

January 5, 2022

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

Dear Secretary McDonough:

I write to express my growing concern about the U.S. Department of Veterans Affairs (VA) Program of Comprehensive Assistance for Family Caregivers (PCAFC), specifically with regard to the high rate of denial for first-time applicants and the revocation of long-time program participants, known as “legacy participants.” In both instances, veterans, and their families, are dealing with complex medical situations, including chronic medical conditions that require daily assistance from caregivers. These caregivers are the ones who help our veterans with daily activities such as bathing, dressing, taking medications, and keeping them safe.

The PCAFC stipend ensures these veterans, their caregivers, and their families have a better quality of life by alleviating financial concerns since the caregiver cannot work due to their role in providing daily assistance and support to the veteran. It can also help pay for other support services for the veteran. In working with constituents who have been denied, seeing general statements such as the veteran “no longer meets the program criteria,” is not helpful to the veteran or their families in understanding why they have been denied. This blanket denial also does little in helping them to prepare the appropriate documentation and materials in pursuing an appeal. It has also come to my attention that the veterans are met with the same vague denial upon appeal with the Veterans Health Administration (VHA).

Starting in September 2022, legacy participants who are denied will be permanently removed from PCAFC. Barring any changes to the PCAFC program, caregivers will have to find employment to supplement the funds provided by the discontinued stipend, and be forced to obtain care for the veteran, who themselves cannot work, and in many cases, cannot perform daily activities without the help of a caregiver.

As Americans, it is our responsibility to take care of the veterans who have suffered visible and invisible wounds of war. Unfortunately, many have serious medical conditions that do not allow them to obtain employment and have limited their quality of life. We must assist them to ensure they receive not only timely and beneficial medical treatment but also expedient and specific decisions on their appeals. I therefore request the following information:

1. What efforts is the VA taking to speed up the appeals process?

2. Has the VA considered adding a separate lane of appeals for Board of Veterans' Appeals PCAFC appeals as a way to expedite the appeal process since many PCAFC Legacy participants will lose their stipend on October 1, 2022?
3. What efforts is the VA taking to ensure legacy PCAFC participants are evaluated fairly, considering the context of their injuries and time relying on the program?

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Rubio', with a stylized flourish at the end.

Marco Rubio
U.S. Senator