

**REPORT OF THE NATIONAL CONVENTION
COMMITTEE ON
VETERANS AFFAIRS AND REHABILITATION**

Ralph P. Bozella (CO), CHAIRMAN

113 members of your Committee on Veterans Affairs and Rehabilitation met at 9:00 AM on August 30, 2015, in the Baltimore Convention Center, Rooms 337 & 338, Level 300, Baltimore, Maryland to consider 29 resolutions and agreed on the following report that is respectfully submitted for your consideration.

The Committee was called to order by Louis J. Celli (MA), Liaison Representative appointed by the National Adjutant to act as temporary chairman. Edward Lilley (MD), Team Leader for Health Policy, acted as temporary secretary and called the roll. A quorum being present, nominations were received for permanent chairman. Ralph P. Bozella (CO), Chairman of the Standing National Veterans Affairs and Rehabilitation Commission, was unanimously elected Chairman of the Convention Committee.

With unanimous consent, Phil Youngblood (GA) was elected as Committee Secretary; William J. Smith (PA) was elected Chairman of the Claims and Rating Subcommittee and John W. Hickey, Jr. (IN), as Secretary; James W. Stanko (CO) was elected Chairman of the Health Administration Subcommittee and Karen E.P. O'Donohue (UT) as Secretary; and R. Shuford Edmisten (NC) was elected Chairman of the National Cemetery Subcommittee; and Jack F. Stanley (FL) as Secretary.

Subcommittee liaison assignments were as follows: Zachary Hearn (PA), Deputy Director for Claims and Rating,

Roscoe Butler (MD), Deputy Director for Health Policy to Health Administration and Edward Lilley (MD), Team Leader for Health Policy to National Cemetery.

Prior to the Convention Committee’s meeting, the National Adjutant appointed five Department Service Officers to the Special Department Service Officers Committee on Veterans Affairs and Rehabilitation Resolutions. In a preconvention meeting, the Department Service Officers screened and grouped the 29 resolutions based on their expertise and helped conserve the time of the Convention Committee substantially. A report of their actions, with recommendations, was presented to the Convention Committee for consideration. The Screening Committee was chaired by Ralph P. Bozella (CO), Chairman of the Veterans Affairs and Rehabilitation Commission and was composed of the following Department Service Officers:

- REGION 1 – Kenneth G. Connors (NJ)**
- REGION 2 – Randall A. Fisher (KY)**
- REGION 3 – Joseph T. Houghton (DE)**
- REGION 4 – Wayne Macejak (IL)**
- REGION 5 – Karen E. P. O’Donohue (UT)**

The Resolutions Assignment Committee referred 29 Veterans Affairs and Rehabilitation resolutions to the Convention Committee for consideration. The following actions on the resolutions were taken by the Convention Committee:

Approved or Approved w/Amendment	16
Consolidated with Resolutions Approved	2
Referred to the Standing Commission	4
Received and Recorded	4
Rejected	3

A motion was made and seconded to authorize the Chairman and Secretary to sign and deliver the report on the Convention Committee's behalf.

A report of actions taken on the 29 resolutions referred to the National Veterans Affairs and Rehabilitation Convention Committee are reported as follows:

APPROVED RESOLUTIONS OR APPROVED WITH AMENDMENT

RESOLUTION NO.: 7

SUBJECT: Black Hills National Cemetery Expansion

Origin: Department of South Dakota

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion urges the Bureau of Land Management (BLM), the National Cemetery Administration (NCA), and the U.S. Congress to work together to finalize the transfer of the BLM land to the Black Hills National Cemetery which will ensure ample land and space for future expansion.

RESOLUTION NO.: 8

SUBJECT: Oppose Closure of the VA Black Hills Health Care System's Hot Springs Campus

Origin: Department of South Dakota

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

(As amended)

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion reaffirms its support for keeping the Veterans Affairs medical center and residential rehabilitation services in Hot Springs, South Dakota; and, be it finally

RESOLVED, That, as a minimum, the VA create a Center of Excellence for the treatment of post-traumatic stress, substance abuse and homelessness prevention at the VA Campus in Hot Springs, South Dakota.

RESOLUTION NO.: 28

SUBJECT: In Vitro Fertilization

Origin: Department of Pennsylvania

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

(As amended)

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion urges Congress, the Administration and the Department of Veterans Affairs to properly fund an In Vitro Fertilization (IVF) program.

RESOLUTION NO.: 32

SUBJECT: Department of Veterans Affairs Provider Agreements with Non-VA Providers

Origin: Department of Maryland

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion supports legislation that would allow the Department of Veterans Affairs to enter into provider agreements with eligible non-VA providers to obtain needed health care services for the care and treatment of eligible veterans; and, be it finally

RESOLVED, That the VA be authorized to obtain health care services from Non-VA providers that are closer to where the veteran resides.

RESOLUTION NO.: 64

SUBJECT: Fit to Serve Initiative

Origin: Department of Minnesota

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

(As amended and consolidated with Resolution No. 42 (WI))

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, that The American Legion supports the Fit to Serve initiative and federal legislation that expands the Department of Veterans Affairs' authority to hire and utilize hearing aid

specialists to perform hearing aid testing and fitting and dispensing services.

RESOLUTION NO.: 74

SUBJECT: Compensation for Veterans Requiring Hearing Aids for Service Connected Hearing Loss

Origin: Department of Illinois

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

(As amended)

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion support legislation to grant a minimum 10% rating for all veterans, who, due to their service-connected hearing loss, are furnished hearing aids.

RESOLUTION NO.: 75

SUBJECT: Restore VA's Informal Claims and Appeals Process

Origin: Department of Illinois

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion shall urge the Department of Veterans Affairs to modify its current procedures to return to the previous acceptance of any writing correspondence from

our veterans or claimants as an “informal claim or appeal” allowing them one year to finalize this action.

RESOLUTION NO.: 77

SUBJECT: Increased Accessibility to VA Claims Pertaining to Non-Disability Related Matters for Accredited Representatives

Origin: Department of Illinois

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

(As amended)

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion shall urge the Department of Veterans Affairs to modify its current procedures on hospital appeals to enter these types of appeals into the Veterans Appeals Control and Locator System immediately upon receipt of the veteran or claimants Notice of Disagreement.

RESOLUTION NO.: 78

SUBJECT: Extend Dental Care to Veterans with Service Connection Ratings of 50% or More

Origin: Department of Illinois

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015,

That The American Legion shall sponsor and support legislation to change the eligibility for free dental care to any veteran with a combined VA service-connected rating of 50% or more.

RESOLUTION NO.: 99

SUBJECT: Complementary and Alternative Medicine

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion urge Congress to provide oversight and funding to the Department of Veterans Affairs (VA) for innovative, evidence-based, complementary and alternative medicine (CAM) in treating various illnesses and disabilities; and, be it further

RESOLVED, That The American Legions urges legislation that would improve pain management policies for the Department of Defense (DoD) and VA; and, be it finally

RESOLVED, That DoD and VA accelerate research efforts to properly diagnose and develop CAM treatments as evidence-based.

RESOLUTION NO.: 100

**SUBJECT: Non-Department of Veterans Affairs
Emergency Care**

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion support legislation urging the Department of Veterans Affairs (VA) to promptly pay non-VA providers for emergency care furnished; and, be it finally

RESOLVED, That VA conduct outreach to veterans regarding the effect of delayed payments of claims for emergency medical care furnished by non-VA medical providers.

RESOLUTION NO.: 101

SUBJECT: Department of Veterans Affairs Recruitment & Retention

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion support legislation addressing the recruitment and retention challenges that the Department of Veterans Affairs (VA) has regarding pay disparities among those physicians and medical specialists who are providing direct health care to our nation's veterans; and, be it further

RESOLVED, That the Veterans Health Administration continue to develop and implement staffing models for critical need occupations; and, be it finally

RESOLVED, That VA work more comprehensively with community partners when struggling to fill critical shortages within VA's ranks

RESOLUTION NO.: 102

SUBJECT: Priority Care for Medal of Honor Recipients

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion urge Congress to assign Medal of Honor recipients to Enrollment Priority Group 1 for Department of Veterans Affairs (VA) health care.

RESOLUTION NO.: 103

SUBJECT: Fiduciary Responsibility

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion support legislation requiring the Department of Veterans Affairs to provide oversight over their fiduciary program and that it protects veterans and their beneficiaries who are unable to manage their financial affairs.

RESOLUTION NO.: 104

SUBJECT: Local Accredited Representative Access to Veterans Benefits Management System Decisions

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That The American Legion urge the Department of Veterans Affairs (VA) to keep the veterans' accredited service organization representatives at the local VA Regional Offices (VAROs) informed of all decisions made on claims and/or appeals of claimants/appellants who have assigned the service organizations as their VA accredited representative; and, be it further

RESOLVED, That VA inform representatives at the local VAROs of decisions by placing a filter in VA's Veterans Benefits Management System (VBMS) allowing local representatives to find their client's VBMS records, including but not limited to, rating decisions by conducting the client's state of residence search; and, be it further

RESOLVED, That VA set the VBMS system so a VARO cannot promulgate decisions until the accredited representation at the VARO either signifies the decision has been reviewed without significant concern(s), or after two full regular working days have expired; and, be it finally

RESOLVED, That VA not promulgate decisions questioned by the local representative until VA responds to the local representative's concerns.

RESOLUTION NO.: 105

SUBJECT: Reiteration of the System Worth Saving Program

Origin: VA&R

Submitted by: Convention Committee on Veterans Affairs and Rehabilitation

(Resolution No. 26 (PA) was consolidated under this resolution)

RESOLVED, By The American Legion in National Convention assembled in Baltimore, Maryland, September 1, 2, 3, 2015, That the primary purposes of the System Worth Saving Program be reiterated to state that it is the responsibility of the Veterans Affairs & Rehabilitation Commission and its assorted sub-committees to provide expertise at hospital visits and wherever else they can legally participate; and, be it further

RESOLVED, That the System Worth Saving endeavor is a permanent program of the Veterans Affairs & Rehabilitation Commission; and, be it further

RESOLVED, That national staff will arrange regular site visits and give proper notification to those invited from the Veterans Affairs & Rehabilitation Commission; and, be it finally

RESOLVED, That the findings will be reported annually to the National Executive Committee, Congress, and the President of the United States.

THE FOLLOWING RESOLUTIONS ARE BEING REFERRED TO THE STANDING COMMISSION FOR STAFF STUDY OR APPROPRIATE ADMINISTRATIVE DISPOSITION

There were (4) resolutions referred to the Standing Commission for Staff Study or Appropriate Administrative Disposition.

REFERRED RESOLUTIONS

43	Wisconsin	Dependency and Indemnity Compensation for Surviving POW Spouses
56	Ohio	National Cemetery Eligibility for Burial
71	Illinois	Veteran Caretaker Stipend
91	North Carolina	Presidential Memorial Certificates

There were (4) resolutions that were received and recorded.

RECEIVED AND RECORDED RESOLUTIONS

13	Arizona	Virtual Lifetime Electronic Record
17	Arizona	Timely Processing of Overpayments
57	Virginia	Project Healing Waters Fly Fishing
67	NJ	Service Dogs for Injured Service Personnel and Veterans with Mental Health Conditions

There were (3) resolutions that were rejected.

REJECTED RESOLUTIONS

20	Texas	Establishment of a Veterans Affairs Regional Benefit Office in San Antonio
47	Washington	In-State Licensure for VA Healthcare Providers
52	New York	Awarding of Benefits by the United States Court of Appeals for Veterans' Claims

Mr. Commander, I, Ralph P. Bozella, Colorado, as a duly elected and registered Delegate to this Convention, move for the adoption of this report respectfully submitted.

**Ralph P. Bozella (CO),
Chairman Convention
Committee on Veterans Affairs
and Rehabilitation**