

Congress of the United States  
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The Honorable Robert Wilkie  
Secretary  
Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420

Dear Secretary Wilkie:

I write to you today on behalf of my constituents, specifically the veterans and caregivers I represent, who are concerned about the Department of Veterans Affairs' (VA) Final Rule entitled "Program of Comprehensive Assistance for Family Caregivers (PCAFC) Improvements and Amendments Under the VA MISSION Act of 2018." As the VA continues its implementation of the VA MISSION Act (P.L. 115-182) and its subsequent regulations, I respectfully request you take the following concerns into consideration.

As you are aware, Section 161(a) of the VA MISSION Act expanded eligibility of PCAFC over time to include seriously injured veterans of all eras, prior to September 11, 2001. Section 162 of the VA MISSION Act further requires the VA to implement an information technology (IT) system with elements to fully support PCAFC, allowing for program monitoring and data evaluations, by no later than October 1, 2018. Regrettably, VA was not able to meet that implementation deadline for its IT system, and acknowledged in its Final Rule that "full implementation of the new IT system has been delayed." This delay has caused confusion as to when newly eligible veterans can expect to apply and receive PCAFC services.

Additionally, 38 U.S.C 1720G(a)(2)(B) requires VA to provide certification to Congress that it has fully implemented the IT system, and mandates that expansion of eligibility to pre-9/11 veterans cannot occur until after this certification is submitted to Congress. VA rightly explained in its Final Rule that it lacks the authority to begin the expansion eligibility until after the certification is submitted. While I am glad to hear of VA's intent to provide the certification on the same day that the regulation goes into effect, it has not provided a conclusive deadline for the implementation of the IT system as required by law. Veterans in my district cannot afford to wait any longer. Thus, I respectfully request that you provide a status update with a definitive timeline on when VA expects the IT system to be fully implemented and when you expect the certification to be sent to Congress, so that the expansion of eligibility can commence.

Furthermore, Section 161(b) of the VA MISSION Act amended the definition of personal care services to clarify and expand on the definition of PCAFC needs. Veteran and caregiver constituents have expressed concerns that the regulation would unduly limit program eligibility despite Congress's intention to expand on it. I appreciate VA's commitment to providing consistency and standardization across the program and remain optimistic that the new IT system required by Congress will help better provide this uniformity. However, I am also concerned about the possibility of veterans getting improperly discharged from PCAFC in order to keep within budget constraints, despite our intent to provide additional eligibility possibilities. As a result, I request that you provide an estimate with the amount of previously eligible post-9/11 veterans that VA expects to deem ineligible for PCAFC under the Final Rule.

Thank you in advance for your time and attention to these important concerns. I stand ready to work with you and your team to ensure that our veterans receive the care and attention they deserve from an eternally grateful nation. Please do not hesitate to contact me directly to discuss these issues further at any time.

Sincerely,



Gus M. Bilirakis  
Member of Congress