human remains believed to contain more than 400 U.S. servicemen who fought during the war. North Korean documents, turned over with some of the boxes, indicated that some of the remains were recovered from the vicinity where Flack was believed to have died. To identify Flack's remains, scientists from the Joint POW/MIA Accounting Command (JPAC) and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools, to include mitochondrial DNA, which matched his sisters.

- Cpl. Donald D. Skeens, U.S. Army, Company E, 2nd Battalion, 27th Infantry Regiment, 25th Infantry Division, was lost Sept. 4, 1950, in South Korea. He was accounted for Oct. 11, 2014. He will be buried with full military honors on a date and location yet to be determined.
- Sgt. Arnold Pitman, U.S. Army, Company L, 3d Battalion, 31st Infantry Regiment, 7th Infantry Division, was lost Dec. 12, 1950 in North Korea. He was accounted for Oct. 7, 2014. He will be buried with full military honors.

World War II

- Army Air Force 2nd Lt. Jimmie D. Collins III, 32, from Talladega County, Ala., copilot of a B-24H that was lost over The Netherlands on June 21, 1944. He was assigned to the 446th Bombardment Group, Eighth Air Force. He will be buried with full military honors on a date and location yet to be determined.
- The Department of Defense POW/Missing Personnel Office (DPMO) announced 24 OCT that the remains of a U.S. serviceman, lost during World

War II, have been identified and are being returned to his family for burial with full military honors. Marine Pvt. Robert J. McConachie, 18, of Detroit, will be buried Nov. 3, in Augusta, Mich. In June 1945, McConachie was assigned to Company G, 2nd Battalion, 1st Marine Regiment, 1st Marine Division, and was deployed to Okinawa, Japan. As his unit took part in the battle with enemy forces on Kunishi Ridge, it sustained heavy losses. McConachie was reported killed in action June 14, 1945. On Nov. 23, 1987, the Army's Central Identification Laboratory in Hawaii (CILHI) received remains from the U.S. Air Force Mortuary at Camp Kinser in Okinawa, Japan. The remains were recovered from Kunishi Ridge where McConachie was lost, and were believed to be those of an American service member from World War II. Efforts to identify the remains proved unsuccessful at that time. Due to technological advances in mitochondrial DNA (mtDNA) testing, the case was re-examined in 2010 by Defense Prisoner of War/Missing Personnel Affairs analysts to identify possible individuals who were unaccounted for from this battle and to facilitate family reference sample collection. In the identification of McConachie, scientists from the Joint POW/MIA Accounting Command (JPAC) and Armed Forces DNA Identification Laboratory (AFDIL) used forensic identification tools including dental comparisons which matched his records and mtDNA which matched his brother. [Source: http://www.dtic.mil/dpmo/news/news_releases/ October 24, 2014 ++]

VA Claim Processing Update ► C-and-P Exam Misunderstandings

Veterans Affairs officials want to change when veterans can view some of their medical records online, fearing that some could become violent if they see negative comments and think their disability claims will be denied. Veterans must get a medical exam as part of the process for filing a disability claim for a servicereLATED injury. Within days or weeks of the exam, veterans can see the doctor's forms or notes by using the "Blue Button" on My HealtheVet, the VA's website for health records. A group of department officials said 20 OCT that they fear some veterans could see the notes from the exam, assume from this partial picture that their claim is being denied, and take out their anger on local VA officials. They voiced their safety concerns to members of the department's Advisory Committee on Disability Compensation at their meeting this week in

Washington. "He walks past the [compensation-and-pension] clinic, and he's very angry. Goes into the C-and-P clinic, and we have an incident of some kind," said Gerald Cross, the chief officer in the Veterans Health Administration's office of disability and medical assessment. "Some of our C-and-P clinics are quite small, ... and it doesn't have much in the way of reasonable defense. We're very concerned about that."

Patricia Murray, the director of the VA's clinical program and administrative operations, said that to try to prevent any misunderstandings, the VA is removing the compensation-and-pension medical exam from a veteran's online health record until after a decision on his or her disability claim has been made. "I think sometimes when they see [the medical records], they think the determination to grant [benefits] is solely based on the C-and-P file," she said, adding that "our examiners feel like they're sometimes at risk." But some committee members were concerned about removing the compensation-and-pension exam records, but not other health documents, from the website. "I hate to say this, but what is the ethical justification of removing the C-and-P exams from the Blue Button?" asked Michael Simberkoff, executive chief of staff at the VA's NY Harbor Healthcare System.

But department officials tied the move to one factor: Potential risk to VA staffers. In addition to changing when a veteran can see part of his or her file online, they are also considering adding extra security to the clinics, such as requiring a code to unlock doors. "Many of the C-and-P docs are females, and they seem to be the ones that seem to have the evening hours or are in these far-flung [clinics]," said Denny Devine, the VA's project executive for disability and medical assessments. "Those are the ones on our weekly calls raising these concerns." The VA received more than 1 million requests for disability exams during fiscal 2014. It has almost 527,500 pay and pension claims currently waiting to be decided, with more than 46 percent—or 244,727—waiting more than 125 days for a decision. [Source: National journal | Jordain Carney | October 21, 2014 +]

Progress on the “Road to Veterans Day” Sets Conditions for Long-Term Reform at VA

WASHINGTON – The Department of Veterans Affairs (VA) today announced that the “Road to Veterans Day” initiative, announced on September 8th by Secretary

Robert A. McDonald, has resulted in significant progress for Veterans over the past 3 months. During that time, VA has taken deliberate actions to improve service delivery for Veterans, rebuild trust, increase accountability and transparency and put the department on the path to long-term excellence and reform.

“Over the past three months, we've been taking a hard look at ourselves, listening to Veterans, employees, Veterans organizations, unions, members of Congress, and our other partners. Their insights are shaping our work to chart the path for the future,” said McDonald, who has traveled extensively during his first few months in office, visiting 41 VA facilities in 21 cities while also making 11 recruiting visits to medical schools. “While more work remains, our dedicated employees are making progress to better serve Veterans.”

To improve service delivery, VA has prioritized efforts to accelerate Veterans off of wait lists and into clinics through the Accelerated Care Initiative begun by Deputy Secretary Sloan Gibson this summer. Through this initiative, VA medical centers have increased access to care inside and outside of VA, added more clinic hours and work days, deployed mobile medical units, and shared their best practices from VA's high-performing facilities throughout the organization. Significant improvements have resulted nationally:

- Scheduling more than 1.2 million more appointments in the past four months than in the same period last year. In total, VA medical centers have scheduled over 19 million Veteran appointments from June to October 1, 2014.
- Reducing the national new patient Primary Care wait time by 18 percent.
- Completing 98 percent of appointments within 30 days of the Veterans' preferred date, or the date determined to be medically necessary by a physician.
- Authorizing 1.1 million non-VA care authorizations, a 47 percent increase over the same period last year.

On his second day at VA, Secretary McDonald addressed all employees via Video Teleconference, where he directed each employee to reaffirm the mission and core values of the Department. All senior leaders were responsible for ensuring

this was carried out in all facilities across the country, and this re-affirmation has been confirmed. Moving forward, this will happen each year on the anniversary of VA becoming a Cabinet-level agency, and a new award program has been initiated to highlight employees who truly embody VA's ICARE values – Integrity, Commitment, Advocacy, Respect, and Excellence. The first nominations for this new incentive program will be accepted in January 2015.

Over the past three months, VA has focused on identifying the scope of the problems facing the department and taking significant actions to correct deficiencies, to include holding employees accountable. Since June 2014, VA has proposed disciplinary action against more than 40 employees nationwide related to data manipulation or patient care. VA is also working diligently to cooperate with the over 100 investigations currently being undertaken by the VA Inspector General, the Justice Department, and the Office of Special Counsel (OSC). On October 3rd, OSC certified VA under their Whistleblower Protection Certification Program after VA worked to achieve compliance and protect employees who identify or report problems from unlawful retaliation. VA also worked closely with OSC to successfully resolve whistleblower retaliation complaints filed by three individuals from the VA Phoenix Health Care System. The Department's transparency is critical in rebuilding the public's trust. VA has posted data online on a regular basis since the beginning of June showing the number of appointments on waiting lists and the average wait times at each medical center across the country. Additionally, each medical center and benefits office has conducted a town hall with Veterans and the public to collect feedback. These town halls will continue at each facility every three months.

As we march forward on the "Road to Veterans Day," we recognize that VA needs significant reforms to meet the expectations of Veterans well past Veterans Day. VA is reviewing options to reorganize the department for success, guided by ideas and initiatives from Veterans, employees, and all of our stakeholders. This reorganization will be known as "MyVA" and is designed to provide Veterans with a seamless, integrated, and responsive customer service experience—whether they arrive at VA digitally, by phone, or in person.

Another component of the "Road to Veterans Day" initiative that will continue past Veterans Day is the Veterans Health Administration's (VHA) "Blueprint for Excellence," which lays out strategies for transformation to improve the

performance of VA health care now —making it more Veteran-centric by putting Veterans in control of their VA experience.

Long-term reform of VA also means making sure VA has the medical professionals we need to best care for our patients, which is why Secretary McDonald launched a national recruiting effort in August, visiting medical schools in an effort to bring the best and brightest to work at VA. On September 17th, VA announced an increase in the salary pay scale for VA doctors and dentists to aid in recruiting and retention.

As part of the “Road to Veterans Day,” Secretary McDonald has reaffirmed VA’s homelessness program and the Veterans Benefits Administration’s Claims Transformation Strategy. VA remains committed to working with its federal, state and local partners to end homelessness among Veterans, which has been reduced by 33% since 2010. With the backlog of disability claims reduced by 60% since its peak in March of 2013, VA is also on track to eliminate the backlog in 2015 and will continue to expand online claim-submission capability in all programs.

“VA exists to serve our Nation’s Veterans and their families. I’m convinced that our comprehensive reforms will enable us to better meet the needs of our Veterans because we will be looking at everything we do through their eyes. We owe them nothing less,” McDonald said.

THE WHITE HOUSE: Readout of President Obama’s Meeting with VA Secretary McDonald and Deputy Secretary Sloan Gibson

Today, President Obama met with Department of Veterans Affairs Secretary Robert McDonald and Deputy Secretary Sloan Gibson to discuss ongoing efforts to improve care for veterans.

The President emphasized the need to continue building on key reforms, including strengthening management and accountability at the VA, improving timely access to high quality medical care for all veterans, eliminating the disability claims backlog and ending veteran homelessness.

Secretary McDonald discussed the Road to Veterans Day, the roadmap he has laid out for his first 90 days as the VA Secretary, which sets the foundation for improving service delivery, rebuilding trust with veterans, and setting the course for long term reform.

The Secretary and Deputy Secretary also provided an update on implementation of the Veterans Access, Choice, and Accountability Act that President Obama signed into law earlier this year. The Secretary briefed the President on the temporary Veterans Choice Program authorized in this law, which allows eligible veterans, including those who live more than 40 miles from the closest VA health care facility and those who cannot get timely access to care in the VA system, to elect to receive care from private health care providers. Earlier today, VA initiated its implementation of this program.

In addition, the President and Secretary McDonald discussed the importance of strengthening the VA health care system, including by recruiting America's top medical professionals to serve our nation's veterans. Secretary McDonald has been traveling across the country to host events aimed at recruiting qualified medical professional staff to join the VA health system. Since August, Secretary McDonald has visited eight universities and colleges and one hospital, reaching thousands of future medical practitioners.

VA Mail-Order Pharmacy Receives Highest Score in Mail Order Segment of J.D. Power Study

For the fifth consecutive year, the Department of Veterans Affairs' (VA) Consolidated Mail Outpatient Pharmacy (CMOP) has scored the highest in overall satisfaction in the J.D. Power National Pharmacy Study, Mail-Order segment. This study, conducted annually, measures satisfaction among consumers who filled a mail-order prescription within the last 90 days. Ten commercial organizations were also included in the study.

“VA’s first-class pharmacy services are an important component of the exceptional health care available to our Veterans,” said Dr. Carolyn Clancy, Interim Under Secretary for Health. “We are proud to learn from our Veterans through this study that VA is delivering on that commitment.”

Customer satisfaction with Mail-Order Pharmacy is measured across four key factors: cost competitiveness, prescription delivery, prescription ordering, and customer service.

VA also led the mail-order pharmacy industry nationwide in 2010, 2011, 2012 and 2013. VA participates in this annual survey as a way to compare itself against industry leaders and to ensure VA health care meets the highest standards. With nearly 9 million Veterans enrolled, VA operates the largest integrated health care delivery system in the United States, with a mission to honor America's Veterans by providing exceptional health care that improves their health and well-being. VA provides a broad range of primary care, specialized care, and related medical and case management services. More information is available at <http://www.va.gov/health/>.

Veterans who wish to learn about VA pharmacy and other health benefits can find information at www.va.gov/healthbenefits/.