

30 Day FRN 2900-0798-Veteran Beneficiary Claim for Reimbursement of Travel Expenses

[Federal Register :: Agency Information Collection Activity Under OMB Review: Veteran/Beneficiary Claim for Reimbursement of Travel Expenses](#)

OMB received 14 public comments on 9/19/24. VTP received on 10/31/24 for response.



Attachments Received:

1. 202402-2900-022-091924-015651

VHA has not complied with terms of clearance from 07/17/2017, they have not provided screen shots/images of the kiosk/mobile technology (BTSSS).

VA Response: VA has received your response and appreciates your feedback. Screenshots of the electronic claim submissions were provided, and proper OMB control numbers and statements have been added are included with to the submission modalities platforms.

2. 202402-2900-022-091924-021120

60-day FRN published 03/05/2024 was for ICR Reference No: 202402-2900-007, Date Received in OIRA: 02/08/2024, and was withdrawn on 09/18/2024.

The 30-day FRN published 09/18/2024 is for new ICR Reference No: 202402-2900-022, Date Submitted to OIRA: 09/18/2024, it did not have a 60-day FRN published.

VHA needs to start the process over with a new 60-day FRN.

VA Response: VA has received your response and appreciates your feedback. Thank you for raising your concerns regarding Veteran/Beneficiary Claim for Reimbursement of Travel Expenses (VA Form 10-3542 and BTSSS) (OMB Control Number 2900-0798).

3. 202402-2900-022-091924-022346

The 30 day FRN published on 09/18/2024 does not indicate whether any comments were received during the 60-day period.

There were 28 public comments during the 60-day period.

<https://www.regulations.gov/document/VA-2024-VACO-0001-0041/comment>

"The 30-Day Notice also includes the date, volume number, and page number of the published 60-Day Federal Register Notice. In addition, it must indicate whether any comments were received during the 60-day period."

<https://www.opm.gov/about-us/open-government/digital-government-strategy/fitara/paperwork-reduction-act-guide.pdf>

VA Response: Thank you for raising your concerns regarding Veteran/Beneficiary Claim for Reimbursement of Travel Expenses (VA Form 10-3542 and BTSSS) (OMB Control Number 2900-0798).

4. 202402-2900-022-091924-023744

VHA did not provide a copy of the old form or highlight changes to the VA Form 10-3542.

<https://www.reginfo.gov/public/do/DownloadDocument?objectID=140144800>

"If you have revised your form or information collection since the 60-Day Federal Register Notice approval, provide a copy of the old and new editions highlighting the changes."

<https://www.opm.gov/about-us/open-government/digital-government-strategy/fitara/paperwork-reduction-act-guide.pdf>

VA Response: VA has received your response and appreciates your feedback. No changes were made from the 60 Day Federal Register notice.

5. 202402-2900-022-091924-030737

SUPPORTING STATEMENT A 2. is in conflict with new form instruction 6.

Verification of attendance of attendance is not mentioned in Supporting Statement A, 38 USC 111 or 38 CFR 70 and is nothing less than unlawful determination criteria added by VHA.

If the claimant may self attest why is verification required?

2. "The claimant may provide self-attestation of their attendance at a VA authorized appointment with a non-VA provider"

VA Form 10-3542 Instruction 6." Verification of attendance. Claims for expenses of travel to or from VA-authorized appointments with non VA providers in the community are required to be submitted with documentation providing proof that are/services were received from the community provider. Examples of valid proof include, but are not limited to, work/school release note from the community provider document, on community provider letterhead showing date appointment was completed, etc.."

VA Response: VA has received your response and appreciates your feedback. Title 38 United States 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 VHA 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 prior to reimbursement. Further 38 CFR 70.4 again clarifies that eligibility is based on services received. This requirement supports VA's obligation to deter fraud, waste, and abuse via improper payments as directed under the provisions of the Payment Integrity Information Act of 2019. VA has 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 Information Collection Request and submission of the application to the Office of Management and Budget (OMB).

6. 202402-2900-022-091924-031837

VHA must specify what data elements are required for verification and provide examples of valid proof.

They should be required to create a new form for this purpose with all the proper legal disclaimers and disclosures. Non-VA providers are under no obligation to provide verification of attendance but VHA will deny a claim without it.

VA Form 10-3542 Instruction 6." Verification of attendance. Claims for expenses of travel to or from VA-authorized appointments with non-VA providers in the community are required to be submitted with documentation providing proof that are/services were received from the community provider. Examples of valid proof include, but are not limited to, work/school release note from the community provider document, on community provider letterhead showing date appointment was completed, etc."

VA Response: VA has received your response and appreciates your feedback. 38 CFR 70.4 clarifies that eligibility is based on services received. This requirement supports VA's obligation to deter fraud, waste and abuse via improper payments as directed under the provisions of the Payment Integrity Information Act of 2019. This instruction provides clear direction to what may be submitted with the application for verification of services received. Alternatives methods to collecting verification of attendance (e.g. medical care claim or clinical records sent to VA from providers) were considered as an alternative, however, these do not provide a timely mechanism for the Agency to verify services received upon receipt/adjudication of the travel reimbursement.

7. 202402-2900-022-091924-034635

VHA must specify what "additional information" is or could be required for a beneficiary travel claim and provide samples. The CFR does not provide carte blanche for any, or all, information collection and does not negate required prior approval from OMB. The CFR also says, "this collection of information has been approved by OMB".

Supporting Statement A, 2. says: "If VA determines that additional information is needed to make a determination concerning an application for benefits, VA will notify the claimant in writing in accordance with 38 CFR 70.20(e)."

VA Response: VA has received your response and appreciates your feedback and suggestions. Number 6 under instructions on the updated form provides what is required to make a determination regarding services received.

8. 202402-2900-022-091924-045502

VA FRN's must include the applicable ICR Reference Number and a direct hyperlink to it. Look at the samples in the PRA Guide!

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

9. 202402-2900-022-091924-060052

Please add the URL for the BTSSS so it can be found and specify what is required to access it.

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

10. 202402-2900-022-091924-063615

I do not believe Supporting Statement A, 12. "Estimate of the hour burden of the collection of information is accurate".

VHA has not factored in obtaining, copying, scanning, uploading and mailing of the Verification of attendance (VOA) required by the VA Form 10-3542, instruction 6, and no where else. That adds at least 15 minutes per claim.

The VA Burden Statement says "10 minutes per respondent, per year", it should say per claim without VOA and 25 minutes with VOA

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

11. 202402-2900-022-091924-064758

I do not believe Supporting Statement A, 13. "Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14)." is accurate.

The BTSSS requires a computer with internet access.

The BTSSS requires a scanner to upload receipts and verification of attendance.

Mailing the VA Form 10-3542 requires a printer, ink, envelopes, and stamps.

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

12. 202402-2900-022-091924-081601

The BTSSS does not display "Who is Eligible for Reimbursement of Travel Expenses" and "Instructions" from the reverse of VA Form 10-3542.

All collection instruments should mirror each other to the fullest extent possible.

VA Response: VA has received your response and appreciates your feedback. After approval of this form, the online system will be updated to reflect the same language.

13. 202402-2900-022-091924-084018

VA Form 10-3542 Instructions, 6. must *specify* what law; chapter, paragraph and sentence, requires the collection of "verification of attendance". Neither 38 USC 111, 38 CFR 70, the Payment Integrity Information Act of 2019 (PIIA) or Supporting Statement A mention any such requirement.

VA Response: VA has received your response and appreciates your feedback. 38 CFR 70.4 clarifies that eligibility is based on services received. This requirement supports VA's obligation to deter fraud, waste, and abuse via improper payments as directed under the provisions of the Payment Integrity Information Act of 2019. With 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.

14. 202402-2900-022-091924-085927

The VHA is using beneficiaries as unpaid labor; slaves, to cover their inability to properly manage programs and funds by forcing them to provide "verification of attendance" (VOA).

The Payment Integrity Information Act of 2019 (PIIA) is a law that applies to *federal agencies*. I do not work for the VA.

VHA has turned VOA into defector determination criteria not authorized by any law or regulation and they deny claims without it.

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