

ICR-Veteran Beneficiary Claim for Reimbursement of Travel Expenses; OMB No. 0798

1. VA-2024-VACO-0001-0042

Proof of attendance documentation is conspicuously absent from your ICR. The ICR only mentions the collection of identity, addresses, dates, one signature and receipts for expenses other than mileage.

VHA has been collecting proof of attendance documentation for well more a decade. They request an additional document be attached to the VHA Form 10-3542 or submitted to the Beneficiary Travel Self Service System (BTSSS) with a claim. They have requested it in numbers far greater than 10 persons on a regular basis without an OMB control number.

The VHA VTP has purposely evaded OMB control by leaving it out of the ICR and instructing each beneficiary travel office to generate and issue their own letters requesting proof of attendance documentation. VHA is collecting proof of attendance documentation right now, in real time, as reflected in the documents I have attached.

VHA cites 38 CFR 70.20 (e) to demand any information they desire whether authorized by OMB or not. If not provided, the claim will be denied. It has happened and it is happening. Proof of attendance documentation is absent from 38 USC 111. VHA has illegally added determination criteria without the authorization to do so.

Please clarify and define the specific information VHA is authorized to collect under this ICR. Explain why proof of attendance is missing from your ICR.



VA-2024-VACO-000
1-0042.A1.pdf

Attachments:

VA Response: Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes. 38 CFR 70.20(e) requires the VA to notify the claimant should additional information be needed to adjudicate the claim as VA must verify care or services were received to be reimbursed. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as further directed under the provisions of the Payment Integrity Information Act of 2019. VA has had this requirement and was approved under previous collection efforts under the instructions of the 10-3542 #6 stating "Application will be evaluated to determine eligibility for travel benefits and services received." VA is taking the steps to further clarify the instructions within the current ICR.

2. VA-2024-VACO-0001-0043

VHA has not complied with OMB terms of clearance. Where is the revised VHA Form 10-3542 more clearly displaying the expiration date? Where are the screen shots of the Beneficiary Travel Self Service System (BTSSS)? ICR Reference No: 201604-2900-019,

07/17/2017 says, "By the time of the next submission, VA will:(2) more clearly display the expiration date,(3) provide screenshots/images of the kiosk/mobile technology

Attachments:

VA Response: Thank you for your comment. VHA has added a clear expiration date to the updated 10-3542 on the top right-hand corner along with OMB Control number and updated respondent burden times. The same information has been added to BTSSS and other electronic claim submission modalities.

3. VA-2024-VACO-0001-0046

See attached file(s) I, RWL have made many attempts to collect my travel reimbursement and have had no luck. I have even went to the correct people at the VA to help, and nothings ever came through. This is a nightmare! Attached are just a few files of just the VA appointments I have outside appointments as well and no one is helping. Please is there anyone that can help?



VA-2024-VACO-0001-0046.A1.pdf



VA-2024-VACO-0001-0046.A2.pdf



VA-2024-VACO-0001-0046.A3.pdf

Attachments:

VA Response: Thank you for your comment and apologize that you are having these issues. Your concerns have been routed to the VISN 8 Mobility Manager.

4. VA-2024-VACO-0001-0047

I am a 100% disabled veteran in Bremerton, WA and since the pandemic and the changes to the system I have not been able to file a travel claim. I have had at least 40 appointments at the VA medical center in Seattle. I have trouble logging into the website and when I mailed in travel claims they were rejected and mailed back to me. I have given up even trying to file for travel.

Attachments: None

VA Response: Thank you for your comment and apologize that you are experiencing these issues. Your concerns have been routed to the VISN 20 Mobility Manager.

5. VA-2024-VACO-0001-0048

I am all about simplified processing.

Attachments: None

VA Response: Thank you for your comment

6. VA-2024-VACO-0001-0049

VHA, Proof of attendance documentation is conspicuously absent from your ICR. The ICR only mentions the collection of identity, addresses, dates, one signature and receipts for expenses other than mileage. VHA has been collecting proof of attendance documentation for well more a decade. They request an additional document be attached to the VHA Form 10-3542 or submitted to the Beneficiary Travel Self Service System (BTSSS) with a claim. They have requested it in numbers far greater than 10persons on a regular basis without an OMB control number. The VHA VTP has purposely evaded OMB control by leaving it out of the ICR and instructing each beneficiary travel office to generate and issue their own letters requesting proof of attendance documentation. VHA is collecting proof of attendance documentation right now, in real time, as reflected in the documents I have attached. VHA cites 38 CFR 70.20 (e) to demand any information they desire whether authorized by OMB or not. If not provided, the claim will be denied. It has happened and it is happening. Proof of attendance documentation is absent from 38 USC 111. VHA has illegally added determination criteria without the authorization to do so. **Please clarify and define the specific information VHA is authorized to collect under this ICR.**

Attachments: None (please note, the comment states there are attachments, but none were received.)

VA Response: Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes. 38 CFR 70.20(e) requires the VA to notify the claimant should additional information be needed to adjudicate the claim as VA must verify care or services were received to be reimbursed. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as further directed under the provisions of the Payment Integrity Information Act of 2019. VA has had this requirement and was approved under previous collection efforts under the instructions of the 10-3542 #6 stating "Application will be evaluated to determine eligibility for travel benefits and services received." VA is taking the steps to further clarify the instructions within the current ICR.

7. VA-2024-VACO-0001-0050

My name is Charles A Cogswell, (SSN: 1639). I am a 100% VA disable Veteran. I want to file a complaint about the Access VA, DS Login website I been using to collect my VA travel pay reimbursement after I have made a VA Medical appointment. We use to have to fill out a simple

form and drop it off at the local veteran travel reimbursement office. Then they stopped that process and we could only file our travel request for reimbursement through Access VA, DS Login website. This website is the most complicated and most unreliable website I ever had to use. I have a good deal of computer knowledge and I can't imagine how a fellow veteran with lesser ability than I have successfully use this system to receive travel payment reimbursement. It doesn't allow you to save your password and if you incorrectly enter your username or password twice it locks you out of the system for 24 hours. I have also been suspended from using the system for 30 days for failing to enter my correct username or password. Once successfully login to the website DS Login VA Travel recording system there is a very difficult recording process which must be done exactly without absolutely no help or understanding how to correctly record your VA Medical visits for travel payments. I don't see why this process is being used at all. When a veteran with more than 30% VA disability does show up for a VA medical appointment. VA travel reimbursement should be automatically credited to that Veteran. If the travel was by private transportation, public transportation, or by medical transportation the VA should be aware at the time of the Veterans arrival how they traveled to their medical appointments. No Veteran should be forced to provide forms or record computer website requests for travel pay on a computer. It should come reimbursed to the Veteran automatically unless the Veteran had to use a more unusual travel method than normally used.

Attachments: None (please note, the comment states there are attachments, but none were received.)

VA Response: VA has received your response and appreciates your feedback. We will have a Veterans Transportation Representative contact you to assist with your login issues.

8. VA-2024-VACO-0001-0051

VHA, Proof of attendance documentation is conspicuously absent from your ICR. The ICR only mentions the collection of identity, addresses, dates, one signature and receipts for expenses other than mileage. VHA has been collecting proof of attendance documentation for well more a decade. They request an additional document be attached to the VHA Form 10-3542 or submitted to the Beneficiary Travel Self Service System (BTSSS) with a claim. They have requested it in numbers far greater than 10 persons on a regular basis without an OMB control number. The VHA VTP has purposely evaded OMB control by leaving it out of the ICR and instructing each beneficiary travel office to generate and issue their own letters requesting proof of attendance documentation. VHA is collecting proof of attendance documentation right now, in real time, as reflected in the documents I have attached. VHA cites 38 CFR 70.20 (e) to demand any information they desire whether authorized by OMB or not. If not provided, the claim will be denied. It has happened and it is happening. Proof of attendance documentation is absent from 38 USC 111. VHA has illegally added determination criteria without the authorization to do so. Please clarify and define the specific information VHA is authorized to collect under this ICR.

This proposed change would certainly cause many vets to NOT receive the care they need because they cannot afford the travel. For example, a 100% disabled vet who receives no special monthly compensation, receives slightly less than \$4000/mo, and since they would not be able to afford to live anywhere near an office, the travel would be excessive on a very limited income. This is wholly unacceptable.

Attachments: None (please note, the comment states there are attachments, but none were received.)

VA Response: VA has received your response and appreciates your feedback. Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes. 38 CFR 70.20(e) requires the VA to notify the claimant should additional information be needed to adjudicate the claim as VA must verify care or services were received to be reimbursed. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as further directed under the provisions of the Payment Integrity Information Act of 2019. VA has had this requirement and was approved under previous collection efforts under the instructions of the 10-3542 #6 stating "Application will be evaluated to determine eligibility for travel benefits and services received." VA is taking the steps to further clarify the instructions within the current ICR. There is no additional regulation change at this time.

9. VA-2024-VACO-0001-0052

Comment regarding VA Form 10-3542 dated Nov 13My recommendation:

I recommend that DVA go through rulemaking and amend the existing Code of Federal Regulations (CFR) provision found at 38 CFR 70.20(b) and amend Instruction #4 found on page 2 of the existing VA Form and within the BTSSS. The current CFR provision says: "A claimant must apply for payment of beneficiary travel within 30 calendar days after completing beneficiary travel that does not include a special mode of transportation." [https://www.ecfr.gov/current/title-38/part-70/subpart-A#p-70.20\(b\)](https://www.ecfr.gov/current/title-38/part-70/subpart-A#p-70.20(b))The US Code law provision (38 USC 111 (<https://www.govinfo.gov/content/pkg/USCODE-2022-title38/html/USCODE-2022-title38-partI-chap1-sec111.htm>) that authorizes DVA to actually promulgate their CFR rules for travel reimbursement, does NOT specify or require a specific time period to submit such a request. The existing 30 day submittal requirement is one that DVA has imposed and it appears, had originally imposed. My comment is that the subject CFR 30 day submittal requirement is UNDULYBURDENSOME and should be changed to a more reasonable time period, such as "no later than" 90 days after completion of the travel for which reimbursement is claimed.

Considering changing the form is just one part of actually examining the entire travel reimbursement process. Since this Federal Register request for comments wants to address

“ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology”, it stands to reason that allowing a more reasonable period of time to make such reimbursement submissions either via paper or BTSSS submission syndicated is well known that veterans in general have sacrificed much on behalf of our country. In many cases they are some of the poorest and most injured citizens and nationals of our country. DVA’s implementing regulations should be well-crafted to reasonably reduce the burden on these veterans. With either paper or electronic submissions now being entered into automated systems vice paper records, there is no reasonable need for the DVA to require that veterans seeking reimbursement immediately file within 30 days of such past travel as the record of such appointments and other evaluations and treatment dates are easily retrievable in VA’s existing electronic records systems (vice paper appointments and other local records at the VA Center that had to be manually retrieved to visually validate the actual appointment date and location before being physically archived elsewhere). DVA suspended the 30 day timely filing rule for over three years due to the Pandemic(<https://www.va.gov/cincinnati-health-care/stories/extended-period-for-filing-travel-claims-to-expire-june-9th/>). There is no legitimate reason why it cannot permanently extend, through a proposed change to their CFR provision, the timely filing time requirement to a more reasonable 90 or 120 days past the day of travel completion.



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Attachments:

VA Response: VA has received your response and appreciates your feedback. VHA is currently evaluating regulatory opportunities to expand timelines associated with submission of applications.

10. VA-2024-VACO-0001-0053

If you want one stop does all, bring back kiosk. It was so simple an effective for a vet. I tried using the web site, but it was very confusing, I finally gave up. If you’re really interested in helping us get the monies we deserve stop fooling around with new ways that don't work. Their are vets out there that depend on this income. Some higher powers decided this way would be better in reality it's not. Remember the letters KISS.

Attachments: None

VA Response: VA has received your response and appreciates your feedback. The VA Secretary has directed VHA to establish an IPT reevaluate the decision to decommission the kiosk.

11. VA-2024-VACO-0001-0054

My name is Jack Lee Newell Jr. and my last four of my Social Security number is: 5008. I have been trying everything the VA has told me to do to get my Travel Pay. In way more times I have not getting my Travel Pay then I have gotten it. In the past, I use to go to a pay window, turned in the appointment dates, time and travel address and any other info the VA asked for to get my travel pay. Then it went to a kiosk when I put in the info asked for and sometime I would get some of my Travel Pay. Next the information needed went into a computer at my home on my computer and sometimes I would get my Travel Pay but most of the time I got nothing. Now the computer info will not even take my Travel Pay and keeps kicking me out of the computer because of the VA. Two years ago, I had to get the Vets Advocates and a U.S. Congressman involved to try and get them to get my Travel Pay. I got about 1/3 of the Travel Pay due me. Last year, I had about \$900.00 due me or there about and got almost none of it. I also talked and texted the head of the travel pay dept. as well as going to the Columbia S.C. vet hospital to talk to the Vets Advocates in person and the travel pay office and the head of the Travel Pay office.

I have spent my time and my gas money to go to the Columbia, S.C Vets hospital to turn in my Travel Pay info to the tune of 185 miles round trip many times. Then came the Community Care and I still have to get a paper showing I was at a Community Care appointment on time and at my appointment dates and then go back to the Vets hospital to bring the copy of that paper and fill out the Travel Pay form, again having to drive 185 miles round trip just to give the Travel pay office the Docs. they ask for. More times than not I still don't get all of my Travel pay. I know for a fact that many other Vets has had to do the same thing.

I have done everything the VA has ask of me and I still have not gotten any where near the Travel Pay owed me. I personally think that the VA will do everything in their power to NOT pay the Vets the money owed or the people in charge of the Travel Pay has no clue as to what they are doing. I realize that there are many thousands of Vet's having trouble just like me. I know that thousands of Vet's have to try and get their Travel Pay and that the people over the Travel Pay offices around the U.S. are overwhelmed with the amount of the Vet's that are bogging the system trying to get paid. If you are not going to pay the Vet's their Travel Pay, quit lying to them and just tell them they are not going to get paid. Either that or hire more people needed and train them so that they have a lucid thought as to what their job is. The U.S. Government hired 87,000 IRS agents, gave them fire arms and taught them how to use them. If the Government can do that, surely to God, then could hire a few thousand people to pay the Vets their Travel Pay. I am not a person that takes NO for an answer. The U.S. Navy taught me how to be a warrior and I'm going to war with the VA until I have one foot in the grave. I may come back as a ghost and keep warring with them until they get it right. I didn't mean to write a book on the subject but by God the Vet's of this country need to be better taken good care of. I've said my rant and I hope someone with compassion will do something about all the bull crap.

Attachments: None

VA Response: Thank you for your comment and apologize that you are experiencing these issues. Your concerns have been routed to the VISN 7 POC.

12. VA-2024-VACO-0001-0056

Please use the following links to pertinent information for public comments:

Veteran/Beneficiary Claim for Reimbursement of Travel Expenses (VA Form 10-3542 and BTSSS)
https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=202402-2900-007

OMB Control Number: 2900-0798 <https://www.reginfo.gov/public/do/PRAOMBHistory?ombControlNumber=2900-0798>

VA OIG Report <https://www.vaoig.gov/reports/review/goals-not-met-implementation-beneficiary-travel-self-service-system>

38 USC 111 <https://www.govinfo.gov/link/uscode/38/111>

38 CFR 70 <https://www.ecfr.gov/current/title-38/part-70/subpart-A>

VA Form 10-3542 <https://www.va.gov/vaforms/medical/pdf/vha-10-3542-fill.pdf>

BTSSS <https://dvagov-btsss.dynamics365portals.us/>

BT in the news <https://news.google.com/search?q=VA%20Beneficiary%20travel&hl=en-US&gl=US&ceid=US%3Aen>

<https://news.va.gov/85832/travel-pay-claims-made-easy/>

<https://www.kfyrtv.com/2022/08/31/vas-travel-reimbursement-system-challenge-some-rural-vets/>

<https://www.militarytimes.com/veterans/2022/08/24/travel-reimbursement-for-vets-seeking-care-falls-short-senator-warns/>

<https://themissouritimes.com/alford-writes-letter-to-u-s-department-of-veteran-affairs/>

<https://www.military.com/daily-news/2023/06/13/new-online-va-travel-reimbursement-program-failing-veterans-inspector-general-finds>

<https://www.mainebiz.biz/article/fix-health-care-travel-reimbursement-for-veterans-maine-delegation-urges>

<https://www.redlandsdailyfacts.com/2023/09/03/va-loma-linda-mismanaged-more-than-1-million-in-patient-transportation-funds-feds-say/>

<https://www.hernandosun.com/2023/10/05/bilirakis-pushes-for-preservation-of-paper-va-travel-reimbursement-forms/>

<https://www.ainonline.com/aviation-news/business-aviation/2023-10-31/air-ambulance-industry-pushes-back-against-new-va-rule>

Attachments: None

VA Response: VA has received your comment and thanks you for the information.

13. VA-2024-VACO-0001-0057

Are recommendations complete? What are the changes? Where is your documentation? Goals Not Met for Implementation of the Beneficiary Travel Self-Service System VA OIG 21-03598-92 May 31, 2023 VETERANS HEALTH ADMINISTRATION (VHA) Action Plan Goals Not Met for Implementation of the Beneficiary Travel Self-Service System Project Number 2021-03598-AE-0179 Recommendation 1. Director of the Veterans Transportation Program determines what system changes are needed to meet auto-adjudication goals and implement these changes. VHA Comments: Concur. The Veterans Transportation Program (VTP), in collaboration with VA Office of Information and Technology (OIT), will perform a complete assessment of defined performance measures for the Beneficiary Travel Self-Service System (BTSSS), ensure the defined performance measures and associated management reports are readily available to VHA leadership, establish a process to regularly monitor, analyze deviations from established performance measures and take action to address performance of VA medical centers not meeting the standard. Additionally, VHA and OIT will perform a full analysis of BTSSS rules engine, identify opportunities to consolidate redundant rules and/or eliminate excessive rules and implement appropriate changes to the rules engine that impair VHA's ability to balance goals of timely delivery of benefits with the goal of mitigating risk of improper payments. Status: In progress Target Completion Date: March 2024 Recommendation 2. Director of the Veterans Transportation Program conducts outreach to users, solicits feedback, and considers whether system changes are needed based on feedback, to increase self-service portal usage. VHA Comments: Concur. The Veterans Transportation Program (VTP) will collaborate with stakeholders from the Veterans Integrated Service Networks and VA medical centers (VAMC) to refresh and expand the communications plan strategy provided to the VAMC public affairs teams prior to the BTSSS national deployment, to ensure community stakeholders (including Veterans, Veterans Service Offices, etc.) have awareness of BTSSS, as well as an understanding of the application and benefits of using the self-service option. Additionally, VTP, in collaboration with the VA OIT and the Veterans Experience Office, will expand the baseline BTSSS Veteran survey (piloted in October 2022) to obtain feedback regarding their experience using the BTSSS. We will utilize the customer feedback to perform targeted user testing by Veterans to develop and prioritize future changes to BTSSS. Status: In progress Target Completion Date: March 2024 Recommendation 3. Assistant Under Secretary for Health for Operations create an action plan to phase out continued use of the VistA beneficiary travel function VHA Comments: Concur. The Assistant Under Secretary for Health for Operations, in collaboration with the Veterans Transportation Program, the Veterans Integrated Service Networks and VA medical center (VAMC) leadership, will establish a plan to phase out the utilization of the VistA beneficiary travel function at the remaining VAMCs (41, as of February 2023) using VistA as a processing modality and formally decommission the VistA beneficiary travel function. Status: In progress Target Completion Date: December 2023 Recommendation 4. Assistant Under Secretary for Health for Operations coordinates with the veteran's health

administration office of finance and assess whether duplicate payments were made to veterans requesting travel reimbursement since the new system went live. VHA Comments: Concur. The Assistant Under Secretary for Health for Operations, with support from the Veterans Transportation Program, the Veterans Integrated Service Network, the VA medical centers, the Financial Services Center and the VHA Office of Finance, will assess the current payment system, internal controls, and whether duplicate payments occurred. Status: In progress Target Completion Date: March 20



VA-2024-VACO-000 1-0057.A1.pdf



VA-2024-VACO-000 1-0057.A2.pdf

Attachments:

VA Response: VA has received your response and appreciates your feedback. The review of "Goals Not Met for Implementation of the Beneficiary Travel Self-Service System VA OIG 21-03598-92" has been completed and OIG will post the final response.

14. VA-2024-VACO-0001-0062

Regarding your letter "VHA Paperwork Reduction Act (PRA) violations" dated February 4, 2024. We appreciate you bringing your concerns to our attention. We have listed those concerns and outlined our findings below: Beneficiary Travel (BT) "Proof of attendance" letter does not display a valid Office of Management and Budget (OMB) control number. "Our review determined this was an individual request for information and is not a collection of information from 10 or more members of the public. Therefore, it does not fall under the purview of the Paperwork Reduction Act and does not require the presence of an OMB Control Number. However, we will consider whether the collection of this information is necessary and is more appropriately included under OMB Control Number 2900-0798." "The Beneficiary Travel Self Service System does not display a valid OMB control number. "Our review confirmed the BTSSS system did not display an OMB Control Number as required for a collection of information from 10 or more members of the public. That issue has been corrected, the BTSSS system now includes the appropriate OMB Control Number." "38 CFR 70.20, Veterans Transportation Programs (VTP), displays an incorrect OMB control number. "Our review confirmed that regulation 38 CFR 70.20, Veterans Transportation Programs includes an incorrect OMB control number. The appropriate teams within VA are working through the process to update the text of the regulation. "The VHA Form 10-3542, Veteran/Beneficiary Claim for Reimbursement of Travel Expenses, displays an expired OMB control number. "Our review confirmed that the PRA approval for VHA Form 10-3542, Veteran/Beneficiary Claim for Reimbursement of Travel Expenses was expired. On February 8, VA began the process to request an emergency PRA approval from OMB's Office of Information and Regulatory Affairs to bring the form back into good standing. If approval is granted the updated Form 10-3542 will be made available online." "We are reviewing our processes for verifying Veteran appointments in the Community."

Attachments: None

VA Response: Thank you for your comment VA has received your response.

15. VA-2024-VACO-0001-0072

August 15, 2023

Dear Secretary McDonough, We look forward to your response to the following questions:
Will the VA ensure that Maine veterans have access to the VistA reimbursement system until the significant issues with BTSSS have been properly addressed?

How does the VA plan to fix the processing issues with non-standard reimbursement claims on BTSSS before entirely replacing the VISTA system?

How does the VA intend to address the impact of limited computer access and proficiency on older, rural veterans seeking mileage reimbursement?

Will VA implement the two recommendations from the OIG's May 2023 report on the BTSSS program?

We appreciate your efforts to reimburse Maine veterans for their VA related travel expenses without facing unnecessary obstacles.

Thank you for your attention to this important matter. Sincerely, ANGUS S. KING, JR. SUSAN M. COLLINS United States Senator United States Senator CHELLIE M. PINGREE JARED F. GOLDEN United States Representative United States Representative



VA-2024-VACO-0001-0072-A1.pdf

Attachments:

VA Response: VA has received your response and appreciates your feedback. Response was provided back to the Maine Delegation congressional.

16. VA-2024-VACO-0001-0073

Congress did not authorize the Secretary to create regulations reducing the beneficiary travel benefit. Veterans Affairs has no discretion in this matter³⁸ 38 USC 111 (b)(1): "the Secretary shall make the payments... for travel... for which the person is eligible". The Secretary unlawfully created additional determination criteria for approval and payment via 38 CFR70.4. The Secretary implemented a 50 percent reduction in travel payments for unscheduled and non-VA (community care) appointments without the authority to do so. On the Notice of Proposed Rule, VA stated: "Proposed 70.4 provides a full list of the approval criteria that VA would apply to claims for beneficiary travel, including the individuals who would be eligible for benefits, application procedures, payment criteria for travel without prior VA authorization". "Proposed 70.4 (b) and (c) help ensure that beneficiary travel is covered only when necessary for the provision of care or services and not merely to obtain cash for other reasons".³⁸ 38 USC 111 already provided a full list of the approval and payment criteria. It makes no distinction between scheduled and unscheduled

appointments, or VA and non-VA (community care) appointments. I find VA logic inappropriate, counter to the will of Congress, and extremely offensive. This is agency overreach that has gone on unchecked for 16 years, it needs to stop!

Attachments: None

VA Response: Thank you for your comment VA has received your response. Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes

17. VA-2024-VACO-0001-0074

From: benjamin.williams@va.gov

I appreciate you meeting with VTP Leaders (Mr. Cook) and Facility SMEs last week to discuss your questions below. IAW the guidelines Mr. Cook shared last week, the following requirements all contribute to the need for VA to collect documentation community care appointments were attended from Veterans:1. Public Law 116-117, the Payment Integrity Information Act of 2019 (PIIA), VA is required to verify the Agency (or beneficiary in this case) received the goods/services (care) for the appointment related to the transportation request, prior to reimbursement. I can assure you, VTP (nor I) add any unnecessary documentation requirements.2. Code of Federal Regulations also require38 CFR 70.10 staff must verify that Veterans received examination, treatment, or care to ensure that they are eligible for the benefit.38 CFR 70.20 (e) If VA determines that additional information is needed to make a determination concerning an application under this part, VA will notify the claimant in writing of the deficiency and request additional information. If the claimant has not responded to the request within 30 days, VA may decide the claim prior to the expiration of the 1-year submission period required by 38 U.S.C. 5103(b)(1) based on all the information contained in the file, including any information it has obtained on behalf of the claimant. If VA does so, however, and the claimant subsequently provides the information within 1year of the date of the request, VA must re-adjudicate the claim.

i. This information can also be found in VHA Procedures guide 1601B.05 VTP and VISN POC regularly monitor claims and staffing levels throughout the country. As of 1/7/2024, your VAMC currently has 7800 unprocessed claims which is 24 days of inventory. As a reminder, you are able to track your claim status for all claims submitted within BTSSS through the BTSSS Dashboard claims page. Or, if you submitted a paper claim, you may contact your local VA Facility for claim status. Should you have additional unanswered questions please let me know. Ben Williams Director, Veterans Transportation Program VHA Member Services (15MEM)

Attachments: None

VA Response: Thank you for your comment VA has received your response

18. VA-2024-VACO-0001-0075

The collection of proof of attendance documentation was not, and is not, authorized by OMB under control number 2900-0798. 38 CFR 70.20 (e) allows for information collection authorized by OMB under control number 2900-0798. The Secretary unlawfully created additional criteria for payment without the authority to do so. 38 USC 111 does not establish any determination criteria such as proof of attendance, completion of appointment documentation, or provider updates to medical records. Supporting Statement A states, "VHA must determine the identity of the claimant, the dates and length of the trip being claimed based on addresses of starting and ending points, and whether expenses other than mileage are being claimed. The claimant is required to sign the form.



VA-2024-VACO-0001-0075-A1.pdf



VA-2024-VACO-0001-0075-A2.pdf

Attachments:

VA Response: VA has received your response and appreciates your feedback. Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes. 38 CFR 70.20(e) requires the VA to notify the claimant should additional information be needed to adjudicate the claim as VA must verify care or services were received to be reimbursed. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as further directed under the provisions of the Payment Integrity Information Act of 2019. VA has had this requirement and was approved under previous collection efforts under the instructions of the 10-3542 #6 stating "Application will be evaluated to determine eligibility for travel benefits and services received." VA is taking the steps to further clarify the instructions within the current ICR. There is no additional regulation change at this time.

19. VA-2024-VACO-0001-0080

Won my appeal with VBA May of 2023. When I finally received the notice I filled out claims for the appointments and presented them with the letter. My VA stated they knew nothing of back travel even though I presented them with the VA paperwork. VA OKLAHOMA CITY does a poor job of taking care of vets. The BTSSS system doesn't always work but they insist you use it to file a claim. I am not sure which is worse, providers that don't care or poor ancillary staff. They all seem to be stuck in a "protect my job at all costs" rut. They are there to provide patient care, not VA care. Do a better job of taking care of veterans.

Attachments: None

VA Response: VA has received your response and appreciates your feedback

20. VA-2024-VACO-0001-0081

This hasn't been working for a long time, and now you put out something about how to claim travel, a little late don't you think, some vets may not have capability to do so, Many vets myself included are likely doing multiple trips a month, And with what is going on with

gas prices and bidenomics we Are having enough trouble making ends meet, the old system worked, just saying

Attachments: None

VA Response: VA has received your response and appreciates your feedback

21. VA-2024-VACO-0001-0082

The travel pay site doesn't work. It worked at one time before the changes made to the system. I have tried many times to input travel pay for my husband and has not gotten any for the past two years. It says that it's complete or incomplete. But it doesn't even pay him. It was better when they could turn them in at the time of their appointment.

Attachments: None

VA Response: VA has received your response and appreciates your feedback

22. VA-2024-VACO-0001-0083

I am a 80% disabled veteran. I have been waiting over a year for travel pay. I went back and forth from phenix city AL to Tuskegee al. The mileage was a total of 82 miles a trip. I put in the paper work at the clinic. I made a number of calls with no results. T was a total of three trips back and forth.

Attachments: None

VA Response: Thank you for your comment and apologize that you are experiencing these issues. Your concerns have been routed to the VISN 7 POC.

23. VA-2024-VACO-0001-0088

The current travel system is a mess. It is confusing, takes too long and is very frustrating to use. My claims are denied for reasons that do not make sense and the appeal process and paperwork is hard to understand. In fact, I have yet to be able to successfully appeal a denied claim. I also do not understand why when I have a community care appointment I am required to jump through hoops to prove I went to the appointment even though community care has paid the claim. The whole system seems designed to frustrate veterans and care givers to the point where they don't bother filing claims. Actually most of the VA systems and processes seemed to be designed that way. How about we stop wasting money on the VA and give disabled veterans the same health insurance enjoyed by the folks who send us to get killed and maimed. The VA system is a bloated wasteland of inefficiency, ineptitude and just plain old stupidity. It is disgusting and you should be ashamed.

Attachments:

VA Response: Thank you for your comment and apologize that you are experiencing these issues. Your concerns have been routed to the VISN 1 POC

24. VA-2024-VACO-0001-0089

Fix the Travel System and stop the VA from recouping monies owed to us, the veterans. There has to be a better way to get reimbursed than the way it is now. So many of us just can't do the work and we are losing out on a lot of money we forked out to get gas, rooms to keep our appointments made and our Healthcare up to par, omg!

Attachments:

VA Response: VA has received your response and appreciates your feedback

25. VA-2024-VACO-0001-0093

Thank you for taking the time to read my comment. I am a Master's student at the University of Virginia Batten School of Leadership and Public Policy. I am writing in support of revising the review process for veteran beneficiary claims, particularly concerning PFAS. With recent data being published finding levels of organic fluorine ranging from 11 parts per million to 328 ppm, the DVA must prepare accordingly.

As a current Master's student in Leadership and Public Policy, I am dedicated to supporting veterans through comprehensive policy and government action. I strongly believe that PFAS, present in bandages issued by the Department of Veterans Affairs, will be a significant issue for veterans. A study found that 10 out of 16 bandages with black and brown skin tones contained PFAS, with "forever chemicals" present in 26 out of 40 bandages tested. The risk of exposure to PFAS through the skin is not entirely clear, but previous lab research by the National Institute for Occupational Safety and Health suggests that skin exposure to PFAS poses similar health risks as ingesting the chemicals via food or water. By making these revisions to the review process, the Department of Veterans Affairs can best handle the future influx of these cases.

Attachments: None

VA Response: VA has received your response and appreciates your feedback

26. Email to Michael Shores from MSGT John D. Thompson

338 CFR 70.20 (e) Allows for information collection authorized by OMB under control number 2900-0798. The collection of proof of attendance documentation was not, and is not, approved by OMB. The Secretary unlawfully created additional criteria for payment. 38 USC 111 does not establish any determination criteria such as proof of attendance or completion of appointment documentation or provider updates to medical records. VHA ICR dated 02/08/2024 states, "VHA must determine the identity of the claimant, the dates and length of the trip being claimed based on addresses of starting and ending points, and whether expenses other than mileage are being claimed. The claimant is required to sign the form." See

https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=202402-2900-007

Attachments: None

VA Response: VA has received your response and appreciates your feedback. Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes. 38

CFR 70.20(e) requires the VA to notify the claimant should additional information be needed to adjudicate the claim as VA must verify care or services were received to be reimbursed. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as further directed under the provisions of the Payment Integrity Information Act of 2019. VA has had this requirement and was approved under previous collection efforts under the instructions of the 10-3542 #6 stating "Application will be evaluated to determine eligibility for travel benefits and services received." VA is taking the steps to further clarify the instructions within the current ICR. There is no additional regulation change at this time.

27. VA-2024-VACO-0001-0113

Currently there is a backlog of over four-hundred thousand (400,000) paper healthcare claims nationwide". "Paper healthcare claims" are claims where the VA requires proof of attendance for community care appointments and BTSSS cannot process attachments. Proof of attendance is not authorized for collection by OMB as required by the Paperwork Reduction Act of 1995 (44 USC 3501-3520). OMB control number 2900-0798.

Attachments: None

VA Response:

VA has received your responses and appreciates your feedback. VTP established a 10-day inventory goal for all facilities. On average VHA receives forty-one thousand claims a day across the enterprise so four hundred thousand claims would be under the 10 days goal. Title 38 United State Code (U.S.C.) § 111 provides the Secretary with the authority to administer VA's Beneficiary Travel benefits. Title 38 Code of Federal Regulations (CFR) Part 70, Subpart A regulates how VA administers the benefit for the Veterans Health Administration purposes. 38 CFR 70.20(e) requires the VA to notify the claimant should additional information be needed to adjudicate the claim as VA must verify care or services were received to be reimbursed. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as further directed under the provisions of the Payment Integrity Information Act of 2019. VA has had this requirement and was approved under previous collection efforts under the instructions of the 10-3542 #6 stating "Application will be evaluated to determine eligibility for travel benefits and services received." VA is taking the steps to further clarify the instructions within the current ICR. There is no additional regulation change at this time