

A MESSAGE FROM THE SECRETARY

An Open Letter to America's Veterans

At the Department of Veterans Affairs (VA), we have one of the most noble and inspiring missions in Government. I accepted this job and joined this mission to better serve you—our Veterans—and improve the delivery of the care and benefits you have earned. It is our privilege to serve you, and I have made clear that as we move forward as a Department, we will judge the success of all our efforts against a single metric—the outcomes we provide for Veterans.

The Veterans Access, Choice, and Accountability Act of 2014 (VACAA), enacted less than 3-months ago, goes a long way toward enabling VA to meet the demand for Veterans health care in the short-term. VA has put considerable focus and attention on ensuring the law is implemented seamlessly, without confusion, and without creating hardships for Veterans. This legislation provides authorities, funding, and other tools to better serve Veterans in the short-term. We are appreciative of this temporary measure to improve access while we build capacity within the VA system to better serve those who rely on us for health care.

From June 1 to September 30, 2014, VA completed more than 19 million Veteran appointments in our facilities and made nearly 1.1 million authorizations for Veterans to receive care in the private sector and other non-VA health facilities—a 46.6-percent increase over the same period in 2013. This was all done under existing programs prior to the passage of VACAA, and sets the stage for strengthening existing partnerships between VA and the private sector. We have much we can share with one another to the benefit of Veterans.

VA has signed contracts with two private health care companies to help VA administer the Veterans Choice Program (Choice Program) under VACAA. The Choice Program is a new, temporary benefit allowing some Veterans to receive health care in their communities rather than waiting for a VA appointment or traveling to a VA facility. It does not impact your existing VA health care or any other VA benefit you may be receiving. We will begin implementing this benefit on November 5, as required by law. A call center is now operational to answer your questions and verify your eligibility for this program.

As part of this new program, we are issuing a Veterans *Choice Card* to every Veteran who is potentially eligible for the new, temporary health benefit. The *Choice Card* allows Veterans to elect to receive care outside of VA when they qualify for the new program based on the distance of their residence from a VA care facility, or when wait times for VA health care exceed the standards established in law. The *Choice Card* does not replace the identification card you already use to access other VA benefits; please do not throw away that identification card.

The *Choice Card* will be issued in three phases. The first group of *Choice Cards* along with a letter explaining eligibility for this program is currently being sent to Veterans who may live more than 40 miles from a VA facility. The next group of *Choice Cards* and letters will be sent shortly thereafter to those Veterans who are currently waiting for an appointment longer than 30-days from their preferred date or the date determined to be medically necessary by their physician.

The final group of *Choice Cards* and letters will be sent between December 2014 and January 2015 to the remainder of all Veterans enrolled for VA health care who may be eligible for the Choice Program in the future.

We are continuing to work with our partners—Congress, Veterans Service Organizations, and others—to get the information about this health program out to Veterans in as many ways as possible. Please visit our Web site at www.va.gov/opa/choiceact where we have provided helpful information on Choice Program eligibility. We will work with our partners to keep you informed as we improve our delivery of high-quality, timely care.

Thank you for your service and sacrifice.

Sincerely,



Robert A. McDonald



U.S. Department
of Veterans Affairs

Fact Sheet

Office of Public Affairs
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Veterans Access, Choice, and Accountability Act of 2014 Title I: Choice Program and Health Care Collaboration

On August 7, 2014, President Obama signed into law the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146) ("VACAA"). Technical revisions to VACAA were made on September 26, 2014, when the President signed into law the Department of Veterans Affairs Expiring Authorities Act of 2014 (Public Law 113-175). The Department of Veterans Affairs' (VA) goal continues to be to provide timely, high-quality health care for Veterans.

Section 101 of VACAA requires VA to establish a temporary program ("the Choice Program") to improve Veterans' access to health care by allowing eligible Veterans to use eligible health care providers outside of the VA system (non-VA care). Sections 102 and 103 of VACAA are also discussed below.

Background

In order to improve VA's ability to deliver high-quality health care to Veterans, section 101 of the VACAA requires VA to expand the options for eligible Veterans to elect to use non-VA health care for a period of up to three years, based either on the distance a Veteran lives from a VA facility, or if he or she is experiencing wait-times beyond the 30 day standard. This is referred to as the Choice Program. Veterans who meet certain eligibility requirements will be able to elect to receive care from eligible non-VA entities and providers through the Program. VA must enter into agreements with eligible non-VA health care entities and providers for them to participate in the Program. Prior to VACAA being passed, VA had mechanisms in place to purchase non-VA care, which are still available to VA. VACAA will enhance VA's non-VA care options.

Choice Fund and Choice Program

VACAA includes a \$10 billion fund from which VA must pay for non-VA care furnished as part of the Choice Program. VA will provide a Choice Card to all Veterans who were enrolled in the VA health care system as of August 1, 2014, and to recently discharged combat Veterans. Eligibility criteria are discussed in greater detail below.

Eligibility

A Veteran must have been enrolled in VA health care on or before August 1, 2014, or be eligible to enroll as a recently discharged combat Veteran within 5 years of separation. Additionally, a Veteran must also meet at least one of the following criteria.

- a) The Veteran is told by his/her local VA medical facility that he/she will need to wait more than 30 days from his/her preferred date or the date medically determined by his/her physician.
- b) The Veteran's current residence is more than 40 miles from the closest VA health care facility.
- c) The Veteran resides in a location other than Guam, American Samoa, or the Republic of the Philippines and needs to travel by plane or boat to the VA medical facility closest to his/her home.
- d) The Veteran faces a geographic challenge, such as extensive distances around water or other geologic formations, such as mountains, that presents a significant travel hardship.

Cost Sharing

If an eligible Veteran has another health-care plan, VA will be secondarily responsible for costs associated with non-service connected care and services furnished to eligible Veterans through the Choice Program and primarily responsible for service connected care.

Medical Records

When a Veteran receives care from an eligible non-VA health care entity or provider, the entity or provider must submit to VA a copy of any medical record information related to the care and services provided. This information will be included in the Veteran's medical record maintained by the Department.

Indian Health Service and Native Hawaiian Health Care Systems

VA will work with the Indian Health Service (IHS) to ensure that certain medical facilities operated by an Indian tribe or tribal organization are aware of the opportunity to negotiate reimbursement agreements with VA. This is in accordance with section 102(a) of VACAA.

VA will enter into contracts or agreements with certain Native Hawaiian Health Care Systems (NHHCS) for reimbursement of direct care services provided to eligible Veterans. This is in accordance with section 103 of VACAA.

Implementation

- VA submitted a report to Congress the week of October 6 redefining the wait-time goals of the Veterans Health Administration (VHA). The report establishes the wait-time goal as being within 30 days from the date requested by the Veteran for the appointment, as long as that date is clinically appropriate.
- VA hosted an [Industry Day](#) at the VA's Denver, Colorado Acquisitions and Logistics Center to seek input from the private sector on how best to provide administrative support in the process of issuing Veteran Choice Cards. VA recognizes that partnership with the private sector to implement this new law will be important.
- As of October 2014, VA has streamlined how we pay for hospital care, medical services, and other health care furnished through non-VA providers. This marks a significant change in the way VA conducts business as required by VACAA.

Frequently Asked Questions

Q: How long will it take to implement the Choice Program?

A: In order to ensure Veterans receive high-quality and timely health care, VA is working to implement VACAA, including the Choice Program, as quickly as possible. VA will be staging implementation of the Choice Program, with the first round being implemented on November 5, 2014.

Q: How will Veterans get their Choice Card?

A: VA will mail the Choice Card to Veterans enrolled in VA health care as of August 1, 2014, and to recently discharged combat Veterans who enroll within the 5 year window of eligibility. Not all Veterans who receive the Card will be able to participate in the Choice Program – they must meet the criteria established under the new law. VA will implement this program in stages.

Q: When will Veterans get their Choice Card?

A: The Choice Card will be issued in three phases. The first group of Choice Cards along with a letter explaining eligibility for this program will be sent by November 5, 2014, to Veterans who may live more than 40 miles from a VA facility. The next group of Choice Cards and letters will be sent by November 17 to those Veterans who are currently waiting for an appointment longer than 30 days from their preferred date or the date determined to be medically necessary by their physician. The final group of Choice Cards and letters will be sent between December and January to the remainder of all Veterans enrolled for VA health care who may be eligible for the Choice Program in the future.

Q: Is the criteria 40 miles or 30 days?

A: Eligibility for the Choice Program is based on the Veteran's place of residence or the inability to schedule an appointment within the "wait-time goals" of VHA, which have been established as 30 days from the date preferred by the Veteran, or the date medically determined by his/her physician. A Veteran could be eligible under one or both of these criteria. Please note that Veterans who are eligible based on their place of residence may elect non-VA care for any service that is clinically necessary. Veterans who are eligible based on "wait-time" may select non-VA care only for an appointment for the service that cannot be scheduled within the "wait-time goals" of VHA.

Q: Does the 40 mile rule refer to whether the specialty need (for example, Orthopedic Surgery) is available within 40 miles, or 40 miles from any VA facility, whether or not the specialty, in this example Orthopedics, is available there.

A: The law is clear that eligibility must be based on the distance from the Veteran's residence to any VA medical facility, even if that facility does not offer the specific medical service the Veteran requires for that particular visit.

Q: What are the criteria used to determine the 40 mile radius? Is it similar to the Dashboard used to calculate mileage reimbursement?

A: VA will calculate the distance between a Veteran's residence and the nearest VA medical facility using a straight-line distance, rather than the driving distance. VA is developing an interactive tool that will be available on va.gov beginning in early November for Veterans to determine their potential eligibility for the Choice Program based on their place of residence. Veterans will enter their address information into the tool, and the tool will calculate their distance to the nearest site of VA care, and provide that mileage and information on their eligibility for the Choice Program to the Veteran online.

Q. How will eligibility be determined for those Veterans who receive a "Choice Card," and are there limitations on what service they qualify for outside of the VA system?

A: Once a Veteran receives a Choice Card, they will be eligible to use the Program if they meet the specific eligibility criteria discussed above and call to receive approval for use. Veterans who are eligible based upon their place of residence will be eligible to use the Choice Program for any services that are clinically necessary. Veterans who are eligible because of the "wait-time" criterion will only be able to receive a non-VA appointment for the episode of care related to the service that cannot be scheduled within 30 days from his/her preferred date or the date medically determined by his/her physician.



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Progress Report: Veterans Access, Choice, and Accountability Act VA Accomplishments 90 days after Passage

President Obama signed into law the [Veterans Access, Choice, and Accountability Act of 2014](#) (Public Law 113-146) (VACAA) on August 7, 2014. Technical revisions to VACAA were made September 26, 2014, when the President signed into law the Department of Veterans Affairs Expiring Authorities Act of 2014 (Public Law 113-175).

The Department of Veterans Affairs' (VA) goal is to provide timely, high-quality health care for Veterans. The Department's focus and priority is on efficient and effective implementation of this highly complex law. The legislation included requirements to implement 21 program modifications or expansions, 1 entirely new benefit program, complete 3 required assessments, and to produce 12 reports.

In the 90 days since VACAA was passed, VA has been making progress along the path to implementation. In addition to implementing the Choice Program, VA's actions on these requirements to date include the following:

Increasing Access and Program Expansions:

- Section 104: VA extended the [Project ARCH](#) (Access Received Closer to Home) pilot program to continue to provide expanded access to health care for eligible Veterans in rural areas. In accordance with law, Project ARCH is currently being piloted in VISNs: 1, 6, 15, 18, and 19.
- Section 402: VA has held a meeting and has begun the process of collaborating with Department of Defense Health Affairs to discuss the implementation of section 402 of VACAA. Section 402 authorized VA to provide Military Sexual Trauma-related health care services to active duty Servicemembers without a referral from TRICARE or a military treatment facility. This collaboration will require continued and close collaboration between VA and DoD.
- Section 501: VA extended the national Assisted Living Pilot Program for Veterans with Traumatic Brain Injury (AL-TBI). The legal authority for this pilot program was set to expire in October, 2014 and has been extended through October 6, 2017. The AL-TBI pilot provides comprehensive rehabilitation care and services in a residential setting for eligible Veterans.
- Section 601 & 602: VACAA authorized VA to enter into 27 Major Facility Leases. VA's Office of Construction & Facilities Management (CFM) has begun work on seven of the lease projects as "Phase 1" and resumed two additional projects

that had been on hold pending Congressional authorization. The remainder of the projects will follow in three subsequent phases.

- Section 701: VA expanded the eligibility criteria for the Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship) to include the surviving spouses of Servicemembers who died in the line of duty after September 10, 2001. VA began accepting applications by mail for the Fry Scholarship under the newly expanded eligibility criteria on Monday, November 3, 2014.
- Section 702: VA has sent letters to all Governors informing them that, as required by VACAA, VA will disapprove programs of education under the Post-9/11 GI Bill and Montgomery GI Bill at a public institution of higher learning if the school charges qualifying Veterans and dependents tuition and fees in excess of the rate for resident students. This change is effective for terms beginning after June 30, 2015.

Additional Actions, Collaborations, and Business Process Improvements:

- Section 201: On October 2, 2014, VA announced it had awarded the [MITRE Corporation](#), a not-for-profit company that operates multiple federally funded research and development centers, a contract to support the independent assessments of VA health care processes that were required by law. These independent assessments will provide the Department a way to transparently review vital programs, organizations, and business practices to make VA more accountable to Veterans. The MITRE Corporation, in partnership with CMS Alliance to Modernize Healthcare, will serve as program integrator and will report the results of the independent assessments to VA, the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the separate Commission on Care created by VACAA within 60 days of conclusion.
- Section 203: VA signed a Memorandum of Agreement with the Northern Virginia Technology Council to establish a pro-bono technology task force. On October 30, 2014 NVTC provided VA and Congress a report on opportunities to improve the scheduling of medical exams. VA is evaluating the recommendations and is in the process of assessing those that are “feasible, advisable, and cost-effective” for implementation.
- Section 205: VA has reviewed 88,000 FY14 employee performance plans. Upon review, 13,000 plans were modified to remove scheduling and wait time metrics or goals. In accordance with VACAA, these factors have been removed from inclusion in employee performance evaluations and when calculating whether to pay performance awards. VA will continue to review and modify employee performance plans for future years.
- Section 206: VA has begun to post wait time data which reflects VA’s ability to schedule an appointment within 30 days of the date a Veteran wishes to be seen or the date determined medically necessary by their physician. This new wait

time standard will be applied to determine a Veteran's eligibility to elect to receive non-VA care through the Veterans Choice Program. In keeping with the commitment to improve transparency in the department's processes, VA has provided ongoing facility level patient access data updates since June 9, 2014. The latest update further increases transparency by expanding nationwide patient access data releases to include updates at the Community Based Outpatient Clinics level. This data is updated on a regular basis and is available at <http://www.va.gov/health/access-audit.asp>

- Section 209: VA revised Human Resources handbook 5021 to include provisions related to penalties for employees who falsify data regarding access to care or quality measures. The policy has been updated to list, "Willfully submitting or directing others to submit false data concerning wait times for health care or quality measures related to health care," as an offense related to falsification. The explicit inclusion of the terminology "wait times" and "quality measures" will reinforce the expectation of the Department that no employee shall manipulate or falsify data regarding wait times or quality measures.

Caring for our Nation's Veterans, their survivors, and dependents continues to be the guiding mission of VA. We are enhancing our health care system and improving service delivery to better serve Veterans and set the course for long-term excellence and reform. VA has made significant progress in various areas of the legislation, but more work remains to expand timely access to high-quality health care for Veterans. Again, the Department's focus and priority is on efficient and effective implementation of this highly complex law. As we work to meet the requirements of VACAA, you can follow our progress at www.va.gov/opa/choiceact.