

*****DRAFT*****

Veterans' Disability Benefits Commission

Meeting Minutes

Date: Wednesday, June 21, 2006 – Thursday, June 22, 2006

**Location: Cannon House Office Building
Room 340
Washington, DC 20515**

Attendees:

Chairman

James Terry Scott, LTG, USA (Ret.)

Members

Jennifer Sandra Carroll, LCDR, USN (Ret)
Donald M. Cassiday, Col., USAF (Ret)
John Holland Grady
Charles "Butch" Joeckel, USMC (Ret)
Ken Jordan, Col., USMC (Ret)
James Everett Livingston, MG, USMC (Ret)
William M. Matz, Jr., MG, USA (Ret)
Dennis Vincent McGinn, VADM, USN (Ret)
Rick Surratt (former USA)
Joe Wynn (former USAF)

Absent

Nick D. Bacon, 1SG, USA (Ret)
Larry G. Brown, Col., USA (Ret)

Staff

Ray Wilburn, Executive Director
Ed Andersen
Deborah Anderson
Jacqueline Garrick
Kathleen Greve
Kimberlie Neal
Steve Riddle
Victor Soto
Paul Stepnowsky
Kurt Von Tish
Jim Wear

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Topic	Key Points	Supporting Materials
	<p>not considered to be an effective measure of quality.</p> <p>. CPEP was established in 2001 with a Memorandum of Agreement between the Under Secretaries for Benefits and Health, which created, staffed and funded this joint initiative to improve C&P exams. It focuses on the top 10 requested exams, and there are exam-specific quality indicators that are linked to citations in the CFR. An exam is considered “A” quality when it meets 90% or more of its indicators. CPEP puts out monthly reports to the networks. He gave roll up data on the networks and how they have scored in the CPEP process.</p>	
<p>QTC Exam Process</p> <p>Lay Kay, MD Mr. Art Zeile Mr Joel Daly Marjie Shahani, MD Ms. Bessie Green</p>	<p>Dr. Shahani spoke on behalf of QTC and provided a company overview and philosophy. For VA, they have 12 teams dedicated to conducting exams and are meeting their quality and veteran satisfaction performance benchmark at 92% during 11 of 12 quarters. They have also met VA’s timeliness requirement of 38 days during 11 of 12 quarters.</p>	<p>QTC Exams</p>
<p>DOD Disability Evaluation System (DES)</p> <p>Noel Howard MD, Mr. Paul Williamson</p>	<p>Dr. Howard and Mr. Williamson alternatively explained the DOD DES process, primarily using Navy as an example. A case flows from the Medical Evaluation Board, to an informal Physical Evaluation Board, to a formal Physical Evaluation Board, to a petition for relief. They discussed fitness for duty determinations and how that was different than VA disability ratings. Even though DOD is using the same rating schedule, the ability of service members to perform their jobs is the primary concern of the DES, whereas VA will evaluate many conditions regardless of job performance. For example, a service member may either decide to stay on active duty with an amputation and not claim a benefit or leave the military and file for VA compensation.</p>	<p>DOD DES process</p>
<p>Panel Discussion</p> <p>Dr. Noel Howard (DOD) Mr. Paul Williamson (DOD) Dr. Patrick Joyce (VHA) Dr. Steven Brown (CPEP) Mr. Tom Pamperin (VBA) Ms. Bonnie Miranda (VBA)</p>	<p>The discussion gave the Commissioners and the panel the opportunity to compare and contrast the different exam processes and purposes. They were able to compare the difference between compensation for the loss of a military career and quality of life (QOL) issues, such as reproduction capability losses. They discussed the possibility of a QOL Extra Schedule. There was some discussion of DOD’s ability to use VA exam templates, which DOD stated it has not seen, but were willing to explore as an option.</p>	
<p>Public Comment</p>	<p>None</p>	
<p>Commission Discussion</p>	<p>Commissioner Grady moved to further define the Commission’s responsibilities. After discussion in</p>	<p>Commission Responsibilities Motion</p>

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	<p>which most Commissioners expressed opinions that the further definition of the Commission's responsibilities was not necessary, a vote was taken and the motion failed. (2 were in favor – Grady and McGinn, 2 abstained – Livingston and Joeckel, and 7 opposed – Matz, Surratt, Wynn, Scott, Jordan, Cassidy, and Carroll.)</p> <p>The Chairman then called on Mr. Wilburn to discuss the status of the pending SBP-DIC offset legislation and the VA stolen laptop/data and how that might effect the Commission surveys,</p>	
Chairman's Close	The Chairman adjourned the meeting at 4:45pm	

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Opening Remarks Chairman Scott	The meeting opened at 9:00am with welcoming remarks.	
IOM Update Fredrick Erdtmann, MD With Study Directors: David Butler, PhD – PTSD Compensation Michael McGeary, PhD – Medical Evaluations Catherine Bodurow, MSPH - Presumptions Roberta Wedge – PTSD Review	<p>Dr. Erdtmann and the four study directors gave an update on the studies underway. The Medical Evaluation Committee has met, is conducting a literature review, focusing on 20 specific conditions, and assessing disability impact on functioning, employment/earnings and QOL. The Presumptions Committee is underway and is preparing background documents and scheduling future meetings. The PTSD Diagnosis and Treatment Committee has completed its report on PTSD Diagnosis and Assessment and will begin its work on treatment issues. The PTSD Compensation Committee has heard from expert witnesses as well. A search is underway for a combat veteran to be added to the PTSD Compensation Committee.</p> <p>Additionally, Dr, Erdtmann reported on IOM's sensitivity to addressing gender issues, especially in relation to women veterans and military trauma.</p> <p>Commissioner Matz requested that IOM be placed in contact with the mental health providers on the PTSD unit at the Hines VAMC in Chicago that the team saw during its site visit in April.</p>	IOM updated
Center for Naval Analyses (CNA) update Joyce McMahan, PhD Laurie May, PhD Eric Christensen, PhD	<p>Dr. McMahan updated the commission on CNA's data collection status in being able to compare data bases using SSA earnings data and civil servant data. She provided an example of the earnings cells methodology. She also briefed on the progress they have made with the VSO/Rater and veteran/survivor surveys. Approval from OMB to conduct the surveys has been received.</p> <p>Dr. May will be leaving CNA and the Commission</p>	CNA Update

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Mr. Lee Gunn, VADM, USN (Ret)	wished her success in her future activities.	
GAO Report on Individual Unemployability (IU) Carol Petersen, PhD Ms. Cristina Chaplain Mr. Joe Natalicchio	GAO presented its findings on the VA IU benefit. They found that the number of veterans receiving IU has tripled since 1996 and the cost of the program has also tripled. 79% of new beneficiaries were older than 60, 17% were over 75 while 16% were under 60. GAO found that VA lacks clear criteria and guidelines for granting IU and needs to improve procedures for obtaining and checking earnings information. GAO compared VA to SSA's Return to Work program and discussed improvements needed to come off the GAO High Risk List. VA has concurred with this GAO report and its recommendations to clarify procedures, improve enforcement, and enhance return to work assistance.	GAO Report on IU
San Diego Site Visit Report Commissioner Ken Jordan	Commissioner Jordan reported on the team's (Livingston, Wynn) site visit to the VA RO in San Diego, Camp Pendleton, and the Naval Medical Center. He explained the nuances in the Navy/Marine TAP and BDD program. They also held a town hall meeting where 69 attended and 21 presented. Commissioner Wynn also gave a synopsis of his views of the trip.	San Diego Site Visit
Public Comment Mr. Jerry Manar, VFW Ms. Rose Lee, Gold Star Wives	Mr. Manar commented on the GAO IU Report and pointed out the problematic issues with age and IU. He felt that VA discriminates against younger veterans requesting IU and noted that as Holocaust survivors retired they had more PTSD symptoms and many of the other conditions GAO reviewed tend to get worse with age. Ms. Lee thanked the Commission for the notification of the public meetings and reported that her members around the country have been able to attend the town hall meetings in their areas.	
VA General Counsel Ethics Refresher Susan Bond, JD	Ms. Bond reminded the Commissioners on ethics in Federal Government regarding finances and acceptance of gifts, use of government resources, conflicts of interest, and political activity.	Ethics Refresher
Commission Discussion	There was limited discussion regarding future agenda items.	
Chairman's Close	The Chairman adjourned the meeting at 1:47pm	