

**NINETY-SIXTH NATIONAL CONVENTION  
OF  
THE AMERICAN LEGION  
Charlotte, North Carolina  
August 26, 27, 28, 2014**

**Resolution No. 152: Support Medicare Reimbursement for the Department of Veterans Affairs**

**Origin: Maryland**

**Submitted by: Convention Committee on Veterans Affairs & Rehabilitation**

WHEREAS, The Department of Veterans Affairs (VA) provides medical care to eligible beneficiaries as authorized by title 38, United States Code; and

WHEREAS, The fundamental branch of VA that administers and operates this medical care delivery system is the Veterans Health Administration (VHA); and

WHEREAS, VHA is the nation's largest comprehensive, integrated health care delivery system that provides excellence in health care value, service, education and research; and

WHEREAS, The mission of VHA is to meet the medical needs of America's veterans by providing specialized care, primary care and related medical and social support services for eligible veterans; and

WHEREAS, VHA consists of hospitals, ambulatory clinics, nursing homes, domiciliaries and readjustment counseling centers located nationwide; and

WHEREAS, VHA continues to be the nation's largest educator of health care professionals through its affiliations with medical schools, academic medical centers and other research institutions; and

WHEREAS, VHA continues to be a major national research asset conducting basic, clinical, epidemiological and behavioral studies across the entire spectrum of scientific discipline; and

WHEREAS, VHA continues to serve as a contingency back-up to Department of Defense medical services and, during national emergencies, supports the National Disaster Medical System; and

WHEREAS, Enrollment in VHA could be limited by the availability of existing annual federal discretionary appropriations to meet the health care needs of enrolled veterans; and

WHEREAS, VHA continues to seek other revenue streams to supplement limited annual federal discretionary appropriations and meet the growing demands for quality treatment of enrolled veterans; and

WHEREAS, VHA is authorized to bill, collect and retain first party co-payments from enrolled veterans and third party co-payments from their health care insurers, except Medicare, for inpatient and outpatient care, outpatient medications and long-term care services, and

WHEREAS, Medicare is a prepaid, federally mandated health insurance program for all eligible Americans; and

WHEREAS, Medicare is an entitlement program for nearly forty million Americans; and

WHEREAS, VA is prohibited from billing and collecting Medicare reimbursements for the treatment of non-service-connected medical conditions of enrolled Medicare-eligible veterans; and

WHEREAS, Indian Health Service has successfully demonstrated the ability to bill and collect Medicare reimbursement; and

WHEREAS, The American Legion's GI Bill of Health proposes Medicare reimbursement for VA as a realistic health care coverage for enrolled, Medicare-eligible veterans seeking treatment of non-service-connected medical conditions in VHA health care facilities; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Charlotte, North Carolina, August 26, 27, 28, 2014, That The American Legion advocate to Congress amending title XVIII of the Social Security Act, to allow Medicare Reimbursement for the Department of Veterans Affairs (VA) on a fee-for-service basis for the treatment of non-service-connected medical conditions of enrolled, Medicare-eligible veterans; and, be it finally**

**RESOLVED, That enrolled, Medicare eligible veterans be authorized to participate in the Medicare Advantage option by choosing VA as their primary health care provider.**