

Congress of the United States
Washington, DC 20510

November 13, 2019

The Honorable Robert Wilkie
Secretary of Veterans Affairs
810 Vermont Avenue
Washington, D.C. 20420

Dear Secretary Wilkie:

Thank you again for your trip to Maine in April as the keynote speaker for the groundbreaking of the Maine Veterans' Homes' new Augusta Small House facility. It was such a pleasure to host you, and the veterans of Maine and employees at Togus greatly appreciated the time you were willing to spend with them. The conditions that day challenged us all but if you remember, even our most vulnerable residents were willing to endure and overcome, a trait common for veterans and Mainers. The reason for today's correspondence is a serious issue involving veteran domiciliary care that requires your urgent attention.

There are severe and unanticipated consequences resulting from changes in the processing and treatment of domiciliary care claims by the Department of Veterans Affairs (VA) for veterans in Maine. Many veterans with early-stage dementia, who for nearly 20 years have been ruled eligible for per diem payments, are now deemed ineligible and declined per diem. Maine Veterans' Homes cared for these veterans in its domiciliaries since 2004, when it completed four 30-bed additions to existing nursing homes and one new stand-alone 30-bed facility. These facilities were built with VA State Home Construction Program grants.

We understand that VA may be able to provide equitable relief for veterans deemed eligible for this veteran benefit under the prior processing system. While this would allow Maine Veterans' Homes to continue providing care for these veterans, it is projected that going forward roughly 70 veterans per year in Maine with early dementia will now no longer be eligible for this benefit. We are concerned about what will happen if Maine loses the ability to care for veterans suffering from early dementia who need a safe and secure environment with 24-hour support.

We respectfully request that the Maine Veterans' Homes' domiciliary program be granted equitable relief or waiver until a solution can be found to prevent these veterans from being denied access to this critical care. Without some sort of relief for the program by the end of this year, we fear home closures will be imminent and that the Togus VA system lacks the capacity to care for these veterans.

We further respectfully request responses to the following questions related to this issue:

1. Do you have the authority to grant equitable relief to an existing program, so that Maine Veterans' Homes may continue to serve other veterans who will need these services in the future?

2. Will VA seek changes to the domiciliary eligibility through rulemaking or another process? If so, what is the anticipated timeline? Will expedited action be taken in order to avoid losing these services in the near future?
3. If VA does not anticipate a rulemaking process, what is VA's plan to address care for this population of affected veterans with early dementia? We fear that that outpatient care options will not fully replace the need for assisted living, especially in remote and rural areas such as Maine.
4. Are any other VA Medical Centers experiencing related issues involving the denial of domiciliary care claims? If so, which other states are impacted, and how many veterans in those states are expected to be affected?
5. If Maine is forced to close these facilities or shutdown beds because of these changes, will the state be required to pay back any portion of the VA construction grants? These facilities were built with the assistance of multiple VA grants and operated for several years under VA acceptance prior to these changes.

We look forward to your response to these urgent and important questions. It is critical that veterans suffering from early dementia receive the care they need in a safe and secure environment.

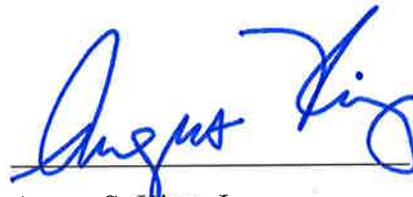
In addition, we invite you and other senior Veteran Health Administration leaders to come see the outstanding care provided by Maine Veterans Homes and learn about potential impacts to the veterans and communities in Maine first-hand. Moreover, we feel that Maine is a model for how the VA and State Veterans Homes can help meet the increasing need for care and support of veterans with early dementia.

Again, thank you for your prompt attention to this matter. Should you have any questions, please do not hesitate to contact us or have your staff contact our respective offices.

Sincerely,



Susan M. Collins
United States Senator



Angus S. King, Jr.
United States Senator



Chellie Pingree
Member of Congress



Jared Golden
Member of Congress