

July 1, 2010

John Patrick, Director
Portland VA Medical Center
3710 SW U.S. Veterans Hospital Rd.
Portland, OR 97239

Dear John Patrick:

As you take the post of Director of the Portland VAMC, there are several issues I feel need to be dealt with immediately.

I have attached a letter I received from Mr. Jim Willis, the Director of the Oregon Department of Veterans Affairs. In the letter, he expresses grave concern with the Portland VA's actions on Fee Basis appeals and the billing of veterans' private insurance for service-connected care. I share Director Willis' concerns.

The Portland VA's failure to adjudicate hundreds of Fee Basis appeals over more than two and a half years is a clear violation of the law and morally reprehensible. There is no excuse for denying veterans their legal rights. Nevertheless, the situation has been repeatedly pointed out to the Portland VAMC, with no result.

The charging of veterans' third-party insurance for the veterans' service-connected care is similarly unacceptable. Along with being a violation of federal law and of VA policy, charging a veteran's private insurance for service-connected care raises insurance premiums for veterans and their employers.

The third issue that needs to be resolved is the subject of a letter the entire Oregon congressional delegation sent to the Acting Director on June 21, 2010, which I have attached. The Portland VA's new travel reimbursement policy will force veterans, many of whom are unemployed or on a fixed income, to wait for weeks to get reimbursed for out-of-pocket travel expenses. I understand that the Portland VA is dealing with an increase in the number of veterans who seek reimbursement. However, we should not expect those who bore the burden of service in wartime to also bear the cost of getting medical treatment at the VA. For a veteran in Bend, the cost of waiting weeks for the VA to reimburse several hundred dollars in travel expenses can mean the difference between paying rent or putting food on the table.

All three of these issues are extremely important and time-sensitive. I hope that we can meet next soon to discuss these issues, and what you will be doing to ensure that the Portland VA is in full compliance with its legal and regulatory requirements as well as its charge to serve veterans with compassion and integrity.

Sincerely,



Ron Wyden
U.S. Senator

cc: Eric Shinseki, Secretary of Veterans Affairs
Susan Pendergrass, Director VISN 20



Oregon

Theodore R. Kulongoski, Governor

Oregon Department of Veterans' Affairs

700 Summer Street NE
Salem, OR 97301-4281
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June 21, 2010

The Honorable Ron Wyden
1220 SW Third Avenue, Suite 585
Portland, OR 97204

Dear Senator Wyden,

This letter is to follow up with you regarding a discussion my staff had with Fritz Graham and John Michel regarding the Portland VA Medical Center and two issues with which we need your help.

As you know, we believe that the federal VA is one of our partners and we have an excellent relationship with them. However, we have not been able to negotiate a workable solution to two issues:

- The Portland VA Medical Center has not adjudicated a Fee Basis appeal in more than two and a half years, denying more than 500 veterans their due process.
- The Portland VA Medical Center is charging veterans' third-party insurance for the veterans' service-connected care, which violates federal law and VA policy.

Both of these issues have been brought to the attention of the PVAMC repeatedly without remedy. We shared with Frederick White that we would be contacting your office for help in these matters.

My staff has provided your staff with the legal requirements PVAMC is not fulfilling in the Fee Basis and service-connected care payment laws. I also want to put a human face on this, so I am sending along some of the cases we are working regarding Fee Basis denials and lack of proper appeal adjudication.

Senator Wyden, you know I don't often ask for you to intervene and would not do so unless I felt it was important to Oregon Veterans. At this point, the situation has become untenable and Oregon's veterans need your help.

Thank you in advance for looking into these issues, and please let me know if you need further information.

Sincerely,

Jim Willis
Director

Congress of the United States
Washington, DC 20515

June 21, 2010

David Stockwell, Acting Director
Department of Veterans Affairs Medical Center
3710 SW US Veterans Hospital Road
Portland OR 97239-2964

Dear Mr. Stockwell:

We are hearing from veterans and their family members about the new travel reimbursements process being implemented in Oregon on July 1, 2010. We share their concerns about delayed reimbursements and the potential for payment backlogs.

Many veterans live hundreds of miles from the VA facilities in Portland and Vancouver. For example, a veteran in Bandon traveling to Portland for care drives nearly 500 miles round-trip and receives a round-trip reimbursement rate of 41.5 cents a mile. Under the new policy, the veteran will have to wait for a reimbursement that may have previously provided the cash needed to fill the tank for the trip home.

As you well know, Oregon veterans are suffering chronic high unemployment rates. The Bureau of Labor Statistics notes the unemployment rate for young veterans under 25 years of age is **over 20 percent**. In this economic climate, the new procedure is going to be a financial hardship for many Oregon veterans and may prevent them from receiving health care.

The beneficiary travel payment announcements being sent to veterans by the Medical Center state the new procedure "will improve efficiency" and "provide better customer service." According to your customers, the new process will empty the pockets of veterans already struggling to make ends meet. Our constituents are telling us they want to have the option of waiting in line for their travel reimbursements because they simply cannot afford to loan the VA money for several weeks.


Please let us know before this policy is implemented if the VA Medical Center campuses in Portland and Vancouver will accommodate the needs of low income veterans for immediate reimbursements.


Sincerely,



Peter DeFazio
Member of Congress

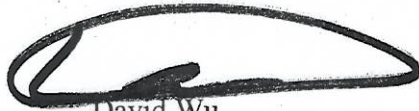

Ron Wyden
Senator


Jeff Merkley
Senator


Earl Blumenauer
Member of Congress


Greg Walden
Member of Congress


Kurt Schrader
Member of Congress


David Wu
Member of Congress