

**Veterans' Disability Benefits Commission
Meeting Minutes**

Date: Thursday, September 15, 2005, and Friday, September 16, 2005

Location: Holiday Inn at Silver Spring, 8777 Georgia Avenue, Silver Spring, MD

Attendees:

Chairman

James Terry Scott, LTG, USA (Ret.)

Members

Nick D. Bacon, 1SG, USA (Ret)
 Donald M. Cassidy, Colonel, USAF (Ret)
 John H. Grady
 Charles E. "Butch" Joeckel
 Ken Jordan, Colonel, USMC (Ret)
 James E. Livingston, MG, USMC (Ret)
 Dennis V. McGinn, VADM, USN (Ret)
 Rick Surratt
 Joe Wynn

Topic	Key Points	Supporting Materials
September 15, 2005		
<p>Opening Remarks:</p> <p style="padding-left: 40px;">Chairman Scott</p>	<p>The meeting opened at 8:30 a.m. with welcoming remarks, a reiteration of the Commission's charter, and a brief description of the process the Commission will follow to approve the research questions developed for further study.</p> <p>The research questions and issues posed by each of the Subcommittees were posted to the Commission website on September 1, 2005, for public comment and sent to the Departments of Veterans Affairs (VA) and Defense (DoD), Congressional Committees and leadership, and veterans service organizations. (Hereafter this document will be referred to as RQ v1 for Research Questions version 1.) The Chairman emphasized that the Commission may determine, at any time, to include additional issues or research questions to address the Commission's charter. Subsequent versions of the RQs and the corresponding crosswalk of the changes made between each version will be posted on the Commission website at http://www.va.gov/vetscommission.</p>	<p>VDBC Research Question (RQ) Process</p> <p>RQ v1</p>
<p>Brief Statements by Commission Members</p>	<p>Statement made by Commissioner Wynn.</p>	<p>Commissioner Wynn's Statement</p>
<p>August 26, 2005, Meeting Minutes</p>	<p>On motion by Commissioner Grady and seconded by Commissioner Jordan, the minutes were adopted.</p>	
<p>Subcommittee Presentations</p>	<p>Each subcommittee chairman presented the research questions and issues developed to identify areas of further study and analysis. Since each of the three</p>	

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Commissioner Grady	<p>subcommittees met separately, some overlap of issues were noted and resolved as annotated in the following Subcommittee Presentations summaries</p> <p>Compensation Subcommittee: Subcommittee Chairman Grady presented each research question (RQ) recommended for Commission study by the Subcommittee. Open discussion among Commissioners resulted in some suggested changes. Chairman Scott requested that the narrative describing RQ C5 be modified at the request of one Commissioner to delete the last two sentences of paragraph three on page 6.</p> <ul style="list-style-type: none"> • C1-C4 were unchanged. • A new C5 was developed to ask how the <i>benefit package</i> should be modified; C5a formerly was C10; C5b was added; C5c formerly was C8; and C5d formerly was D4a. • C6 thru C10 were renumbered; formerly were C5-C9. • C11 and C12 were renumbered; formerly were C12 and C13. 	<p>Compensation Subcommittee Slides</p>
Commissioner McGinn	<p>Duty/Service Connection Subcommittee: Subcommittee Chairman McGinn presented each research question (RQ) recommended for Commission study by the Subcommittee. Open discussion among Commissioners resulted in some suggested changes and renumbering.</p> <ul style="list-style-type: none"> • D1 unchanged. • D2 combined with C5. • D3 renumbered D2. • D4 renumbered to D3. • D4a became C5d. • D4b became D3a • D4c1 became D4 • D4c2 became D5 • D4c3 became D3b • D4d became D3c • D4e became D3d • D4f became D3e • D5 and 6 became D6 and D7 • D7 was combined with C6 • D8 (new) was created. • D8 12 became D9-13 	<p>Duty/Service Connection Subcommittee Slides</p>
Commissioner Livingston	<p>Transition/Coordination/Readjustment Subcommittee: Subcommittee Chairman Livingston presented each research question recommended for Commission</p>	<p>Transition/Coordination/Readjustment Subcommittee Slides</p>

Veterans Disability Benefits Commission
Meeting Minutes, September 15 and 16, 2005

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	study by the Subcommittee. Open discussion among Commissioners resulted in no changes.	
<p>Comments by the Department of Veterans Affairs</p> <p>Dennis M. Duffy Acting Assistant Secretary for Policy, Planning & Preparedness</p>	<p>Mr. Duffy reaffirmed the commitment of the Department of Veterans Affairs (VA) to the important work of the Commission. He commented on the significant analytical challenges before the Commission, considering the breadth of questions posed for further research. He also declined to comment on which issues deserved further study or the merits of any of the issues, out of deference to the independence of the Commission and its charter.</p> <p>Instead, Mr. Duffy offered observations about lessons learned and best practices collected by the VA Office of Policy, Planning & Preparedness in the course of conducting department-wide program evaluations and survey research.</p>	<p>VA Statement</p>
<p>Department of Defense (DoD)</p> <p>William J. Carr, Acting Deputy Under Secretary, Military Personnel Policy</p>	<p>DoD submitted a Statement for the Record, which was read by Chairman Scott.</p>	<p>DoD Statement</p>
<p>Comments by Veterans Service Organizations</p> <p>Jim Doran, AMVETS</p> <p>Tom Zampieri, Blinded Veterans Association</p> <p>Randy Reese, Disabled American Veterans</p> <p>John Bollinger, Paralyzed Veterans</p>	<p>Mr. Doran addressed specific research questions in the Commission's RQ v1 document and recommended that the Commission consider geographic cost of living/means testing for disability compensation and DIC, and beneficiary travel commensurate with federal mileage reimbursement rates. He also recommended VA administer DoD's disability evaluation and compensation programs.</p> <p>Mr. Zampieri presented data from government sources and university research on problems encountered by persons with disabilities in the USA. He also submitted a collection of federal statutory definitions of disability from the United States Code.</p> <p>Mr. Reese raised concerns about some aspects of the issues/RQs raised and the context in which these have been presented. He recommended the further study and analyzes of the disparity between DoD and VA's disability ratings using the same rating schedule and the degree to which DoD is shifting costs to VA.</p> <p>Mr. Bollinger recommended that the Commission focus its efforts primarily on the nature of military</p>	<p>AMVETS Statement</p> <p>BVA Statement</p> <p>DAV Statement</p> <p>PVA Statement</p>

Veterans Disability Benefits Commission
Meeting Minutes, September 15 and 16, 2005

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<p>of America</p> <p>Quentin Kinderman, Veterans of Foreign Wars</p> <p>Rick Weidman Vietnam Veterans of America</p> <p>Peter Gaytan, The American Legion</p>	<p>service and the intended purpose of VA compensation payments, indexing all benefits to changes in the cost of living. He also recommended the Commission assess the adequacy of the overall benefits package for veterans with serious disabilities, including VA's Vocational Rehabilitation programs, and emphasize high level attention on the seamless transition from DoD to VA of injured service members returning from combat.</p> <p>Mr. Kinderman voiced the VFW's primary concern is that the Commission approach the issues with balance, thoroughness and from a neutral point of view. He believes that an examination of the execution and management of the current systems, rather than the design of the programs, is essential to the success of the Commission's endeavors. He also spoke of a serious dichotomy and incompatibility between VHA and VBA.</p> <p>The basic premise and design of the current system are sound, but how well the current laws are administered and implemented should be investigated further. All proceedings of the Commission should be recorded and made available on the Commission website for public and policy maker inspection. Mr. Weidman proposed additional questions for study by a fourth subcommittee, referenced previous testimony by VVA and provided additional comments addressing the issues/RQs posed by each of the three subcommittees.</p> <p>Mr. Gaytan was unable to attend the Commission meeting. His statement is submitted for the record.</p>	<p>VFW Statement</p> <p>VVA Statement</p> <p>The American Legion Statement</p>
September 16, 2005		
<p>Institute of Medicine (IOM) Approach</p> <p>Rick Erdtmann, MD, MPH, Director, Medical Follow-up Agency</p>	<p>Dr. Erdtmann summarized the results of IOM's August 25, 2005 planning meeting and then proposed three possible study areas for IOM to do for the Commission. The first was a comprehensive review of the VA rating schedule. The second was a review of the medical criteria used to rate PTSD and other mental health conditions. The last was a review of the criteria for establishing presumptive disability</p>	<p>IOM Approach</p>
<p>Center for Naval Analyses (CNA)</p> <p>Laurie May, Ph.D. Director, Health Care Programs</p>	<p>Dr. May proposed to the Commission that CNA would use various data sets and surveys of both disabled veterans and comparable cohorts of non-disabled veterans to answer the following five questions:</p> <ul style="list-style-type: none"> • Appropriateness of disability benefits levels, • Appropriateness of survivors benefits, • Compensation for quality of life, 	<p>CNA Approach</p>

Veterans Disability Benefits Commission
 Meeting Minutes, September 15 and 16, 2005

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	<ul style="list-style-type: none"> • Merits of lump sum payments, and • Effect on work incentives. 		
<p>Commission Discussion of Research Questions (RQs)</p>	<p>Compensation Subcommittee Chairman Grady read each revised research question and moved that they be approved. Each was seconded. One research question was revised as a result of discussion:</p> <ul style="list-style-type: none"> • C13 added should benefits be automatically adjusted for inflation <i>and locality</i>. <p>Duty/Service Connection Subcommittee Chairman McGinn read each revised research question and moved that they be approved. Each was seconded. D4 was changed to read “do changes need to be recommended. D5, D8, and D13 were amended to insert “if any” to signify that changes might not be needed.</p> <p>Transition/Coordination/Readjustment Subcommittee Chairman Livingston read each revised research question and moved that they be approved. Each was seconded. T6 was changed to add “and provided tool such as a statement of education and military occupational specialties experiences adaptable to civilian job searches.</p>		<p>Approved List</p>
	<p>Chairman Scott read a brief Statement for the Record prepared by Commissioner Nick Bacon</p>		<p>Commissioner Bacon’s Statement</p>
<p>Public Comment Period for both days - September 15 and 16, 2005</p> <p>The Military Coalition</p>	<p>Bob Norton, Military Officers Association of America, and Morgan Brown, Air Force Sergeants Association</p>	<p>The Military Coalition, represented by Mr. Norton and Mr. Brown, offered comments on many of the RQs, calling for leadership to improve and simplify the disability process, and “put to bed” issues that have been validated over time, experience and practicality. The Military Coalition also urged the Commission to focus at least some attention on where current compensation falls short.</p>	<p>The Military Coalition Statement</p>

Veterans Disability Benefits Commission
Meeting Minutes, September 15 and 16, 2005

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Economic Systems, Inc.	Ali Sayer, Vice President of Operations	C3: survey of DIC recipients	
Gold Star Wives of America	Edith Smith, Legislative Committee	SBP/DIC – part of concurrent receipts	
FAR Group	Jackie Garrick, Social Worker and Consultant	Medical statements and incentives	
Veterans Party of America	Charles Kelley	38 USC 511 and research studies	
	Glenda Kelley	PTSD vs. CNS	
National Military Families Association	Debbie Fryar, Deputy Director GR	DC VAMC has done a terrific job!	
ORC MACRO	JoAnn Kuchak	Comparability of non-disabled veterans selected from >1985 omits non-career veterans, e.g., Vietnam veterans; large data gap.	
	Chair, Legislative Committee	Survivors need to be included in all studies and analysis, especially since there are no survivors on the Commission.	
Commission Discussion and Approval	IOM Approach: The Commission members expressed their favorable impressions of the IOM proposed approach. A motion was made, seconded, and approved unanimously by acclamation to adopt the IOM approach subject to further amendment by future vote of the Commission.		
Commission Discussion and Approval	CNA Approach: The Commission members expressed their favorable impressions of the CNA proposed approach. A motion was made, seconded, and approved unanimously by acclamation to adopt the CNA approach subject to further amendment by future vote of the Commission.		
Adjourned at 2:45 p.m.			

The minutes of the September 15-16, 2005 meetings of the Commission were unanimously approved by Commission members in attendance at the October 14, 2005, meeting in Washington, DC.