

December 5, 2022

The Honorable Denis McDonough
Secretary of Veterans Affairs
U.S. Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Dear Secretary McDonough:

The below members of the National Military Veterans Alliance (NMVA) are deeply concerned with the Proposed Rule (*RIN 2900-AP89, Change in Rates VA Pays for Special Modes of Transportation*) that cuts the Department of Veterans Affairs (VA) reimbursement rate for emergency air medical services to below the costs of the services themselves. If it is published without changes as a Final Rule, it would put more than 2.7 million rural Veterans in our country who are enrolled in the Veterans Health Administration (VHA), and 4.8 million rural Veterans overall, at risk of losing life-saving emergency air transportation starting January 1, 2023.

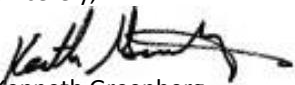
These emergency air services are ordered by physicians and first responders, when they believe providing health care within the Golden Hour after a stroke, heart attack, or other life-threatening situations could be the difference between life or death for a Veteran. This proposed rule would cut VA's reimbursement rate to less than 50 percent of operational costs, which will cause emergency air medical bases around the country to shut their doors, halting services to Veterans.


In January 2022, the *No Surprises Act* went into effect requiring air medical companies to submit two years of cost data to the U.S. Department of Health and Human Services (HHS). Once this data is collected, HHS will produce a report sharing this data. We do not believe VA can properly evaluate the Proposed Rule (let alone even published that Proposed Rule) without that data. Should VA publish the Final Rule without changes, rural Veterans' lives will be put at undue risk. VA must delay the consideration of any change to its reimbursement rate until HHS publishes that cost data report.

Therefore, NMVA respectfully requests the Department immediately stop moving the final rule forward and await the HHS report on the air medical company data. Once the data is collected from HHS, NMVA requests the Department engage the veteran and medical stakeholder communities, in robust discussions to develop a solution, possibly through a Negotiated Rulemaking process or by publishing a final rule with changes.

The lives of thousands of rural Veterans are at stake, and we call on you to give this urgent issue your personal attention. We look forward to a timely response and in scheduling a meeting with VA officials.

Sincerely,


Kenneth Greenberg
National Executive Director
Jewish War Veterans of the USA
Co-Chair, NMVA


CAPT Bob Carey, USN (Ret)
Chief Bottle Washer
National Defense Committee
Co-Chair, NMVA

Signatory National Military & Veterans Alliance Members:

Jewish War Veterans

American GI Forum

Naval Enlisted Reserve Association

Healing Household 6

VetsFirst/United Spinal

Japanese American Veterans Association

Sea Service Family, Foundation

American Logistics Association

National Defense Committee

Wounded Paw Project

Armed Forces Retirees Association

Heroes Athletic Association

Veteran Warriors, Inc.

Chief Warrant and Warrant Officers Association
of the US Coast Guard

Korean War Veterans Association