



a program of United Spinal Association

Testimony

of

VetsFirst, a program of United Spinal Association

Submitted by

**Heather L. Ansley, Esq., MSW
Director of Veterans Policy**

Before the

**Subcommittee on Economic Opportunity
Committee on Veterans' Affairs
United States House of Representatives**

Regarding

**The Department of Veterans Affairs' Vocational Rehabilitation
and Employment Program Budget and Operations**

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**Executive Summary of the Testimony of
VetsFirst, a program of United Spinal Association
Submitted by Heather L. Ansley, Esq., MSW; Director of Veterans Policy
Before the Subcommittee on Economic Opportunity
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Regarding The Department of Veterans Affairs' Vocational Rehabilitation and Employment
Program Budget and Operations**

The Department of Veterans Affairs' (VA) Vocational Rehabilitation and Employment (VR&E) services are critical to helping eligible service members and veterans with service-connected disabilities receive the skills and training necessary to help them reintegrate into their families and communities. Specifically, VR&E services provide veterans with service-connected disabilities the opportunity to return to or remain in the workforce. The opportunity to participate in the workforce is critical because employment provides people with both financial and social benefits that contribute to an enhanced sense of one's life's purpose.

Improvement of VR&E services has been the focus of committees and task forces for a number of years. The 2004 VR&E Task Force made 110 recommendations for transforming VR&E. Many of these recommendations have been implemented, including the development of five tracks for the delivery of VR&E services and a refocusing on assisting veterans with disabilities in returning to or remaining in the workforce.

VetsFirst believes that VR&E services are critical to veterans with disabilities and their efforts to work and live independently. A significant number of veterans, however, do not successfully complete their rehabilitation plans.

Because the services provided by VR&E are critical to ensuring that participants successfully complete and excel in their rehabilitation, sufficient financing must be available for the VR&E program. For example, eligible veterans should not be delayed or hindered due to VR&E staffing limitations. In addition, veterans who are pursuing "employment only" tracks should be able to receive a monthly subsistence allowance to ensure that they are not deterred due to lacking the financial assistance that would allow them to fully benefit from VR&E services.

Other barriers that challenge VR&E's mission to focus on the employment of veterans with service-connected disabilities who have "employment handicaps" should also be eliminated. Specifically, the 12-year delimiting period to apply for VR&E services and the yearly cap for independent living services must be removed. Furthermore, VR&E must continue to increase collaboration with other agencies and organizations that provide employment and rehabilitation assistance, including state vocational rehabilitation agencies, to ensure that veterans have access to a full range of services.

VetsFirst believes that addressing barriers to successful completion of veterans' rehabilitation plans will allow more veterans with service-connected disabilities to fully benefit from VR&E services, actively engage in and be a part of their communities, and regain financial stability.

Chairman Stutzman, Ranking Member Braley, and other distinguished members of the subcommittee, thank you for the opportunity to testify regarding VetsFirst's views on the Department of Veterans Affairs' (VA) Vocational Rehabilitation and Employment (VR&E) program budget and operations.

VetsFirst represents the culmination of 60 years of service to veterans and their families. United Spinal Association, through its veterans service program, VetsFirst, maintains a nationwide network of veterans service officers who provide representation for veterans, their dependents and survivors in their pursuit of VA benefits and health care before the VA and in the federal courts. Today, United Spinal Association is not only a VA-recognized national veterans service organization, but is also a leader in advocacy for all people with disabilities.

VA's VR&E services are critical to helping eligible service members and veterans with service-connected disabilities receive the skills and training necessary to help them reintegrate into their families and communities. Specifically, VR&E services provide veterans with service-connected disabilities the opportunity to return to or remain in the workforce. The opportunity to participate in the workforce is critical because employment provides people with both financial and social benefits that contribute to an enhanced sense of one's life's purpose.

As a result of the wars in Iraq and Afghanistan and the current economic crisis, the number of veterans requesting and receiving VR&E services will likely continue to increase. Sixty percent of the over two million service members who deployed to Iraq and Afghanistan have left active duty and are now eligible for VA benefits, and approximately 40 percent of these veterans have applied for compensation related to a disability.¹ Compounded by an unemployment rate of almost nine percent across all sectors, competition for many employment opportunities is harder than ever. VR&E services provide eligible veterans with the competitive edge to win precious employment opportunities.

Veterans are eligible to receive VR&E services upon application if they have an other than dishonorable discharge and a service-connected disability rating from VA of at least 10 percent. Service members who apply for the services, are awaiting discharge from active duty, and receive a memorandum rating of 20 percent or higher from VA are also eligible for VR& E services. Applications must be made within 12 years of the date of separation or upon notification by VA of an eligible service-connected disability rating.

A determination that the veteran is eligible for VR&E services does not automatically confer entitlement to the services. In order to be entitled to receive VR&E services, veterans must have

¹ Veterans for Common Sense, VA: Consequences of Iraq and Afghanistan Wars (2011), <http://www.govexec.com/pdfs/032111bb1.pdf>. Veterans for Common Sense prepared these statistics based on information from VA obtained through the Freedom of Information Act.

“an employment handicap.” For veterans with service-connected disabilities of 20 percent or higher, the determination by a vocational rehabilitation counselor of an employment handicap is sufficient to confer eligibility. For veterans with service-connected disabilities of 10 percent, a vocational rehabilitation counselor must determine that “a serious employment handicap” is present. Veterans who need services and apply after the expiration of the 12-year delimiting period may receive services if VR&E determines that the individual has a serious employment handicap.

Once entitlement is established, vocational rehabilitation counselors work with eligible veterans to begin the process of developing a rehabilitation plan. VR&E delivers services through one of five tracks: reemployment, rapid access to employment, self-employment, employment through long-term services, and independent living. Although there are five tracks through which a rehabilitation plan may be delivered, it is possible for a combination of these tracks to be pursued within an individual rehabilitation plan.

Improvement of VR&E services has been the focus of committees and task forces for a number of years. The 2004 VR&E Task Force made 110 recommendations for transforming VR&E. Many of these recommendations have been implemented, including the development of the five tracks for delivery of VR&E services and a refocusing on assisting veterans with disabilities in returning to or remaining in the workforce. The purpose of developing tracks was to ensure that VR&E services were meeting the varying employment needs of veterans, including the immediacy of the need.

VetsFirst believes that VR&E services are critical to veterans with disabilities and their efforts to work and live independently. A significant number of veterans, however, do not successfully complete their rehabilitation plans.

Continued investment in VR&E is needed because it provides the types of support that are critical to ensuring that participants successfully complete and excel in their rehabilitation. To ensure that veterans with disabilities are able to successfully complete rehabilitation by obtaining and maintaining suitable employment or through independent living, VR&E must receive sufficient resources. Although the wars in Iraq and Afghanistan have steadily increased the number of service members and veterans seeking services, VR&E resources have not kept pace. For example, caseloads for counselors have remained higher than VR&E’s target of 1 to 125. A recent sampling showed caseloads that ranged up to 1 to 160.²

Although VR&E has increased its workforce in recent years, VetsFirst remains concerned that VR&E lacks a sufficient number of employees. Specifically, VR&E must have a sufficient number of trained employees who can ensure that eligible veterans are not delayed in gaining entrance to services, and once allowed entry, can dedicate the time needed to work with veterans in the development, implementation, and completion of their rehabilitation plans. Ensuring that VR&E

² The Independent Budget for the Department of Veterans Affairs—Fiscal Year 2012 39 (2011).

has the staff needed to assist veterans in returning to the workforce is a critical aspect of helping veterans with disabilities re-establish their identity as productive citizens.

In addition to ensuring that VR&E has the resources needed to serve veterans requiring rehabilitation services, VetsFirst believes that veterans pursuing “employment only” tracks must have the financial resources needed to complete their plans. Veterans who pursue employment only tracks are not able to receive a monthly subsistence allowance. Subsistence payments are only available to veterans who pursue employment through long-term services, which includes specialized training or education.

In a January 2009 report on VA’s VR&E program, the Government Accountability Office (GAO) determined that incentives must be realigned to ensure that the program is able to fulfill its mission.³ GAO stated that, “we are concerned that without properly aligned incentives and supports, veterans who need assistance finding immediate employment may not seek out VR&E services and others may not choose the track that is best suited for them.”⁴ Although the precise connection between subsistence and track selection has not been determined, GAO’s review of the track selections of nearly 24,000 veterans between January 2007 and early May 2008 showed that 80 percent pursued employment through long-term services.⁵

As previously stated, the employment through long-term services track is the only track that provides a monthly subsistence allowance for participants. VetsFirst believes that subsistence payments would be beneficial for veterans with disabilities completing employment only tracks and may encourage selection of these tracks when appropriate. For veterans with disabilities who have families to support, the ability to receive a monthly subsistence allowance while seeking employment could be key to the veteran receiving the right type of rehabilitation that will lead to a successful future.

In addition to resource barriers for VR&E and veteran recipients, VetsFirst believes that there are other barriers to VR&E services that must be eliminated. Because the mission of VR&E is to assist veterans with disabilities related to their service requiring rehabilitation to actively engage in the workforce and live independently, the arbitrary timeline for eligibility and caps for independent living services must be removed.

Currently, an eligible veteran must apply for VR&E services within 12 years of the date of separation or upon notification by VA of a service-connected disability rating conferring eligibility. Services that seek to return veterans to the workforce and allow them to live

³ Government Accountability Office, “VA Vocational Rehabilitation and Employment: Better Incentives, Workforce Planning, and Performance Reporting Could Improve Program,” GAO-09-34, January 2009, at 11.

⁴ *Id.*

⁵ *Id.* at 10.

independently should be heavily encouraged. Veterans who are initially eligible may not need the services until after the 12-year delimiting period has expired. Even though applications filed outside of the 12-year delimiting period may be accepted if the applicant has a serious employment handicap, potentially eligible veterans may believe that they will not be able to receive assistance.

Similarly, VetsFirst believes that the cap for independent living services should be eliminated. For veterans needing the skills and resources to allow them to live independently, VR&E services are critical. The independent living track is able to assist with skills training, assistive technology, and linkages to community-based services and supports. The number of veterans who can benefit from these critical skills should not be limited.

The Veterans' Benefits Act of 2010 (P.L. 111-275) increased the number of veterans who may receive these services each fiscal year to 2700. Although it may appear that demand does not exceed the cap, its mere existence requires careful management to ensure that the veterans who most need to participate in the independent living program are able to access the services when needed. The consequence may be delayed entry for some eligible veterans until the next fiscal year. The removal of the cap will ensure that eligible veterans who can benefit from independent living services are not denied or delayed in receiving those services.

VetsFirst also believes that the self-employment track should not be targeted only to those who have severe disabilities or require special accommodations. Self-employment and small business development is a viable option for many veterans with disabilities. For instance, small businesses owned by service disabled veterans have contracting advantages with the federal government. Thus, the opportunity to develop a small business must be a serious consideration for any veteran seeking to be an entrepreneur.

For veterans who seek employment through a traditional work environment, VetsFirst believes that VR&E must provide increased follow up to ensure that veterans have long-term employment success. Currently, veterans with disabilities who maintain a suitable job for 60 days are considered to be rehabilitated. Unfortunately, 60 days may not provide a sufficient period to determine whether a veteran will be successful in his or her new job.

VetsFirst also believes that VR&E must focus on assisting veterans in obtaining employment that is above entry-level when appropriate. In addition to ensuring that veterans are placed at the right levels of employment, VetsFirst believes that it is important to follow the advancement of veterans to determine if VR&E services have assisted them in obtaining growing careers. VR&E must not simply prepare a veteran for today's workforce but anticipate the demands of tomorrow's workplace.

To accomplish the goal of helping veterans obtain the right types of employment, VR&E has worked to increase collaboration with other agencies and organizations that provide employment

and rehabilitation assistance for veterans and people with disabilities, including state vocational rehabilitation agencies. VetsFirst believes that these collaborations are important because veterans with disabilities are people with disabilities. Specifically, eligible veterans must be able to benefit from both VR&E and state vocational rehabilitation services.

VetsFirst is pleased that VR&E is in the process of finalizing a memorandum of understanding with the Rehabilitation Services Administration. Formalizing the connection between VR&E and state vocational rehabilitation agencies through the Rehabilitation Services Administration is critical to ensuring that veterans with disabilities receive the services they need to help them return to or remain in the workforce. Without a strong partnership between VR&E and state vocational rehabilitation agencies, veterans with disabilities who need these services may be unable to successfully navigate these programs.

Thank you for the opportunity to testify concerning VetsFirst's views on VA's VR&E program budget and operations. We appreciate your leadership on behalf of our nation's veterans with disabilities and their families and survivors. VetsFirst stands ready to work in partnership to ensure that all veterans are able to reintegrate in to their communities and remain valued, contributing members of society. I would be pleased to answer any questions.

Information Required by Clause 2(g) of Rule XI of the House of Representatives

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This testimony is being submitted on behalf of VetsFirst, a program of United Spinal Association.

United Spinal Association has not received any federal contracts or grants, other than the routine use of office space and associated resources in VA Regional Offices for Veterans Service Officers, in the current or previous two fiscal years.

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Heather L. Ansley is the Director of Veterans Policy for VetsFirst, which is a program of United Spinal Association. Ms. Ansley began her tenure with the organization in December 2009. She is responsible for developing and advocating for the public policy priorities of VetsFirst and promoting collaboration between disability organizations and veterans service organizations. She also serves as a co-chair of the Consortium for Citizens with Disabilities Veterans Task Force.

Prior to her arrival at VetsFirst, she served as the Director of Policy and Advocacy for the Lutheran Services in America Disability Network.

Before arriving in Washington, D.C., she served as a Research Attorney for The Honorable Steve Leben with the Kansas Court of Appeals. Prior to attending law school, she worked in the office of former U.S. Representative Kenny Hulshof (R-MO) where she assisted constituents with problems involving federal agencies. She also served as the congressional and intergovernmental affairs specialist at the Federal Emergency Management Agency's Region VII office in Kansas City, Missouri.

Ms. Ansley is a Phi Beta Kappa graduate of the University of Missouri-Columbia with a Bachelor of Arts in Political Science. Ms. Ansley also holds a Master of Social Work from the University of Missouri-Columbia and a Juris Doctorate from the Washburn University School of Law in Kansas.

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Ms. Ansley lives in Falls Church, Virginia, with her husband, Jonathan.