Congress of the United States
Washington, DC 20515

October 31, 2014

The Honorable Robert A. McDonald
Secretary
Department of Veterans Affairs
810 Vermont Avenue, Northwest
Washington, D.C. 20420

Dear Secretary McDonald:

We write to express our views regarding the ongoing rulemaking for Section 101 of P.L. 113-146, the Veterans Access, Choice, and Accountability Act of 2014.

As you know, Section 101 of P.L. 113-146 expands the availability of hospital care and medical services for veterans at non-Department of Veterans Affairs (VA) entities, and establishes criteria for determining a veteran's eligibility for non-VA care. Many of the criteria described in Section 101 are dependent on geographic challenges faced by the veteran, most notably a 40 mile distance from a VA medical facility.

Additionally, Section 101 grants you the flexibility to determine the eligibility of a veteran for non-VA care if the veteran "faces an unusual or excessive burden" in accessing a VA medical facility. We urge you to use your authority to consider travel time as well as total distance to a VA facility in determining an eligible veteran under Section 101.

In Northwest Indiana, veterans utilize the Adam Benjamin, Jr., Outpatient Clinic in Crown Point, Indiana, for outpatient services. Should the veteran require certain specialty outpatient or inpatient services, they are required to take shuttle transportation of approximately 40 miles from the Adam Benjamin, Jr., Outpatient Clinic to the Jesse Brown VA Medical Center in Chicago. This travel poses numerous logistical and physical challenges for elderly veterans, and has been a consistent concern expressed by Northwest Indiana veterans for many years.

While some of our constituents may live within 40 miles of the VA facilities in Crown Point and Chicago, if they are required to travel to Crown Point in order to take the shuttle transportation into Chicago, their total travel distance will almost certainly exceed 40 miles. This is an incredibly frustrating experience for older infirmed veterans, as local non-VA hospital care and medical services are readily available.

Furthermore, the total travel time expended by these veterans to travel to Chicago can be extreme, especially if they have to first travel to Crown Point for the shuttle. According to travel planning software, the driving time from the Adam Benjamin Jr. Outpatient Clinic to the Jesse Brown Medical Center is expected to take a little over an hour. However, due to traffic congestion in Indiana and Chicago, a trip of that duration is rarely the case. Based on data from the Northwest Indiana Regional Planning Commission, 30 percent of the roads on this trip travelled in Indiana alone have a Level-of-Service rating of E or F. According to the American Association of State Highway and Transportation Officials, these Levels-of-Service are classified as unstable flow, operating at capacity, or forced or breakdown flow. At the F level, travel time cannot be predicted. Approaching downtown Chicago on the Illinois side of the state line is also fraught with traffic, further contributing to an already long journey for our veterans.

As you establish the regulations for the implementation of P.L. 113-146, we encourage you to keep the veterans of Northwest Indiana in mind and ensure that they are afforded the opportunities established under this law.

We look forward to your response and thank you in advance for your attention to this critical issue.

Sincerely,

Dan Coats
United States Senator

Joe Donnelly
United States Senator

Peter J. Visclosky
Member of Congress